

Tennessee Parents filed a suit challenging the state's universal private school voucher program.

The zealous private school voucher advocates, funded by the big money interests, are pushing the voucher agenda nationwide.

However, parents, taxpayers, and community-minded citizens are pushing back.

Legal challenges to private school vouchers are emerging as the general population becomes aware of how vouchers hurt not only district children but the entire social order. Vouchers hurt Ohio. Vouchers hurt Tennessee.

As the attached [article](#) indicates, the claims of the plaintiffs and the response from the state defendants are essentially the same in Tennessee as those in Ohio. Tennessee state defendants ignore the constitutional mandate and merely blather about parent's right to choose. This is the same claptrap about which voucher defendants in Ohio chatter.

Tennesseans challenge state's private-school voucher program

By: [Sam Stockard](#)-November 20, 20255:13 pm

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A group of 10 Tennessee parents and taxpayers filed a [lawsuit](#) Thursday challenging the constitutionality of the state's new "universal" private-school voucher program.

Filed in Davidson County Chancery Court against Gov. Bill Lee, Education Commissioner Lizzette Reynolds and Tennessee Board of Education members, the lawsuit says the Tennessee Education Freedom Scholarship Act violates the state constitution by shifting public funds to unaccountable private schools that "openly discriminate" against students.

The program provides vouchers worth nearly \$7,300 to 20,000 students in its first year at a cost of \$144 million. The state's top lawmakers want to double the program to 40,000 in its second year.

The program has two categories of students, 10,000 set aside for those whose family incomes hit 300% of the federal subsidized lunch program, up to \$180,000, and 10,000 for students with no family income requirement.

"I've raised nine children in Memphis, and all of them have attended Shelby County Schools," said Apryle Young, a plaintiff in the lawsuit. "I've seen what our teachers can do when they have resources, and what happens when those resources disappear. We need to invest in our public schools, not abandon them."

The plaintiffs contend the law violates the education clause of the state constitution by diverting state money from underfunded schools and preventing an adequate education for students by funding schools outside the state's system of free public schools.

The lawsuit says the voucher program is unconstitutional because participating private schools don't have to meet the same academic standards, accountability measures such as tests and civil rights protections as public schools.

Private schools can discriminate against students with disabilities, LGBTQ students and those of certain religions, all of which would be illegal for public schools, the plaintiffs say. Nor are private schools required to follow the state's curriculum or special education services guaranteed for state and federal law, a release says.

In addition, teachers at participating private schools don't have to follow state certification requirements or give the state's main standardized test, which is used to determine student proficiency and teacher and school effectiveness, the release says.

“They call this ‘school choice,’ but the choice isn’t yours, it’s the private school’s,” said one of 10 plaintiffs, Crystal Boehm, a Hamilton County parent and preschool teacher. “They can reject your child for a disability, for your family’s religion, for any reason at all. Meanwhile, public schools that educate everyone are losing the funding they need.”

The plaintiffs are represented by the American Civil Liberties Union of Tennessee, Education Law Center and Southern Poverty Law Center, in addition to the Southern Education Foundation and Robbins Geller Rudman & Dowd law firm.

Lawmakers passed Lee’s private-school voucher program in a January special session after postponing it in 2024 for lack of support.

The Department of Education released important dates Thursday for families wanting to apply for the money for the 2026-27 school year.

“In its first year of implementation, the Education Freedom Scholarship Program has been a remarkable success, and I look forward to continuing to deliver families with quality educational choices to best serve their students’ unique needs,” Education Commissioner Reynolds said in a statement.

Lee has said his only regret about the program is that it can’t be available to all students, though he is planning to try to expand it next year.

The governor’s spokesperson, Elizabeth Johnson said late Thursday, “Every child deserves an opportunity to succeed, and the Education Freedom Act empowers Tennessee parents to choose the school that best fits their child’s needs while further investing in public schools. We’re confident the court will uphold this important program that the vast majority of Tennesseans support and more than 40,000 families applied for, and look forward to serving even more students when applications open for the 2026-27 school year.”

The state estimated 66% of the students who receive the funds would be returning private-school students. The Lee administration refused to show how many of the 20,000 students receiving the vouchers attended private schools last year.

- **November 21, 2025 8:15 am** *This article has been updated with a comment. from Gov. Bill Lee's spokesperson.*

<https://tennesseelookout.com/2025/11/20/tennesseans-challenge-states-private-school-voucher-program/>