

State tax funds flow to private religious schools. Some religious groups want tax-funded religious charter schools.

Recently, the U.S. Supreme Court ruled against public tax dollars flowing to an Oklahoma public charter school proposal. Subsequently another religious group in Oklahoma applied to start a charter school to be funded by public tax dollars.

In Tennessee the state provides tax money to pay private school tuition but bans tax funds from flowing to charter schools that would have a religious mission.

A group in Tennessee is in court arguing that since public education funds are now funding private religious tuition, religious charter schools should be allowed to function with tax support.

Tax support of private religious schools has opened up the potential of taxpayers being responsible for the total support of all private schools.

Meanwhile, in Ohio, school districts are headed toward bankruptcy due to funds flowing to private religious schools.

A Franklin County Court of Common Pleas has ruled the EdChoice scam unconstitutional.

If the judicial system doesn't stop the EdChoice scam, the Ohio public common school system is doomed. Is that what Ohioans want to happen?

Federal lawsuit over Tennessee religious charter school ban will move forward

By

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A Tennessee [lawsuit challenging the Knox County Board of Education](#) over the state's religious charter school ban is heading to trial after a federal judge denied the board's motion to dismiss the lawsuit.

The Wilberforce Academy of Knoxville sued the school board last year after the local district asked it to affirm it planned to open a non-religious school, per state law.

In federal court filings, the school board argued Wilberforce never actually submitted a charter school application, nor has it targeted state officials in its lawsuit, despite the school board following state law enforced by the Tennessee Department of Education. The board had asked the court to dismiss the lawsuit entirely.

But U.S. District Judge Charles E. Atchley, Jr. in late May ruled Wilberforce didn't have to submit an actual application to challenge an "allegedly unconstitutional barrier" to applying.

Neither party has commented on the lawsuit.

Tennessee officials have left the Knox County board on its own to defend the state law, which Atchley noted in his May opinion.

[Tennessee Attorney General Jonathan Skrmetti declined to intervene](#) in the lawsuit earlier this year, months after he published a legal opinion that argued there was "no compelling interest" in excluding religious charter schools from participating in a "public benefit."

Skrmetti's office is also currently paying Wilberforce's main attorney \$400 per hour in a separate case to help Tennessee defend its criminal abortion ban against ongoing legal challenges.

The [legal fight over religious charter schools](#) in Tennessee – and the lack thereof from state officials – signal major changes may be on the horizon for the state's charter landscape.

This spring, lawmakers signed off on a new state law that now allows religious colleges and universities to operate public charter schools. Though the new law currently blocks those institutions from providing religious curriculum in their charter schools, it opens the door to a new class of charter operators in the state that could quickly stand up religious charters if the state's religious charter ban law were to fall.

And now public dollars are flowing to private religious schools through Tennessee's voucher program, which is paying millions in private school tuition.

In its lawsuit, Wilberforce focuses in part on this program, arguing the public education funds now funding private religious tuition support the case that religious charters should be included in public funding.

"This enshrined hostility to religious charter schools stands in marked contrast to Tennessee's recent support of religious schools through its Education Freedom Scholarship Program," a Wilberforce attorney argued in court documents last year.

A full trial on the lawsuit is scheduled for January 2027, and a group of Tennessee parents and non-religious charter school officials have also intervened in the lawsuit to oppose Wilberforce's claims.

They have argued opening the door to religious charter schools will result in charter schools being "classified and treated as private schools," which could effect on things like Tennessee's public school funding formula and disability protections.

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