Lawsuit may hurt many urban students

Nearly a year into a lawsuit to evict 78,000 poor, mostly minority schoolchildren from their schools, we tend to forget that these deserving students aren't the only ones who will suffer if the teachers' union wins.

So will public school districts. They'll get nailed in the pocketbook.

After adding 38,469 new students last year, Florida public schools are projected to grow by another 100,000 over the next five. Now, imagine returning 78,000 scholarship students in one fell swoop.

Building new schools to handle all these scholarship children would cost $2.6 billion. Even if school districts had enough spare room to absorb half these students in existing classrooms, the tab would exceed $1.3 billion.

That's not all. The scholarship is worth only 80 percent of what the state and districts spend per public school student in operating costs, which means they would have to come up with $111-million more every year to make up that difference.

This potential financial joy worries me.

As a state Board of Education member who has fought to increase funding for public schools and who has personally donated more than $5 million to public-school initiatives, I don't want to impede the budgetary progress we have made over the past five years.

Given the academic success of these scholarship students, shutting down the program also makes no educational sense.

Parental choice is a central part of the transformation of education in Florida. Students can choose from an abundance of learning options: neighborhood schools, magnet schools, career academies, International Baccalaureate, online courses, dual college enrollment, charter schools and special-needs scholarships.

Last year, nearly 1.5 million out of 2.7 million students chose to attend a school other than the one to which they were assigned.

In filing the legal challenge last August to the Tax Credit Scholarship, Florida Education Association vice president Joanne McCall said that “Florida's voucher programs are a risky experiment that gambles taxpayers' money and children's lives.”

What she didn't say is that the FEA was selectively suing only one of the five different education programs that serve roughly a half-million students in privately operated schools.

The tax credit scholarship is aimed at students of limited financial means.

The average household income last year was roughly $24,000, only 5 percent above poverty. More than two-thirds of the students are black or Hispanic, more than half live in single-parent households, and research shows they were the lowest academic achievers in the public schools they left behind.

With the scholarship now entering its 14th year, we don't have to guess about how it is performing. Standardized test scores show us these students are consistently achieving the same academic gains each year as students of all incomes nationally. Just as important, the public schools most impacted by the scholarship are themselves making commendable gains in test scores.

As for the financial impact, multiple independent evaluations reassure us that the scholarship actually saves tax money that can be used to enhance funding for traditional public schools.

The state Office for Program Policy Analysis and Government Accountability found in 2010 that it was saving taxpayers $1.44 for each $1 lost in tax credits. So the scholarship helps, not hurts, traditional public school funding.

These facts suggest the lawsuit is not only cruel but self-defeating. No wonder the Florida School Boards Association and the Florida Association of School Administrators have dropped out. A Leon County circuit judge dismissed the case in May, a ruling which the FEA has said they will appeal all the way to the Florida Supreme Court, even though three different state Supreme Courts and the U.S. Supreme Court have upheld the constitutionality of tax credit scholarships.

Maybe the FEA was angry with lawmakers when it decided to file this lawsuit, but lawmakers won't be the ones who get hurt. If the FEA wins, economically disadvantaged children will lose. And so will school districts.

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