



**PRESS RELEASE from the
LIBERTY JUSTICE CENTER**

MEDIA CONTACT:

Kristen Williamson, 773-809-4403
media@libertyjusticecenter.org

Parents, school leaders fight to protect Opportunity Scholarship Program

RALEIGH, N.C. (Sept. 18, 2020) – A group of parents and two private schools in North Carolina are fighting to protect a critical scholarship program, which has opened the doors for thousands of low-income children in the state to attend private schools over the last five years.

The crucial program has come under attack by the National Education Association, which is working to stamp out school choice programs across the country. The lead plaintiff bringing the lawsuit, Tamika Walker Kelly, is the President of the North Carolina Association of Educators. The parents and schools, represented by attorneys at the Liberty Justice Center, are going to court to argue why this program should not be halted.

“The thousands of North Carolina families who rely on the Opportunity Scholarship Program to send their children to the best school for them need the program now more than ever,” said **Brian Kelsey, senior attorney at the Liberty Justice Center**. “This tried and tested program has already been upheld by the state’s Supreme Court and even recently expanded by the General Assembly. This cynical effort to end educational choice for low-income families must be stopped.”

Thales Academy, Victory Christian Center School, and families from the Raleigh, Winston-Salem, and Charlotte areas are concerned that the lawsuit’s goal of ending the program will harm the thousands of children who receive scholarships. Thales Academy, founded in 2007 by innovative businessman and school choice leader Bob Luddy, is a secular private school serving over 3,500 North Carolina students in 8 schools in the Raleigh and Charlotte areas. The schools provide excellent, accessible academic opportunities at half the price spent by many public schools in North Carolina.

“It’s outrageous that a teachers association wants to remove students from the school of their choice,” said **Bob Luddy, founder of Thales Academy**. “Losing this program would harm the families who depend on the funds and the communities that are positively impacted by young leaders our schools develop.”

Victory Christian Center School has been serving the Charlotte community for over 30 years. The school has been participating in the OSP since 2015 and nearly one-third of their over 200 students receive funding through the program.

Two families are asking the court to recognize their right to choose the best educational options for their children. One family has a kindergarten student attending a Lutheran school in Winston-Salem and previously utilized the program for their older child who struggled in public elementary school. Crystal Pittman of Charlotte is participating in the scholarship program for the first time, using the funds to send her two daughters to a non-religious school offering a robust virtual learning curriculum.

“I was looking for an innovative creative approach to online learning for this school year,” said **Crystal Pittman, parent of two scholarship recipients**. “We are grateful for the opportunity this scholarship has offered us, and I am no longer concerned about the quality of online education my children will receive due to COVID-19. It should be every parent or guardian’s right to choose the best school for their child no matter their income.”

Liberty Justice Center filed a Motion to Intervene in *Kelly v. North Carolina* on Sept. 18, 2020. The filing documents are available here: <https://libertyjusticecenter.org/media/opportunity-scholarship-program>.

BACKGROUND:

In 2013, the North Carolina General Assembly created the Opportunity Scholarship Program, which provides scholarships of approximately \$4,000 to children from lower-income families in the state. Families use these scholarships to attend a private school that fits their child’s unique learning needs. The Program was challenged in court and then upheld by the state’s Supreme Court in 2015.

Since 2015, this state has successfully operated the North Carolina Opportunity Scholarship Program, which has helped over ten thousand low-income students a year receive the funds they need to attend a private school that fits their needs. Plaintiffs bring yet another challenge to the Program, this time charging that, as applied, the Program is discriminatory and does not further the public purpose because many of the schools where parents direct their scholarship funds to be used are religious.

Seven North Carolina parents, in conjunction with the North Carolina Association of Educators (NCAE) and the National Education Association (NEA) are trying to block the program from continuing. In response, attorneys at the Liberty Justice Center, a national Supreme Court-winning law firm, are preparing legal action on behalf of families who use the program.

###

The Liberty Justice Center is a nonprofit, nonpartisan public-interest litigation center that represents clients at no charge and was founded to fight against political privilege. The most recent example of the Liberty Justice Center’s national success in this arena is its 2018 U.S. Supreme Court victory in *Janus v. AFSCME*. Beyond its work in the *Janus* case, the Liberty Justice Center’s team of talented, liberty-minded attorneys also fight to protect economic liberty, private property rights, free speech, school choice and other fundamental rights. The Liberty Justice Center pursues its goals through strategic, precedent-setting litigation to revitalize constitutional restraints on government power and protections for individual rights. Learn more about the Liberty Justice Center at LibertyJusticeCenter.org.