



FLOYD COUNTY BOARD OF EDUCATION  
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Linda C. Gearheart, Board Chair - District 1  
William Newsome, Jr., Vice-Chair - District 3  
Dr. Chandra Varia, Member- District 2  
Keith Smallwood, Member - District 4  
Steve Slone, Member - District 5

**Consent Agenda Item (Action Item):** Resolution for the Floyd County Board of Education to support the Council for Better Education.

**IT IS HEREBY RESOLVED** that Floyd County Board of Education authorizes Superintendent Anna Shepherd to take all necessary steps to support the Council for Better Education, Inc. ("CBE"), in its legal challenge to the unconstitutionality of the tax credits in House Bill 563, including the payment of any appropriate dues or assessments related to this school district's membership in CBE or its support of the referenced legal challenge.

**Applicable State or Regulations:** BOE Policy 01.11

**Fiscal/Budgetary Impact:** Cost of \$2548.90 to the general fund.

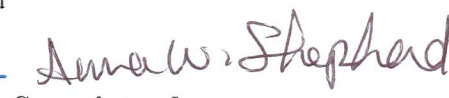
**History/Background:** The Council for Better Education, Inc., the Frankfort Independent School District, and Warren County School District, along with three individual taxpayers and voters, filed suit in Franklin Circuit Court. The case challenges the constitutionality of HB 563, a school voucher program that if it goes into effect will funnel \$125 million in state revenue to private schools. Every student, no matter what he looks like or where she lives, deserves access to a high-quality public education. Spending money on voucher programs means denying students the opportunities they deserve in their neighborhood public schools because vouchers steal away scarce funding from public schools and give it to private schools that have no accountability or transparency. The Kentucky constitution demands that public funds be used to improve public schools in Kentucky and prohibits public money being shifted to unaccountable private schools. As our Supreme Court made clear in its landmark decision in *Rose v. Council for Better Education*, the General Assembly has an unyielding obligation to provide for and oversee an efficient system of common schools and cannot redirect public funds to private schools that serve a select few. The Constitution requires any programs that fund schools other than the common schools be approved by Kentucky voters. HB 563 violates these constitutional requirements. Worse still, the law allows state revenue to flow to private schools that are not subject to any education standards and are free to discriminate against students for any reason, including race, gender, sexual orientation, disability and religion. Public dollars should never be spent to create an education system that allows, encourages or perpetuates discrimination. HB 563 conceals its constitutional defects of funding tax handouts to wealthy donors and allowing private management organizations (in exchange for a generous fee) to administer the program rather than public agencies that are accountable to Kentucky voters. But make no mistake: left unchallenged, over the next five years HB 563 will cost the taxpayers of the Commonwealth

**Recommended Action:** Approve as presented.

**Contact Person(s):** Tiffany Warrix Campbell or Anna Shepherd

  
Principal

  
Director

  
Superintendent