

From: Jim Flynn <jim.flynn@kysupts.org>

Sent: Friday, October 8, 2021 12:45 PM

To: Jim Flynn <jim.flynn@kysupts.org>

Cc: ibuildcathedrals@gmail.com

Subject: Court rules the Tax Credit for EOAs in HB563 is Unconstitutional

Judge rules the Tax Credits for EOA's are unconstitutional, supporting the Council for Better Education and others who filed suit against this portion of the School Choice law passed last session (HB563). Attached is the Judge's opinion and order.

[Judge strikes down Kentucky school choice program as unconstitutional \(courier-journal.com\)](https://www.courier-journal.com)

As you know, KASS has long fought against any privatization of public funds for education. We believe this law violates the Kentucky Constitution, will place our most vulnerable students at an even greater disadvantage, and limit much-needed funding from the state coffers.

Stay tuned for an appeal of this ruling and for more information as it becomes available. As always, if I can be of assistance, feel free to contact me,

Jim

Dr. Jim Flynn

Executive Director

Kentucky Association of School Superintendents

87 C. Michael Davenport Blvd.

Frankfort, KY 40601

270-776-0444

www.kysupts.org

Follow me on Twitter [@jimflynnkysupts](https://twitter.com/jimflynnkysupts)

From: Matt Robbins - CO <matt.robbs@dayton.kyschools.us>
Sent: Friday, October 8, 2021 10:47 AM
To: Bacon, Jesse <jesse.bacon@bullitt.kyschools.us>; jay.brewer@dayton.kyschools.us <jay.brewer@dayton.kyschools.us>; rob.clayton@warren.kyschools.us <rob.clayton@warren.kyschools.us>; thom.cochran@johnson.kyschools.us <thom.cochran@johnson.kyschools.us>; houston.barber@frankfort.kyschools.us <houston.barber@frankfort.kyschools.us>; Jim Flynn <jim.flynn@kysupts.org>; Leet, Byron <bleet@wyattfirm.com>; Robbins, Matt - DCPS <matt.robbs@dayton.kyschools.us>; Matthew Thompson <matthew.thompson@montgomery.kyschools.us>; patricia.sheffer@union.kyschools.us <patricia.sheffer@union.kyschools.us>; Snell, Virginia <vsnell@wyattfirm.com>; Tom Shelton <tom.shelton13@gmail.com>; Webb, Henry <henry.webb@kenton.kyschools.us>
Subject: Fwd: CBE/Johnson Opinion

GREAT NEWS for a Friday! See below. Off to the Court of Appeals but we got one win notched in our belt which is enormous for us and for KY Public Schools! It is an honor serving with all of you in this critical fight!

Matt Robbins

Superintendent | Daviess County Public Schools

t: 270-852-7000

1622 Southeastern Parkway, Owensboro, KY 42303
www.daviesskyschools.org/

----- Forwarded message -----

From: Wyrick, Mitzi <mitziwyrick@wyattfirm.com>
Date: Fri, Oct 8, 2021 at 10:28 AM
Subject: CBE/Johnson Opinion
To: Matt Robbins - CO <matt.robbs@dayton.kyschools.us>, Tom Shelton <tom.shelton13@gmail.com>
Cc: Leet, Byron <bleet@wyattfirm.com>, Snell, Virginia <vsnell@wyattfirm.com>, Williamson, Sean <swilliamson@wyattfirm.com>

Judge Shepherd has issued his opinion permanently enjoining the DOR from enforcing HB 563. He granted our motion as to Section 59 and 184 of the Kentucky Constitution and found that issues of fact existed with respect to our

other grounds. He denied the cross-motions of the Defendants. The order is final and appealable as to the issues on which he issued a permanent injunction so we are likely off to the Court of Appeals. Congratulations!

Mitzi

Mitzi D Wyrick

Wyatt, Tarrant & Combs, LLP
400 West Market Street
Suite 2000

Louisville KY 40202

Direct: (502) 562-7337

Mobile: (502) 558-9340

Email: mitziwyrick@wyattfirm.com

<http://wyattemployment.wordpress.com/>

Louisville | Lexington | Memphis | Nashville | New Albany | www.wyattfirm.com