



Andrew J. Vandiver

Thousands of Families Denied Educational Choice by Kentucky General Assembly

By Andrew J. Vandiver

Educational choice supporters entered the 2018 Session of the Kentucky General Assembly with the wind at their backs. Starting in January, thousands of Kentuckians contacted their legislators to express support for Scholarship Tax Credits. The high point of the month occurred when Kentucky celebrated two National School Choice Week rallies in Frankfort and Madisonville that attracted over 1,400 attendees.

Yet, the General Assembly did not pass Scholarship Tax Credit legislation or any other bills providing families with educational choice. The 2018 Scholarship Tax Credit bill would have created a \$25 million program which would have incentivized charitable donations to local scholarship granting organizations. It was estimated that over 7,000 students would have received need-based tuition assistance through the program. By design, the majority of the beneficiaries of the program would have been students with special needs, students in the foster care system, or students from families whose income is below eligibility for reduced lunch.

Failure to move the bill was not due to lack of support for the program. Kentucky polling has consistently reflected that a bipartisan majority of Kentuckians support educational choice and Scholarship Tax Credits. Further, a majority of legislators in both chambers of the General Assembly committed to supporting the Scholarship Tax Credit bill.

So what happened? It is safe to say that the issue did not move because the General Assembly prioritized other matters and did not want to take on educational choice. Exhausted from fights over public pensions, tax reform and the budget, the General Assembly opted to kick the can down the road.

So where do we go from here?

We must stay motivated. The battle for educational options has been fought and won in the majority of states, including nearly all of the states surrounding Kentucky. It can happen here. In fact, we have never been closer to passing a bill than we are now.

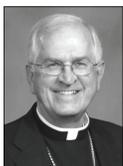
Victories in other states did not come easy and we should expect the same in Kentucky. The bias towards maintaining the status quo is strong. Nevertheless, the fight must continue because our children deserve the best educational opportunities possible.

Scholarship Tax Credits will pass if everyone who reads this newsletter takes ownership over the issue and demands immediate action from state lawmakers. We must persuade lawmakers that this is not simply a box that can be checked off at a later date. Educational choice must be a top priority now.

State lawmakers missed a major opportunity to improve the lives of thousands of children and the consequences of their failure to act are serious. The challenges facing families with children who are struggling academically cannot be put on pause while the General Assembly finds a more convenient time to address this issue. For many children, every year that passes without access to more options is a year that is lost with regard to their education.

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The Catholic Conference of Kentucky was created in 1984 by the Roman Catholic bishops of Kentucky. Its mission is to represent the Church and the state's four Roman Catholic dioceses in public policy matters on both the state and federal level.

Bringing the Catholic Voice to the Public Square



Jason D. Hall

By Jason D. Hall

All legislative sessions have their unique characteristics and challenges, but the 2018 General Assembly was particularly difficult. Controversy surrounding the state budget and reforms of the pension programs for state workers overshadowed most other topics. Yet, in all political environments, it is important for Catholics to witness to the values of the Gospel and serve as a steady voice for justice. Catholics from all walks of life have insight, commitments, and gifts that are brought to bear on public discourse and political debate on any number of issues. Through the work of the Catholic Conference of Kentucky, the Commonwealth's four Catholic bishops seek to engage on some of the major issues that have clear moral implications.

Andrew Vandiver has a separate article in this issue discussing educational choice, which remains a major priority of the Catholic Conference. Following is a summary of other legislation with which CCK was involved during the 2018 session.

Protecting the Unborn: In 2016, after years of effort by several advocacy groups, including CCK, a fix to Kentucky's informed consent law was passed. This ensured that there is an actual person-to-person conversation between a woman seeking an abortion and a health care professional, as opposed to the woman being provided on-

ly an over-the-phone recording with basic information. In 2017, an ultrasound requirement and a law restricting abortion after 20 weeks of pregnancy were both passed.

In 2018, a bill restricting abortion methods involving dismemberment, HB 454, sponsored by Rep. Addia Wuchner, was passed. CCK also supported HB 455, sponsored by Rep. Melinda Prunty, which would have addressed abortion performed because of a Down Syndrome diagnosis. That bill sparked significant conversation, but was never reported out of committee.

Death Penalty: Efforts to end the use of capital punishment in Kentucky continue to advance. Rep. Chad McCoy (HB 155) and Sen. Gerald Neal (SB 54) sponsored bills that would have abolished the death penalty in favor of life without parole. A large bipartisan group of cosponsors stepped forward and signed on to those bills.

CCK had high hopes for SB 107, sponsored by Sen. Julie Raque Adams, which would have prohibited the use of the death penalty for defendants with certain diagnosed severe mental illnesses. SB 107 was reported favorably by the Senate Judiciary Committee but then lost steam and failed to advance further.

Protecting Pregnant Women in the Workplace: Along with a number of other groups from across the political spectrum, CCK strongly supported SB 38, sponsored by Sen. Alice Forgy Kerr. SB 38 would have protected women from facing discrimination due to pregnancy, and would have required reasonable accommodations be made in the workplace during the pregnancy and while the woman is nursing her

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child. This is an important bill because, there are gaps in existing law that SB 38 would fill. Providing these protections protects the job security and health of working mothers and also reduces one of the major factors that lead women to consider abortion.

Unfortunately, like SB 107 above, SB 38 was reported favorably out of the Senate committee and then failed to move further. In part, this was due to the overall challenging atmosphere of the session, but there were also a few business groups working hard behind the scenes to prevent these protections from being extended to their female employees.

Criminal Justice: As a member of the Kentucky Smart on Crime coalition, CCK has been very active in working to reduce incarceration rates for non-violent offenses. The data is clear that Kentucky's approach to criminal justice leads to unnecessarily high cost and high rates of recidivism (repeat offending). Particularly, the large number of felony convictions for non-violent offenses leads to reduced employment opportunities and tremendous pressure on families.

In recent years, CCK has successfully worked with others to pass legislation providing for expungement of some felony convictions and reforms to the occupational licensing process to open up additional employment opportunities. During the 2018 session, CCK strongly supported HB 396, sponsored by Reps. Kim Moser and Jason Nemes, but unfortunately the bill failed to pass. Assumptions and attitudes that underlie the debate over criminal justice continue to make it easy to pass bills increasing penalties and filling up prisons, while making it difficult to pass laws focused on restorative justice and the reduction of repeat offending.

On the bright side, SB 133, sponsored by Sen. Julie Raque Adams, did pass, although it was significantly weakened as it moved through the process. However, it did do some good things, such as improving the treatment of female inmates, especially during pregnancy and delivery. This was only a couple of small steps in the direction we need to go, but at least some progress was made.

As we look forward to the next General Assembly

and to the ongoing debates in Frankfort, CCK continues to seek fruitful engagement with all people of good will as we attempt to advance the cause of legal, economic, and social justice. We ask for your prayers for your bishops, CCK staff, and our political leaders in Frankfort as they seek to work through the challenges confronting our beloved Commonwealth.

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Take the story of Denisha Merriweather as an example. Denisha received national attention over the last year due the radical change that happened in her life after she was given educational choice. Denisha was on the wrong track academically after failing third grade twice. Her life was changed forever after she was able to enroll in a non-public school that fit her needs through Florida's Scholarship Tax Credit program. She went on to become the first member of her family to graduate from high school and college.

How many Denisha's do we have in Kentucky schools today? These are children who would succeed if their families were only given the opportunity to find the right school. These are children who may be destined for a life of poverty unless they receive immediate help.

Denisha is not the only student who benefited from educational choice. The vast majority of research on educational choice reflects that students benefit across the board when families are given options, regardless of whether they choose a public or a non-public school. It is common sense. All children are unique and will have the best opportunity for success if they have access to the classroom that fits their learning needs.

Kentucky families do not have another year to spare. They need options now. This is the message that Kentucky lawmakers need to hear over and over again until they do the right thing and pass a robust Scholarship Tax Credit Program.



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Fortunately, members of the Kentucky General Assembly can make this situation right in just a few months when they reconvene. Please take time over the coming weeks and months to reach out to your state lawmakers and let them know that they must make this situation right. This may be out of your comfort zone, but remember, Kentucky’s children are depending on you to be their voice.

Please contact your state representative and state senator regarding the issues discussed in this newsletter. A few minutes of your time can go a long ways towards moving the above issues in the General Assembly. You can visit www.lrc.ky.gov and click on “Who’s My Legislator” to find their contact information.

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