

## Statement on *Carson v. Makin* and Its Implications for Pennsylvania

**June 21, 2022** - Today's U.S. Supreme Court decision in [Carson v. Makin](#) mandates that Maine use its public school funds to educate children in private religious schools. Never before has the Supreme Court forced a state to fund religious education. The ruling is antithetical to our country's history and its long-held commitment to a separation between church and state embedded in our federal and state constitutions. It also has important and potentially devastating implications for Pennsylvania's students.

Pennsylvania's public schools serve the vast majority of the Commonwealth's children. Public schools, unlike private religious schools, are prohibited from excluding children or discriminating against students and they are also held accountable for their use of public funds. While tax credits in Pennsylvania are permitted to be used to support private religious schools, public school funds are not, and this is prohibited by our state Constitution.

Today's Supreme Court ruling is a threat to that public school system in many ways.

First, instead of upholding the prohibition against requiring taxpayers to support the religious education of others, the Court has forced a state to fund religious private schools – upending decades of prior legal precedent.

Second, the ruling supports voucher programs, which undermine public education by siphoning off limited funds away from public schools and directing those dollars to educate some students in private religious schools that are not accountable to taxpayers in any way – financially or regarding academic achievement. Study after study [shows](#) vouchers do not improve academic achievement and often lead to worse outcomes.

Third, private schools do not abide by the same civil rights and nondiscrimination protections as public schools. Unlike public schools, private religious schools can exclude and discriminate against students based on their religion, gender, disability, LGBTQ status, etc., which directly harms students. The government should never fund discrimination.

At the Education Law Center, we believe that public education is a public good and that a quality education is the greatest civil right our children have to prepare them for a bright future, successful employment, and participation in a vibrant democracy. ELC will continue to uphold these core principles. We will continue to work to ensure a quality education for every Pennsylvania child and seek to end taxpayer funding of private religious schools that undermine the rights of all of us.

To that end, ELC actively opposes [HB 2169](#), Pennsylvania's pending voucher bill, which would cost \$144 million and will further disinvest from our public schools and disproportionately harm students in our most underfunded school districts. This voucher bill – which just passed the Pennsylvania Senate Education Committee today – removes tax dollars from public school funds and diverts them to a voucher program which has no income limits – allowing high income families to educate their children in private schools using public dollars, at the grave expense of students who are already lagging behind academically due to an inadequate and highly inequitable school funding system. Please join us in **opposing HB 2169** and fighting for our public schools.