



**PRESS RELEASE from
LIBERTY JUSTICE CENTER**

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Independent schools ask to join Mississippi court case to defend COVID relief grants for school improvements

JACKSON, Miss. (Aug. 12, 2022) – An association representing 125 schools and 45,000 students in Mississippi is urging a state judge to allow federal COVID-19 relief funds to reach the independent schools they were meant for. Midsouth Association of Independent Schools (MAIS) argues that opponents of the program are cynically using a century-old provision of the state constitution that was motivated by racial and religious prejudice to stop federal support for independent schools.

In the wake of the COVID-19 crisis, the federal government distributed relief money to the states for infrastructure grants. The Mississippi State Legislature instructed the state to allocate the \$10 million to independent schools such as those in MAIS. Parents for Public Schools, Inc. filed a lawsuit in June 2022 to block these grants. The Plaintiff, who is represented by the ACLU, is relying on the notorious post-Civil War “Blaine Amendment” in the Mississippi state constitution to stop the program. The provision was designed a century ago to discriminate against African Americans and Catholics by withholding education funding for independent schools in the state, a legacy that continues to this day.

The legal action today seeks to end this discrimination against non-public schools and students. The Midsouth Association of Independent Schools is represented by attorneys from the Liberty Justice Center, a national nonprofit, Supreme Court-winning law firm committed to protecting educational opportunity for all. Attorneys have asked the court to stop Parents for Public Schools, Inc. from using the Blaine Amendment to block COVID-19 funds from going to non-public schools.

“The effort to stop this grant program for independent schools is discriminatory and illegal,” said **Daniel Suhr, managing attorney at the Liberty Justice Center**. “More than 100 years ago, a provision in the Mississippi Constitution was enacted that is still being used to further discrimination against religious and independent schools in the state. The U.S. Constitution promises all of us equal treatment and protection under the law – regardless of our race, religion, or creed. Courts cannot allow this outdated language to undermine a critical COVID relief program for independent schools.”

The Midsouth Association of Independent Schools represents 90 percent of non-public schools in Mississippi. Its member schools and 6,500 teachers worked throughout the COVID-19 crisis to provide quality, in-person, college preparatory education. Like public schools, MAIS schools serve the children of Mississippi and federal taxpayers and face infrastructure and modernization needs brought on by the pandemic crisis.

“It is disconcerting to see groups work actively to block federal funds specifically designated for independent schools,” said **A. Shane Blanton, PhD, executive director of MAIS**. “Schools across the country worked through uncertainty the past two years and our independent schools are serving more Mississippi students than ever. Public schools and students are not harmed by their peers receiving these federal funds for basic improvements.”

Liberty Justice Center filed a Motion to Intervene and a Memorandum in Opposition to Plaintiff's Motion for Preliminary Injunction in *Parents for Public Schools, Inc. v. Mississippi Department of Finance and Administration* on Aug. 11, 2022. Case documents are available here: <https://libertyjusticecenter.org/media/mississippi>.

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The Liberty Justice Center is a nonprofit, public-interest litigation center that fights to protect school choice and fundamental constitutional rights. The Liberty Justice Center is best known for its 2018 U.S. Supreme Court victory in *Janus v. AFSCME*. Learn more about the Liberty Justice Center at LibertyJusticeCenter.org.