

Bond Case Briefs

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SCHOOLS - MISSISSIPPI

Midsouth Association of Independent Schools v. Parents for Public Schools

Supreme Court of Mississippi - May 2, 2024 - So.3d - 2024 WL 1923257

Nonprofit organization, whose members included parents of public school children along with teachers and other public school officials, brought action against Department of Finance challenging constitutionality of laws allowing private schools to apply for reimbursable grants for investments in water, sewer, or broadband infrastructure projects.

The Chancery Court entered judgment for organization. Department appealed.

The Supreme Court held that:

- Organization lacked associational standing, and
- Organization lacked taxpayer standing.

Nonprofit organization, whose members included parents of public school children along with teachers and other public school officials, did not face adverse impact sufficient to confer associational standing for organization to challenge constitutionality of laws allowing private schools to apply for reimbursable grants for investments in water, sewer, or broadband infrastructure projects; funding for grants came from funds given to state by federal government and thus did not take finite government educational funding away from public schools.

Nonprofit organization, whose members included parents of public school children along with teachers and other public school officials, did not have taxpayer standing to challenge constitutionality of laws allowing private schools to apply for reimbursable grants for investments in water, sewer, or broadband infrastructure projects; members of organization were simply general taxpayers challenging general government spending, and funds at issue were federal funds earmarked for specific infrastructure needs.