

Class Action Lawsuit to Challenge State’s Gutting of Education Standards for Hasidic and Haredi Yeshivas

– Renowned attorney Michael Rebell to file class action suit on behalf of Hasidic and Haredi students who were denied a sound, basic education in their nonpublic religious schools –

– To read complaint, [click here](#) –

– For photos and b-roll from press conference, [click here](#) –

Brooklyn, NY — On **Thursday, September 18, 2025**, a class action lawsuit was filed in **Kings County Supreme Court** to reverse New York State’s unconstitutional dismantling of education standards for Hasidic and Haredi yeshivas in the FY2026 budget process. Renowned education policy attorney Michael Rebell — together with the firm of Quinn Emanuel Urquhart & Sullivan, LLP and the Youth Advocacy and Policy Lab at Harvard Law School — are suing the state on behalf of the approximately 100,000 Hasidic and Haredi students who are being denied access to meaningful educational opportunities in their nonpublic schools.

Rebell successfully led the landmark *Campaign for Fiscal Equity* case, which recognized the right to a “sound basic education” in the state constitution. The lawsuit filed today seeks to enforce this right for private school students for the first time by reversing this year’s gutting of substantial equivalency regulations, which enforce education standards in nonpublic schools.

The lawsuit contends that by neutering substantial equivalency, the state fails its constitutional duty under Article XI, Section 1 of the New York State Constitution, to ensure that all children receive the opportunity for a sound, basic education.

“This is a defining moment for education in New York,” said **Michael Rebell, Lead Counsel and Professor of Law and Educational Practice Emeritus at Teachers College, Columbia University**. “The Constitution requires that the state ensure all children — including those in nonpublic religious schools — are provided the opportunity for a sound, basic education. New

York's highest court has emphasized that all students in the state need to receive such an education in order to function productively as capable citizens. It is outrageous that the Governor and state legislative leaders have now absolved these schools from teaching basic American history, civics, science and other subjects to tens of thousands of students. We are going to court to try to stop them from doing that.”

This failure to guarantee a sound, basic education also has lasting impacts on career opportunities and economic wellbeing in the Hasidic community, which suffers from disproportionately high poverty levels and limited English proficiency rates. A recent [report](#) found that 63% of the Hasidic community lives below or near the poverty line, that the median income for Hasidic men is 30% less than non-Hasidic men, and that as much as 13% of Hasidic male youth speak no English whatsoever.

YAFFED (Young Advocates for Fair Education) successfully advocated for the establishment of the substantial equivalency regulations at issue in this case. The educational equity group organized the original 2015 complaint from yeshiva students that resulted in the state's adoption of formal regulations to enhance enforcement of education standards.

“Every child has the right to learn, but too many Hasidic and Haredi children are being denied an education because the state has refused to guarantee it,” said **Adina Mermelstein Konikoff, Executive Director of YAFFED**. “This lawsuit is about guaranteeing this right – and that means reversing the disastrous dismantling of substantial equivalency. We cannot accept a law that shirks the state's responsibility to educate our students.”

According to New York's Education Law Section 3204, nonpublic schools, including religious schools, are required to provide instruction that is “substantially equivalent” to that offered in public schools. The New York State Education Department (NYSED) spent years developing regulations aimed at enforcing these standards. However, a [backroom deal](#) struck in the 11th hour of the FY2026 budget process dismantled these standards.

The changes allow schools to evade these standards by, among other things, eviscerating the testing requirements that are used to prove compliance. Schools can choose their own assessments, switch their chosen test at will, and still be deemed compliant simply by offering their hand-picked exams to a minimum number of students – determinations are made without any regard for the actual scores the students may receive on these tests.

The changes also prevent NYSED from effectively enforcing the law. Nonpublic schools are given eight years to implement assessments, precluding NYSED review until the 2032-2033 school year. And many private schools are exempted from meaningful oversight by automatically deeming them compliant if they are merely “affiliated” with another institution that has met weakened pathways for compliance.

New York State Senator Liz Krueger has been a leading legislative advocate for educational equity in yeshivas, and prominently denounced the gutting of substantial equivalency enforcement in a [fiery speech on the Senate floor](#).

"The changes made to substantial equivalency standards in this year's budget, snuck in at the very last minute, were shameful. They abandoned our moral and legal responsibility to ensure that all our children receive a basic education, and they will hurt Jewish children the most. This is not a religious issue, it is one of the basic rights of New York children as guaranteed in our state constitution, and I am glad to see these provisions will be challenged in the courts," said **New York State Senator Liz Krueger**.

New York State Senator Robert Jackson has [introduced legislation](#) to strengthen the enforcement of substantial equivalency requirements in nonpublic schools.

"In the Legislature, I have worked alongside advocates for educational equity as they have fought for the right to learn. I am proud to stand alongside them as they make their case in court – every child in New York deserves a fair chance to succeed, and that starts in the classroom," said **New York State Senator Robert Jackson**.

"Education is the foundation of economic mobility. When children are denied an education, they are denied the chance to build their own future. As a state, we cannot accept a reality where tens of thousands of children are cut off from this opportunity," said **New York State Assemblymember Phara Souffrant Forrest**.

"Our state constitution says that all students are entitled to a sound, basic education. Substantial equivalency is how we protect that important constitutional right for students who attend private school. I stand firmly with the students and education advocates who are fighting to ensure that all New York students have access to an education that enables them to determine their own futures," said **New York State Assemblymember Dana Levenberg**.

About YAFFED

YAFFED (Young Advocates for Fair Education) is a nonprofit organization founded by individuals raised within Hasidic and Haredi communities, and is committed to improving secular education in Hasidic and Haredi schools. YAFFED's vision is that Haredi and Hasidic yeshiva students receive the education and skills for long-term personal growth and self-sufficiency, enabling them to contribute meaningfully to their communities.

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