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## **FAX ALERT**

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### **BAH HUMBUG!** **Judge Oliver Sends a Christmas Message to Cleveland's Children** *Rules Against the Cleveland Program*

**(December 20, 1999)** In a move expected by many observers of recent court happenings in Cleveland, District Court Judge Solomon Oliver ruled against the Cleveland Scholarship Program, which currently allows more than 3,000 disadvantaged children to attend the school of their choice.

Oliver's ruling doesn't disrupt the school year for the children. But it does set the Cleveland program clearly on its way through the higher levels of the U.S. court system.

The Institute for Justice has vowed to issue "a prompt appeal to the Sixth Circuit Court of Appeals, and if necessary, to the U.S. Supreme Court."

Beyond the obvious nervousness this ruling will create among children and their families, the point of such lawsuits is to discourage and dissuade other improvements in public education that might strike at the very core of the existing, failed system.

"It's fitting that this should happen just days before the year 2000 begins," said Jeanne Allen, CER's president. "It's now apparent to all Americans that when it comes to justice, the establishment and its friends in court are more interested in fighting to preserve the system than they are in fighting to create equity for all children."

The Center for Education Reform was an amicus the first time the choice program went to the state's Supreme Court and was upheld. In December 1997, CER filed a *friend of the court brief* on behalf of several national and state groups supporting children's choices, including CEO America, the American Legislative Exchange Council, Minnesota Business Partnership, National Federation of Independent Businesses and the Pennsylvania Manufacturers Association.

For more information on the Cleveland choice case as it unfolds, please contact us or see the website at [www.edreform.com](http://www.edreform.com) for a hotlink to breaking news and information.

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