



**PRESS RELEASE from the
LIBERTY JUSTICE CENTER**

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Liberty Justice Center attorneys committed to defending scholarships for low-income students

NASHVILLE, Tenn. (June 4, 2020) – Today, the Tennessee Supreme Court declined to immediately review a challenge to a law providing scholarships to low-income students in some of Tennessee’s worst performing school districts. Now, the implementation of the Education Savings Account (ESA) Pilot Program will be delayed until after the Tennessee Court of Appeals hears the case on August 5, 2020.

Attorneys at the nonprofit Liberty Justice Center represent a group of parents and school leaders fighting to protect the ESA program so their children and students have the opportunity to escape poor-performing public schools.

“The ESA program is urgently needed to help low-income Tennessee students escape failing schools and access better education opportunities,” said Brian Kelsey, senior attorney at the Liberty Justice Center. “We plan on making this argument in the Court of Appeals on August 5, and we are hopeful that the court will side with parents and school leaders.”

BACKGROUND: In 2019, Tennessee Gov. Bill Lee signed a law that provides scholarships of approximately \$7,000 to children from low-income families in Nashville and Memphis. Families can use these scholarships to attend a school of their choice that fits their unique learning needs. This program is the first of its kind exclusively for low-income families in Tennessee. This type of program has proven effective and critical in other parts of the country, including Wisconsin, Florida, Ohio, Arizona, Nevada and Washington D.C.

On February 7, 2020, the Metropolitan Government of Nashville and Davidson County, Metropolitan Nashville Board of Public Education and Shelby County Government filed a lawsuit in the Chancery Court for Davidson County, Tenn. to block the program. On March 2, 2020, a group of families with public school students represented by the Southern Poverty Law Center and American Civil Liberties Union filed an additional lawsuit. The ESA program was set to begin in August 2020.

In May 2020, Nashville Chancellor Anne C. Martin blocked the scholarship program from going into effect. Chancellor Martin allowed an appeal of her order right away. Liberty Justice Center appealed the ruling to the Tennessee Court of Appeals and the state Supreme Court.

Liberty Justice Center’s case documents are available here:
<https://libertyjusticecenter.org/cases/metropolitan-govt-nashville-v-tennessee-doe/>.

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The Liberty Justice Center is a nonprofit, nonpartisan public-interest litigation center that represents clients at no charge and was founded to fight against political privilege. The most recent example of the Liberty Justice Center’s national success in this arena is its 2018 U.S. Supreme Court victory in *Janus v.*

AFSCME. Beyond its work in the *Janus* case, the Liberty Justice Center's team of talented, liberty-minded attorneys also fight to protect economic liberty, private property rights, free speech, school choice and other fundamental rights. The Liberty Justice Center pursues its goals through strategic, precedent-setting litigation to revitalize constitutional restraints on government power and protections for individual rights. Learn more about the Liberty Justice Center at LibertyJusticeCenter.org.