

January 2014

INSIDE THIS ISSUE:

Early Education Update

Employment Non-Discrimination Act

3

4

Inside 119

The AACS is a service organization that exists

- To provide legislative oversight.
- To promote high-quality educational programs.
- To encourage the goal of producing Christ-like young people.
- And to provide related institutional and personnel services to its constituency.

THE COMMON CORE PROBLEM FOR CHRISTIAN SCHOOLS

As educators and parents learn more about the Common Core Standards (CCS), they are raising questions regarding the development and content of the standards. Although much momentum has been achieved nationally toward full adoption of the CCS, the concerns being raised continue to highlight the growing controversy surrounding the standards. Some of the criticism includes the need for increased testing, the lack of professional development and funding to prepare teachers for the standards, and the high cost of implementation to the states. Additionally, some educators have criticized the standards themselves as being mediocre at best.

While there is merit to each of these criticisms, the strongest concern for Christian schools lies in the increased federal control over the standards, as this will inevitably affect their autonomy. Proponents of the CCS claim that the standards are a voluntary, state-led effort between the National Governor's Association and the Council for Chief State School Officers. However, the federal government has contributed significant funding for the establishment of the standards by linking states' adoption of the standards to Race to the Top funds and has conditioned No Child Left Behind waivers to states' adoption of the standards. The Department of Education has also awarded an additional \$350 million to two consortia of states to develop

CCS-aligned assessments, and has established a technical review panel whose sole purpose is to evaluate the CCS assessments. This increase of federal involvement shifts the control and accountability to the federal level and away from the state and local level.

A loss of local control hurts rather than helps education reform. Nearly all educators agree that real education reform takes place at the local level with decisions about standards made by those who understand the students in the community and are invested in their success. By tying federal funds to the CCS, control over those educational decisions moves to the federal government and away from local leaders.

Federal control creates a onesize-fits-all approach, establishing a uniform national standard that creates expectations too rigorous for low-performing students and not rigorous enough for highperforming students. Resources will be directed towards bringing up the low-achieving students in order to meet the minimum standards. This approach leaves no flexibility to meet the needs of individual students or raise the bar for academic excellence. Additionally, federal control opens the door for politicization by special interest groups working to insert their issue in the forefront of academics.

Most importantly for Christian schools, federal control over the

CCS threatens every school's autonomy in determining academic standards and making curriculum decisions. National assessments and collegereadiness assessments (ACT and SAT) are being aligned with the CCS; and since many higher education institutions see CCS as a way to ensure freshmen are college ready, they will likely require transcripts from courses and schools that are CCS aligned. As Christian schools prepare students for college entrance, the schools will be forced to justify their own standards or simply adopt the CCS so that at the very least their graduates are considered to be prepared for college level work. Furthermore, a significant conflict seems likely for the religious mission of Christian schools as the national standards effort expands beyond math and English. Standards that have been developed for science reflect an evolutionary, humanistic worldview.

Indeed, federal involvement and control over the CCS creates significant issues for the education system. Improved educational quality will not result from federally coerced uniformity. Rather, education thrives when diversity and freedom are valued, and the autonomy and mission of Christian schools remain protected.



EARLY LEARNING UPDATE

While pursuing means
to improve the
education of
America's children, it
is important to
recognize that an
expanded role of the
federal government is
not the answer to
solving educational
problems.

In his fourth State of the Union address, President Obama set forth a myriad of progressive, second-term policy objectives. The President announced his intention to expand access "to universal, high-quality, full-day preschool for 4-year-olds from low- and moderate-income families." Early education proponents maintain that early learning initiatives are the answer to the so-called "school to prison pipeline" and claim that the significant costs of these new programs will be more than offset by a reduction in future criminal activity, remediation, and rehabilitation costs. In order to achieve the stated objectives, the Administration has established the Office of Early Learning in the Department of Education (DOE), promoted the Preschool for All initiative, and launched another phase of the Race to the Top-Early Learning Challenge (RTT-ELC) competitive grant program.

In the wake of the President's speech, the DOE announced the creation of the Office of Early Education to coordinate early learning opportunities for children, birth through third grade. Since 2011, the RTT-ELC has awarded over \$1 billion to 20 states to develop "coherent, compelling, and comprehensive early learning education reform." These reforms include incentives to enroll a higher percentage of socioeconomically disadvantaged children in early education programs, create a system of approved

service providers, and craft assessments to measure participant progress.

By the end of 2013, six states were awarded funds from the \$280 million allotted for the third phase of the RTT-ELC in order to implement early education reforms. Although states that already had religious exemptions were not required to include faithbased preschools, the instructions for earning the grants were ambiguous, and states seemed to believe that all preschools must be brought into their Tiered **Quality Rating Improvement** Systems (TQRIS) in order to be considered for grant funding. After repeated inquiries from AACS, Secretary Duncan issued a letter addressing the concerns of childcare providers in states without an exemption.

Although the letter was helpful, AACS felt that greater clarification in publicly available program guidance would better protect our schools from overzealous state education officials. After continued work with the Department on this issue, we were encouraged to see the Frequently Asked Question document from the DOE clearly state that faith-based early education providers were not intended to be included in the state TQRIS. Additionally, states that already exempt faith-based early education centers would not be adversely affected in the selection process. The battle is now in the individual

states to ensure protection for the autonomy and religious freedom of private, Christian preschools.

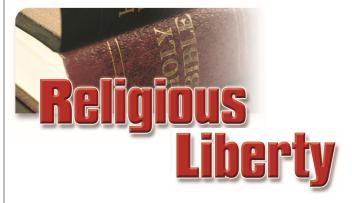
Simultaneously with the RTT-ELC competition, the Administration has ramped up efforts to obtain funding for the President's Preschool for All proposal "to improve the quality of early learning and development programs and close the educational gaps for children with high needs" and an additional \$750 million to strengthen existing programs. The program would create a "new federal-state partnership with formula funding for four-year-old preschool—with a state match-to all eligible states, based on each state's proportion of four-year-olds under 200% of the federal poverty level. States would make sub-grants to highquality, local providers, including school districts and community partners, such as child care and Head Start."

Throughout the first half of the year, the AACS Legislative Office participated in numerous interagency meetings and conference calls pertaining to the program details. The \$75 billion price tag for the program has been called into question by several conservative members on the House Education and the Workforce Committee. During the DOE's annual back-toschool bus tour entitled "Strong Start, Bright Future," Secretary of Education Arne Duncan traveled the country to enlist support for an increased investment in early childhood education. In November, the Secretary, along with Senator Tom Harkin (D-IA), Rep. George Miller (D-CA), and Rep. Richard Hanna (R-NY), rolled out the "Strong Start for America's Children Act" in an interactive early childhood classroom setting. The press conference prominently featured teachers and

representatives from law enforcement, the military, and the business community who cautioned that the failure to invest in early childhood learning programs will lead to future incarceration costs and a lack of military readiness. Although the bill's chances of being enacted are slim, the Administration continues to advocate for increased federal involvement and spending.

While the Administration argues that current access to early learning is inadequate, even the liberal leaning Center for American Progress reports that 74% of four-year-olds and 51% of three-year-olds are already enrolled in centerbased care. Additionally, fiscal conservatives note that taxpayers already contribute \$25 billion annually into over 45 federal programs that have consistently been shown to be ineffectual in producing longterm achievement. According to The Heritage Foundation's review of the last comprehensive Head Start analysis, "Academic gains derived from preschool disappear by the end of first grade, but the negative effects of preschool on children's behavior remain." Research proving the necessity for early education programs is inconclusive at best.

While pursuing means to improve the education of America's children, it is important to recognize that an expanded role of the federal government is not the answer to solving educational problems. Federal involvement in early education will lead to a decrease of parental rights, and will greatly hinder the excellent education that is presently being offered by the thousands of private preschool centers across the country. Ultimately, federally subsidized preschools could drive private and faith-based providers out of the market and thereby limit choices for parents and caregivers.



EMPLOYMENT NON-DISCRIMINATION ACT

Introduced in every Congress except one since 1994, ENDA has been close to passing and only narrowly defeated on two previous occasions. As of December 2013, ENDA has passed in the Senate and is in committee in the House. Although House leadership continues to oppose the bill coming to the floor for a vote, parliamentary procedures do allow for a maneuver called a discharge petition that would force a vote. The President has committed to sign the bill into law should it pass.

ENDA seeks to change employment law by adding sexual orientation and gender identity to the classes protected in employment law. Traditionally, these protections were extended to those individuals whose intrinsic qualities had exposed them to pervasive and longstanding discrimination in the job market. The imprecise and subjective nature of the bill's language, including the phrasing "perceived sexual orientation or gender identity," would make interpretation, compliance, and enforcement extremely difficult. Further, its enforcement by the Equal **Employment Opportunities** Commission (EEOC) would likely result in extended court battles.

Since ENDA adds sexual orientation and gender identity to the protected

classes, it would effectively prohibit an employer from considering an employee's or applicant's behavior related to sexual and gender expression in all employment decisions. And although the bill contains Title VII religious protections, recent court cases and legal opinions indicate these longstanding exemptions may not be sufficient to protect religious organizations from gender-based claims of discrimination. At the very least, it leaves all for-profit

ENDA would

further the trend

for diminishing

expressions of

religious opinion

in public life.

businesses (including those like Hobby Lobby that operate according to moral principles) and most para-church organizations unprotected.

Passage of this law would be devastating to the fundamental idea of freedom of religion in America. Supporters insist that in the interest of equality the government has the responsibility to create a society in which individuals are free to proclaim openly homosexuality; however, in order to achieve this reality in the workplace, employers and employees would be in the position of being forced to violate their religious beliefs, freedom of association, and

free speech rights. As with several other government edicts and judicial decisions of late, citizens will be forced to choose between their religious beliefs and their professions.

Some who fear the bill may pass in its current form (including even some in religious organizations) have called for stronger protections for religious institutions as a way to fix the bill. This strategy may seem like a reasonable compromise, but it will perpetuate the false idea that freedom of religion is reserved only for houses of worship. In a time when many citizens fundamentally misunderstand that religious freedom is an individual right, should ENDA pass with protections for religious organizations only, the law would further perpetuate this misunderstanding and diminish the idea that the right to religious liberty is much more than the right to worship.

It is important to remember that many totalitarian

governments have guarantees of religious freedom, but only the American founding documents articulated this freedom as an individual right and prohibit the government from defining it or infringing upon it. ENDA would further

the trend for diminishing expressions of religious opinion in public life. Since many already see objections to homosexuality as bigotry, the diminishing of religious liberty is seen as a necessary casualty in the war for inclusiveness and love.

AACS continues to oppose ENDA outright and encourages all citizens to be vocal about the importance of maintaining the religious liberty rights that have made our country great.



Capitol Comments

President

Keith Wiebe

Executive Director

Jeff Walton

Legislative Director

Jamison Coppola

Policy Analyst

Maureen Van Den Berg

Legislative Assistant

Courtney Holloway

Capitol Comments
is a publication
of the American Association of
Christian Schools.

AACS Legislative Office

119 C Street, SE Washington, DC 20003 P: 202-547-2991 F: 202-547-2992 e-mail: info@aacs.org

AACS National Office

602 Belvoir Avenue East Ridge, Tennessee 37412 P: 423-629-4280 F: 423-622-7461

www.aacs.org

e-mail: info@aacs.org

Although the current, highly partisan climate has resulted in a series of legislative stalemates, the Administration has advanced an agenda through numerous regulations, executive orders, and competitive grant programs. This year, the primary work of the AACS Legislative Office has been to communicate our concerns to Capitol Hill offices and various department representatives.

- In January, the AACS
 Legislative Office attended
 the Department of
 Education Inaugural Open
 House and communicated
 our concerns about several
 department initiatives.
- Courtney Holloway spoke at the ODACS Government
 Day on the importance of political involvement.
- In February, participation in a conference call with Secretary of Education Arne Duncan and select national private school leaders updated the office on the President's initiative addressing school safety and gun violence in our nation's schools.
- The D.C. Office participated in an annual summit with House leadership and a number of values groups. During the meeting, Dr. Wiebe reminded attendees about the importance of preserving private school autonomy in legislation.
- In March, Courtney
 Holloway presented two
 workshops at an ACEA
 Conference.
- At the Institutional
 Religious Freedom Alliance
 coalition meeting, the AACS

- Legislative Office spoke about the dangers of federal expansion in early childhood education.
- Prior to the Supreme Court's ruling on marriage, the office along with thousands of others participated in the inaugural March for Marriage from the Supreme Court to the National Mall.
- During the spring months, office personnel hosted Lobbying Days for our regional and state legislative directors in D.C. The specific issues of focus included monitoring universal preschool proposals, protecting religious freedom, and supporting pro-life parental notification legislation.
- The office participated in Department of Education and Department of Health and Human Services meetings and conference calls to advocate for clearer guidance to ensure the autonomy of our schools.
- In June, AACS work opposing the Common Core was mentioned in a Heritage Foundation article.
- The AACS Legislative Office submitted public comments to HHS about the effect of the Race to the Top-Early Learning Challenge competitive grant program.
- In July, during the 19th annual Youth Legislative Training Conference, 41 AACS students were able to sharpen their debate skills during the mock Senate, visit their Congressmen, learn from distinguished speakers, and tour D.C.
- Maureen Van Den Berg spoke at a Religious Liberty

- Seminar in Georgia with Rep. Paul Broun.
- In August, Jamison Coppola arrived with his family to begin work as the new Legislative Director.
- In September, at the National Legislative Conference, attendees heard from three Representatives and Senator Rand Paul about the need for Christian involvement in the political process. During the banquet, Rep. Jim Jordan thanked AACS for its work to preserve faith, family, and freedom by instilling foundational principles and self-discipline in their students
- In September, Maureen Van Den Berg participated on a panel at the Family Research Council entitled "Common Core Standards: Danger of Federal Power in Education." The webcast was joined by hundreds of online participants, and the archived discussion received thousands of visitors. Following the event, Mrs. Van Den Berg was interviewed on Washington Watch with Tony Perkins.
- The Christian Post website published "Is Common Core Right for Christian Schools?" The article was posted on several other conservative websites.
- Jamison Coppola spoke at a House values coalition meeting about the AACS position on Common Core Standards and distributed the AACS national standards position paper.
- In November, the AACS office communicated with constituents and Congressional leadership about our concerns with the Employment Non-Discrimination Act.
- The AACS office joined a coalition of faith-based groups to commemorate the 20 year anniversary of the Religious Freedom Restoration Act.