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*I am a firm believer in the people. If given the truth, they can be depended upon to meet any national crisis. The great point is to bring them the real facts.*

**Abraham Lincoln**

### **Colorado County School Choice Initiative**

In a surprising move, a school district in Castle Rock, Colorado, has approved a school choice [program](#) that will enable 500 students to attend a private school of their parents' choosing. Castle Rock (the third largest county in Colorado) has over 60,000 students and 80 buildings. The program is slated to start next fall. Scholarships of up to \$4,575 per pupil will be awarded for tuition. [Critics](#) question whether this amount will actually cover the cost of private school tuition in the area which varies from \$4,695 to \$21,000 dollars a year. Proponents argue that the money will put the schools within the parents' reach. Two unique aspects of the program are that recipients are not awarded scholarships based solely on parental income and religious schools are options. If more than 500 students apply, then a lottery-based system will be used to determine who receives the scholarships. Although similar program proposals in Colorado have failed, the Castle Rock school board felt that this program would result in savings for the county and expand parental choice in education. The number of students would be reduced in the public school system by 500 at a savings of 3 million dollars. The proposal would put 75% of this 3 million dollars into a scholarship fund for the students, and the remaining money would be given back to the public schools. Undoubtedly, this program will face several legal challenges, but the local teachers union has supported the measure.

### **New Hampshire Court Affirms Ruling**

A [dispute](#) between divorced parents with opposing religious views has evoked an array of questions about religious liberty and the power of family courts. In an earlier [ruling](#), a New Hampshire judge ordered an 11-year-old child to attend a public school against the wishes of her mother who was homeschooling her daughter. The judge cited the child's "vigorous defense" of her religious beliefs as evidence that she needed to attend a public school "to seriously consider another point of view." Although the child lives primarily with her mother, the joint custody arrangement and the inability of the parents to agree precipitated the lower court intervention. The father argued that their daughter needed to have more social interaction and be exposed to a greater variety of views. The family court judge ultimately decided the matter in favor of the father which led to an appeal of the decision by the mother. The appeals court affirmative ruling for the father centered on the single issue of whether the lower court exceeded its jurisdiction in the matter. The [Home School Legal Defense Association](#), which filed an amicus brief on the behalf of the mother, had previously identified New Hampshire as one of the states with the most hostile legislative climate in the area of homeschooling. In this case, their legal counsel has asserted that although this loss is regrettable for the mother and her child, the court's unanimous opinion clearly states that the case was based solely on the facts and was in no way a value judgment on the merits of homeschooling. The opinion referred to case law that has firmly established parental rights which should prevent this case from being used in other cases as a precedent. While some may argue that this case is only about parent versus parent issues, conservative lawyers see this as a harbinger of the coming battle to preserve religious liberty and parental prerogative in the area of education.

### **"Who Should Decide How Children Are Educated?" – Education Resource**

Jack Klenk, former Department of Education Director of Non-Public Education, has written a policy pamphlet published by the Family Research Council entitled "Who Should Decide How Children Are Educated?" In the

pamphlet, Klenk traces the history of the American public school system. He exposes the disturbing views of many prominent advocates for public education. The prevailing sentiment in education that suggests the ideas of experts, bureaucrats, and federal entities are superior to parental guidance is addressed in depth. Klenk points out that the rise in professionalism and the expenditure of funds has not improved the state of our public schools. He advocates replacing the current model with one that encourages parental involvement, increases options, and provides more choices. To read the full pamphlet, click [here](#).

### **Ninth Circuit Denies Same Sex Marriage Request**

On March 23, the Ninth Circuit Court of Appeals in California denied a [request](#) to permit same sex marriages while the Proposition 8 case is being decided in the courts. Voters approved the constitutional amendment, known as Proposition 8 that affirmed the traditional view of marriage between a man and a woman. This amendment banned same sex marriage in the state. Later in federal district court, Judge Vaughn Walker ruled that Proposition 8 was unconstitutional because it effectively banned gay marriage. Many groups sought to defend the voters' decision in court. Unfortunately, the Governor and Attorney General of California refused to defend Proposition 8 in court. The case was appealed to the Ninth Circuit Court to decide whether any outside groups had sufficient legal standing to defend the initiative. A stay was issued in the case which delayed the overturn of the law. On March 23, a judge denied a gay couple's request to marry in the interim. There are many [issues](#) at stake in this case (*Perry v. Schwarzenegger*) such as the validity of ballot initiatives, the definition of marriage, the purpose of marriage, and whether groups have legal standing to mount a defense when the government abdicates its role. Currently, the *Perry* case has been sent to the California Supreme Court for further review.

### **“In God We Trust”**

Last Thursday, the House Judiciary Committee passed almost unanimously [H. Con. Resolution 13](#). This [resolution](#) seeks to reaffirm that the national motto is “In God We Trust.” The Founding Fathers' [writings](#) cite God's influence on the founding of our nation and credit Him with the power to preserve our country. The first variation (“In God is Our Trust”) of the national motto is found in a stanza of the “Star Spangled Banner” penned during the War of 1812 by Francis Scott Key. Later during the Civil War, Secretary of the Treasury Salmon P. Chase received numerous letters imploring him to inscribe a motto honoring God on the currency. Several mottos were considered, and ultimately “In God We Trust” was chosen by the Secretary. In 1955, [H. J. Resolution 396](#) unanimously passed through the House and Senate and was then signed by President Eisenhower. Since that time, the motto has been stamped on all American currency. As Congressman Randy Forbes, leader of the [Congressional Prayer Caucus](#), notes, the phrase has been invoked during some of the darkest days in our country's history. Although, there have been several recent legal assaults on the national motto by opponents who cite the [establishment clause](#) of the First Amendment, these attempts have not been successful. There has been an effort to replace the motto with “E Pluribus Unum” (out of many one) in public places like the Capitol Visitors Center. Rep. Forbes has stated that the purpose of this resolution is to encourage and support the posting of the motto in the public arena. The resolution will now be considered by the full House of Representatives.

### **In Case You Missed It:**

[Weekly Market Update](#) provided by Jeff Beach of the [AACCS Investment Team at Merrill Lynch](#)

[Education Chairman's View on “No Child Left Behind” Reauthorization](#)

[Education Revolution . . . Without the People?](#)

