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*To suppose that any form of government will secure liberty or happiness without any virtue in the people is a chimerical idea.*

**James Madison**

### **White House Conference on Bullying Prevention**

In the wake of several student suicides which were a result of bullying by classmates, attention has been focused on making schools harassment- and bully-free zones. In August, the Department of Education invited a group of children, parents, and educators to Washington, D.C., for a summit on bullying prevention. Secretary of Education Arne Duncan made [remarks](#) at the summit, calling on educators to take bullying and harassment incidents seriously. In his statement, the Secretary expressed his belief that bullying is a gateway behavior that should be addressed by administrators. One of his solutions included an extended school day program that would keep children active and supervised and thus decrease the number of violent incidents after school. Last Thursday, the President and First Lady [addressed](#) the growing epidemic of [cyber bullying](#). The Administration recently launched a website ([stopbullying.gov](http://stopbullying.gov)) that has resources for students who feel that they are being subjected to harassment of any type. Although currently 45 states have anti-bullying laws, some lawmakers feel that those laws are not comprehensive enough to address all aspects of bullying. New Jersey and Massachusetts have recently passed strong anti-bullying legislation. In the current Congress, two bills – the [Safe Schools Improvement Act](#) and the [Student Non Discrimination Act](#) – would require schools to establish guidelines that address “commonly targeted populations” and protect students from bullying based on their “actual or perceived sexual or gender identity,” respectively. The Department of Education’s Office of Civil Rights has issued guidance letters outlining policies that it believes will adequately prevent bullying incidents and create safer school climates. While most would probably agree that aggressive bullying is a problem that should be addressed, well-intended guidelines and laws to prevent bullying can be difficult to formulate and even harder to enforce in an objective manner. Some contend that several of the current solutions infringe on free speech and students’ constitutional rights. Other critics argue that it can be hard to define what actually constitutes harassment. Several of the current proposals would hold schools liable for off campus incidents like cyber bullying on social networking sites. Finally, some legislative language seemingly creates a two tiered category of bullied groups. Minority races, nontraditional religious groups, and those with “gender confusion” are specifically mentioned in several proposals implying that bullying someone for these reasons is somehow more egregious than bullying for other reasons. It is troubling that well-intended anti-bullying initiatives could potentially be used to promote the “rights” of one group while curtailing the freedoms of another group.

### **Higher Education Subcommittee Reviews Troublesome Regulations**

The Higher Education and Workforce Training Subcommittee recently held a [hearing](#) entitled “Federal Overreach into Academic Affairs.” The focus of the hearing was to evaluate the harmful effects of two higher education regulations recently promulgated by the Department of Education. In her opening statement, Chairwoman Virginia Foxx (NC) outlined her [concerns](#) specifically with the [state authorization and credit hour definition](#) regulations. She proposed a complete withdrawal of the confusing rules or, at the very least, a delay in implementation. Three of the four witnesses reiterated the Chairwoman’s concerns about the negative effects that these regulations will have on higher education providers. Dr. Blair Dowden, president of Huntington University and [CCCU](#) board member, detailed the negative effects of the regulations on Christian colleges which offer liberal arts degrees. He [stated](#) that the sole religious exemption in the regulations was not sufficient to protect faith based schools’ autonomy and ability to educate in a manner that is consistent with their belief

system. The other two witnesses, John Ebersole and Ralph Wolfe, represented online education and accreditation agency interests. Both stated that very few, if any, schools would be able to meet the July 1, 2011, compliance deadline. [Kathleen Tighe](#), Inspector General of the Department of Education, assured the Subcommittee that the Department would be issuing further clarification in a “Dear Colleague” letter and further implementation guidelines. Recently, media attention has been focused on the gainful employment component of the regulations since that rule would have a negative effect on many online and for profit colleges. Although the [gainful employment](#) rule is problematic, the potential danger of governmental regulation that the state authorization and credit hour regulations present is an even greater concern for higher educational institution autonomy.

### **Maryland Marriage Victory**

In a dramatic turn of events, the bill that would have legalized same sex marriage in Maryland was voted down in the State House of Representatives. Most pundits had concluded that the legislation would have definite passage in the House since it had previously passed 25–21 in the more conservative Maryland State Senate. Furthermore, Governor O’ Malley had promised to sign the bill when it reached his desk. However, conservative groups ([National Organization for Marriage](#), [Maryland Family Alliance](#), and [Family Research Council](#)), Catholic organizations, and several African American [pastors](#) diligently worked to inform their members and parishioners of the bill and its potential implications in a host of areas. Although several delegates personally favored the proposal, the vocal opposition of their constituents persuaded them to vote against the bill. Gay marriage advocates have vowed to reintroduce the bill next session. Currently, five states and D.C. have legalized same sex marriage. Traditional marriage proponents credit the mobilization of the religious base with this improbable victory.

### **Budget Battle and Pro-Life Issues**

On Tuesday, the House of Representatives passed the latest short-term funding measure with a vote of 271–158. The original budget bill, H.R.1, was rejected by the Senate, so in order to avoid a government shutdown, a continuing resolution (C.R) to fund the government through March 18 was quickly passed through the House. While some praised this move to keep the government running, pro-life advocates were concerned that crucial pro-life amendments that would have halted taxpayer funded abortion on demand were not included in the short term bill. This latest three week measure passed on Tuesday did contain approximately 6 billion in spending cuts but still excluded the pro-life provisions that would have possibly stalled the bill in the Senate. Several pro-life [groups](#) opposed voting for the bill, citing policies that fund Planned Parenthood, abortions in D.C., and foreign aid “family planning” programs. A sizable group of Republicans (54) voted against the measure citing varying fiscal and social [concerns](#) with another stop-gap funding bill. The bill is expected to pass in the Senate without any changes.

### **Women’s History Month Special Orders**

On Tuesday, several members of the Congressional Pro-Life Women’s caucus gave [speeches](#) in honor of [Women’s History](#) Month. These speeches, known as Special Orders (specific times set aside for members to address non legislative issues) highlighted the contributions of women’s rights pioneers and their pro-life positions.

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

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

[Gender Neutral Federal Forms Legislation](#)

[Oversight Committee Passes SOAR Act](#)

