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*Posterity! You will never know how much it cost the present generation to preserve your freedom! I hope you will make a good use of it.*

**John Adams**

### **Indiana Exits Common Core Standards**

This week, Indiana Governor Mike Pence [signed](#) Senate Enrolled Act 91 which [reversed](#) the state's previous adoption of the controversial Common Core English and mathematics standards (CCS). In 2010, the unvetted standards were rapidly adopted by 46 states without local input or review in most cases. State education officials were incentivized to adopt the standards in order to win a portion of the \$4.3 billion Race to the Top funds from the American Recovery and Reinvestment Act. Subsequently, the Department of Education awarded \$330 million to two state consortia to develop assessments aligned with the Common Core, conditioned No Child Left Behind flexibility waivers on certain reforms, and established a technical review board to oversee the assessment content. Several states have withdrawn from the CCS-aligned assessments, but over 4 million students in 36 states and the District of Columbia are expected to take the CCS draft assessments by June 6<sup>th</sup> of this year. While dozens of state legislatures are currently considering bills to withdraw from the Common Core, Indiana is the first state in the nation to reject the standards outright. The Heritage Foundation has produced an in-depth [report](#) on the battle within the state over this significant move. Governor Pence stated, "I believe our students are best served when decisions about education are made at the state and local level. By signing this legislation, Indiana has taken an important step forward in developing academic standards that are written by Hoosiers, for Hoosiers, and are uncommonly high, and I commend members of the General Assembly for their support." Education pundits question whether the development of the alternative standards will be a significant departure from the Common Core. Grassroots activists, such as [Hoosiers Against Common Core](#), continue to monitor the process.

### **The Supreme Court Takes up Pivotal Religious Liberty Case**

On March 25, the Supreme Court heard extended oral arguments on behalf of two family-owned businesses, Hobby Lobby and Conestoga Wood Specialties, versus the U.S. Department of Health and Human Services (HHS). The HHS preventive services mandate requires all employers to provide the full array of FDA-approved abortion-inducing drugs, contraceptives, and sterilization procedures or face steep fines. Although they provide excellent health care coverage, these two companies, owned by a Christian family and a Mennonite family respectively, objected to providing 4 of the 20 drugs that act as abortifacients. Over 300 plaintiffs in 94 separate legal proceedings share their concern. In the oral arguments, former United States Solicitor General Paul Clement represented the families and centered his case on the applicability of the standards set forth in the Religious Freedom Restoration Act (RFRA) of 1993. This critical legislation established that the government must have a "compelling interest" in demanding a certain action and that the enforcement must not "substantially burden" the religious practice of the person in question. Clement noted that the families' religious beliefs motivate them to provide quality health care but prohibit them from providing life-ending drugs. On the

opposing side, Solicitor General Donald Verrilli, representing the Administration, asserted that for-profit business owners and corporations do not have religious freedom. At the beginning of the justices' question time, Justices Sonia Sotomayor and Elena Kagan scoffed at the idea that companies can practice religion and callously suggested that companies that did not want to comply could simply pay the exorbitant fines or drop health care coverage altogether. Clement countered that the multimillion dollar fines would cripple the businesses and place them at a competitive disadvantage. As Politico and other media outlets noted, the questions by the other justices revealed skepticism at the government's arguments. Justice Kennedy queried the Solicitor General about whether the government could compel an employer to pay for an abortion procedure. The Solicitor General admitted that this could indeed be the case. The justices seemed receptive to Clement's argument that the millions of exemptions awarded to those with grandfathered plans undermine the Administration's argument that forcing the companies to violate their deeply held religious beliefs is necessary. Court watchers conclude that as usual the case seems to rest on Justice Anthony Kennedy's swing vote. Outside the court, hundreds of demonstrators from both sides braved driving snow to ardently espouse their views. Supporters of the Obamacare-related statutes, which included Planned Parenthood, NARAL, and Catholics for Choice, repeated chants calling for free birth control and stated that businesses should not be involved in "women's health care decisions." Meanwhile, religious liberty supporters held a counter rally spearheaded by Concerned Women for America, Women Speak for Themselves, Priests for Life, Americans United for Life, and others and asserted that women care about religious liberty. [Senator Ted Cruz](#) (R-TX) and [Representative Louie Gohmert](#) (R-TX) joined the religious liberty protests outside of the court. The Family Research Council is working to coordinate a Stand with Hobby Lobby effort on March 29. To view additional information about this effort, [click here](#).

### **Michigan Judge Legalizes Same-Sex Marriage**

Last week in Michigan, District Judge Bernard Friedman [struck](#) down the 2004 voter-approved marriage amendment as unconstitutional. Although the 6th Circuit of Appeals issued a stay of the decision, approximately 323 marriage licenses were issued in the interim and 50 ceremonies were performed by judges. Brad Snavely of the Michigan Family Forum maintains that the will of 2.7 million citizens should not be ignored. Attorney General Bill Schuette has indicated that he will defend the amendment in the upcoming legal battle. Currently, 21 states and the District of Columbia recognize same-sex marriage. Of the aforementioned states, 11 states legalized same-sex marriage by judicial fiat. To read more on the Michigan marriage ruling, [click here](#).

### **Arizona Supreme Court Upholds Education Savings Accounts**

In a great victory for school choice, the Arizona Supreme Court [ruled](#) that innovative Education Savings Accounts (ESA) are indeed constitutional. The justices sided with the favorable lower court ruling which held that ESA's do not violate the Establishment Clause. Since some parents choose to enroll their children in faith-based schools, opponents charged that the state was furthering religion. Upon review of the program, the justices concluded that the ESA was "neutral in all respects toward religion and directs aid to a broad class of individuals without reference to religion." Beneficiaries receive an ESA debit card which allows them to customize their child's K-12 education. The funds can be used for private school tuition, textbooks, tutoring, therapy, and online classes. Currently, approximately 220,000 children in low-income families, active duty military dependents, foster care, and special needs are eligible for the program.

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

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

[WorldVision Reverses Same-Sex Marriage Decision](#)

[British Hospitals Use Infant Remains as Power Source](#)

Jamison Coppola: Legislative Director

Courtney Holloway: Legislative Assistant / Maureen Van Den Berg: Policy Analyst

Legislative Office, 119 C Street SE, Washington, DC 20003

Phone: 202.547.2991

Fax: 202.547.2992