



A Publication of the American Association of Christian Schools

The Washington Flyer
May 9, 2014

On the diffusion of education among the people rest the preservation and perpetuation of our free institutions.

Daniel Webster

Teacher Appreciation Week

The American Association of Christian Schools acknowledges the sacrifice, labor of love and dedication of our teachers this Teacher Appreciation Week (May 5–9). As the oft-quoted adage states, “It is easier to build boys and girls than to repair men and women.” Christian school faculty and staff provide critical support to parents as they offer both academic and spiritual guidance to their children. As the school year winds down, we encourage our students, parents, and church members to let the staff and faculty of their Christian schools know how much they appreciate their ministry and labor of love.

Prayer Wins at Supreme Court

On Monday, the Supreme Court [upheld](#) the constitutionality of prayer at the opening of legislative sessions. In a 5-4 decision, the majority held that town council meetings can include prayers as long as a “good-faith” effort was made to have prayers offered from a variety of faith traditions. In the case of the *Town of Greece v. Galloway*, Americans United for the Separation of Church and State represented two disgruntled citizens who alleged that the prayers offered before meetings in their town of Greece, New York, were primarily Christian in nature and thereby violated the [Establishment Clause](#). The plaintiffs stated that the sectarian nature of the prayers offended them as well. Justice Anthony Kennedy, widely regarded as the swing vote on the Court, wrote the majority opinion which overturned an adverse ruling at the Second Circuit Court of Appeals and rejected the notion that a mere feeling of offense should lead to the prohibition of prayer at a public function. In the wake of the appeals court loss, over thirty Senators joined an amicus brief on behalf of the town in which they noted, “The practices that the court found unacceptable generally reflect the practice of legislative prayer in Congress.” In the Supreme Court opinion, Justice Kennedy stated that “the inclusion of a brief, ceremonial prayer as a part of a larger exercise in civic recognition suggests its purpose and effect are to acknowledge religious leaders and institutions they represent, rather than to exclude or coerce nonbelievers.” Furthermore, he wrote, “In a nation of broad religious diversity, the best means of ensuring that the government does not prefer any particular religious view in the context of legislative prayer is to allow all those who pray to do so in accordance with their own consciences and in the language of their own faiths.” In the dissenting opinion, Justice Elena Kagan wrote that the practice was unconstitutional since the prayers “were predominately sectarian in content.” Lawyers at the Alliance Defending Freedom, which represented the town in their six-year battle, have compiled a [list](#) of the main implications of this important religious liberty decision. For additional information about this case, [click here](#).

Education Department Responds to Indiana Exiting Common Core

In the wake of Indiana's decision to exit the controversial Common Core Standards, the Department of Education has [issued](#) a letter to the state threatening revocation of the state's No Child Left Behind waiver if the new educational standards introduced on July 1 do not meet its approval. Prior to Indiana's adoption of the Common Core, the state's educational standards were ranked as some of the [highest](#) in the nation. Experts at the Fordham Institute noted that the Indiana English standards were "clearly better than Common Core" and awarded the mathematics standards an "A" ranking. Understandably, parents in the Hoosier State became concerned when their children brought home confusing Common Core-aligned homework assignments. Grassroots pressure culminated in Governor Mike Pence's signing of Indiana Senate Enrolled Act 91, which withdrew the state from the unvetted standards. Brittany Corona, Heritage Foundation expert, writes that this latest move by the DOE illustrates "just how weak the phrases 'state-led' and 'voluntary' became when used to describe Common Core." This week, nationally syndicated columnist George Will addressed the Common Core Standards in a Fox News segment, [click here](#).

Court Rebukes Justice Department Attempt to Block School Choice Program

While a federal judge ruled that a Louisiana school choice program will have to submit [reports](#) to the Department of Justice (DOJ), school choice proponents hail the decision as a win. Although information about the background of students in the program will be reviewed by the DOJ, the state will retain the freedom to administer and implement the program. In the initial filing, the DOJ alleged that the state's school choice program violated decades old desegregation laws by allowing students to leave failing schools thereby affecting the racial makeup of the schools. The program's supporters highlighted the fact that the majority of the 7,000 participants are minorities who are now receiving a better education. Parents of the students rallied at the state house in favor of the program. Gene Mills, Louisiana Family Forum, opined that the state has won a "substantive victory" and that the ruling indicates judicial rejection of the department's overreach.

Washington State Becomes First to Lose Waiver

Last week, Washington State became the first state to have a No Child Left Behind flexibility waiver [revoked](#) by the Department of Education (DOE). Since the DOE had warned several states about missed waiver implementation targets, education experts had speculated for some time about this outcome. Former Education Secretary and current HELP Committee ranking member, Senator Lamar Alexander (R-TN) questioned current Secretary of Education Arne Duncan about this decision and the implication that the DOE was interfering in local decision making. In his remarks, Senator Alexander maintained that the limited number of department-favored reforms that must be adopted to garner a waiver drives states to adopt policies that have been shown to be extremely difficult to enact. Additionally, he noted that the DOE requirements—choosing one of two approved standards, adopting one of two sets of performance goals, selecting one of four turnaround models for failing schools, and selecting specific principal-teacher evaluation regimes—allow little real flexibility to states. As a proponent of teacher evaluation, the senator questioned whether the overly prescriptive remedies would actually lead to rejection of the policy as a whole.

In Case You Missed It:

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

[Florida Teacher Bans Student Bible Reading](#)

[U.S. Government: Worldwide Religious Intolerance is Growing](#)

[Congress Votes on Bipartisan Charter School Bill](#)

[Freedom to Marry and the Right to Dissent](#)

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