Governor Jindal Intensifies the Common Core Fight
In what news media is portraying as a politically motivated move to increase his national appeal, Louisiana governor Bobby Jindal filed suit in federal court against the Obama administration on Wednesday. Governor Jindal is claiming that the Department of Education improperly used $4.3 billion in federal funds and manipulated regulations in order to coerce states into adopting the Common Core Standards. “The federal government has hijacked and destroyed the Common Core initiative,” Jindal said in a statement. “Common Core is the latest effort by big government disciples to strip away state rights and put Washington, D.C., in control of everything.” Although an early supporter of the Common Core Standards, Jindal has reversed his support and committed to opposing implementation in Louisiana—a position that has pitted him against the state’s education superintendent and produced additional battles in Louisiana state courts. While Common Core supporters see this as a purely political move, Jindal has stated that his intent is to preserve state sovereignty and Constitutional protections. Jindal argues that the Education Department’s $4.3 billion grant program “effectively forces states down a path toward a national curriculum” and violates federal laws prohibiting funding of a national curriculum. Many conservatives support his position. “Gov. Jindal is defending the liberties of citizens and the constitutional structure intended to protect those liberties,” Emmett McGroarty, education director of the Washington-based American Principles Project, said in a statement. Still even opponents of Common Core are doubtful of the lawsuit’s success. Neal McCluskey, of the Cato Institute’s Center for Educational Freedom, said he doesn’t expect the lawsuit to be successful, even though he agrees with its premise. McCluskey stated, “Historically, states haven’t had many victories in arguing against rules tied to federal funding. Rules for the grant program and waiver policy were written to give the administration ‘wiggle room.’ They’ve definitely got a steep hill to climb on this lawsuit.” The lawsuit is one more battle line that draws attention to the Common Core, as the controversial standards and the coercive nature of their adoption face increasing opposition.

DOE Approves Flexibility in NCLB Waivers for OH and MI
The Department of Education granted waiver extensions to Michigan and Ohio for the requirements of No Child Left Behind (NCLB). In 2011, the Administration granted 43 states waivers from the requirements of NCLB in exchange for state-developed plans that could “improve educational outcomes for all students, close achievement gaps, increase equity, and improve the quality of instruction.” These plans for the waivers were to build on the reforms already being implemented through the Race to the Top competitions, including adopting college- and career-ready standards and assessments, evaluating the effectiveness of teachers and principals, and developing stronger systems for school accountability. In order to receive a waiver extension, states needed to demonstrate that they have resolved any issues that arose either from the Department of Education’s monitoring or from the efforts to implement their waiver reforms. Of the 43 NCLB waivers initially granted to
Supreme Court Grants Stay in Same-Sex Marriage Case
The Supreme Court issued a stay in the case that overturned Virginia’s ban on same-sex marriage, thereby blocking gay marriage in the state until the high court has the chance to review the case in the fall. After the 4th Circuit Court of Appeals ruled in early August that the Virginia law was unconstitutional, both sides of the case appealed to the Supreme Court to issue a stay. In their request, they cited the confusion that would be caused if the marriages were allowed and then ultimately ruled illegal by the Supreme Court. Not only would the marriages then be “rendered doubtful,” they also reasoned there would be “irreparable damage” done to any children of same-sex couples, and also financial ramifications for employers. This is the situation in Utah, where the Supreme Court issued a stay in a case that allowed same-sex marriage, but only after 1700 couples were issued marriage licenses and are now waiting the high court’s ultimate decision. The 6th Circuit Court of Appeals is also considering cases regarding same-sex marriage, and many believe that their questioning during the arguments point to a decision in favor of the voter-approved amendments and laws which prohibit same-sex marriage. Some court experts believe that the Supreme Court will either take up the Virginia and/or Utah case(s) in the fall or step in to resolve a conflict between Circuit Court decisions should the 6th Circuit Court decide in favor of traditional marriage. Currently, 31 states have laws or amendments defining marriage as between one man and one woman, prohibiting same-sex marriage.

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No Common Opinion on Common Core

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