



The Washington Flyer
January 9, 2015

“The best means of forming a manly, virtuous, and happy people will be found in the right education of youth. Without this foundation, every other means, in my opinion, must fail.”
George Washington

AACS Joins Amicus Brief in Support of School Choice

The American Association of Christian Schools has joined an amicus brief that was filed for a case before the North Carolina Supreme Court over the constitutionality of a school choice program. The [Opportunity Scholarships Program](#) was enacted in July 2013 by the NC General Assembly, and offers scholarships of \$4,200 for children from low-income and working class families to attend the private school of their choice. The North Carolina Association of Educators and the North Carolina School Board Association challenged the legality of the program in two separate lawsuits, claiming it was unconstitutional because the vouchers could be used at “religious schools” that practice “religious discrimination” and because the program takes children away from the umbrella of the state and public education. The case is now on appeal before the NC Supreme Court after a judge sided with the teachers union and ruled the program was unconstitutional. Court watchers expect that a decision could be made on the cases as early as mid-February as the ruling will affect the educational decisions that thousands of eligible parents need to make for their children for next year. The AACCS is pleased to join an amicus brief which supports the legality of the program. In the a statement of interest in the amicus brief, the AACCS explains, “The State of North Carolina scholarship program establishes no particular religion, but does establish an environment in which diversity, individual choice, and educational quality can flourish. The AACCS fully supports those core values and applauds the State of North Carolina for this remarkable and critical effort to offer educational choice and to foster educational quality.” Also joining the amicus brief is the AACCS state affiliate in North Carolina, the [North Carolina Christian School Association Schools](#) (NCCSA), which serves 14,000 students enrolled in 67 schools statewide. The NCCSA also submitted a statement of interest for the amicus brief that stressed the importance of the program in helping families and achieving high educational standards in the state: “The NCCSA supports the OSG because they remove the wall of discrimination, which for too long has disenfranchised needy children and prevented their parents from having choices for their education. The NCCSA believes that the freedom provided to parents by the OSG is one of the most effective and equitable ways to improve the quality of K-12 education in North Carolina. The State of North Carolina has not established a particular religion, but through the Opportunity Scholarship Grants provides an environment in which diversity, parental choice, and quality education can grow and flourish.”

Victory for School Choice Program in Florida

Parents in Florida celebrated a school choice [victory](#) when Leon County Judge Charles Frances dismissed a lawsuit which challenged the legality of recently passed legislation which expanded Florida’s school choice options. The bill, SB 850, was passed last year and expanded access to the state’s tax credit scholarship program and also created [Personal Learning Scholarship Accounts](#) which allow parents to create individualized education plans for their special needs child and use funds for a wide variety of resources—including private education—to help their child. The judge dismissed the case on the issue of standing and even gave the

plaintiffs, the Florida Education Association (FEA), a second chance to rework their argument. The FEA claimed that because they were taxpayers and teachers, they suffered harm because the choice programs took funds away from public schools; however, the judge ruled that this does not qualify as personal harm or injury and, therefore, the plaintiffs lacked standing. School choice supporters are hopeful that this decision sets a good precedent for a favorable ruling in a second lawsuit that has been filed which claims the state's tax credit scholarship program is unconstitutional.

Florida Courts Legalize Same-Sex Marriage

Same-sex marriage is now legal in the state of Florida, the result of [court cases](#) which overturned the state's marriage amendment. Florida's Attorney General Pam Bondi filed an appeal for three of the cases and was granted a stay for each decision. However, no appeals were actually scheduled and requests for an extension in the stays were denied. The stay for the case decided by U.S. District Judge Robert Hinkle expired January 5, and Judge Sarah Zabel for the Miami-Dade Circuit lifted the stay for her case the same day, thus lifting the ban on gay marriage in the state. Several county clerks have indicated that they will not issue marriage licenses to same-sex couples, inciting a reaction from Judge Hinkle who said that any clerk who refuses to do so could face fines for violating the U.S. Constitution. Florida's marriage amendment was passed in 2008 with 62% of voters supporting traditional marriage. John Stemberger, director of the Florida Family Policy Council who spearheaded the efforts to pass the amendment in 2008, [points out](#) that although this makes Florida the 36th state to legalize gay marriage, only 11 of these states have done so through a legitimate process of a vote by the people or a legislative body. The U.S. Supreme Court is [meeting](#) on Friday to discuss whether they will take up the marriage cases that have been appealed to them.

In Case You Missed It:

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

[Tax Credit Scholarships Are Working](#)

[15 Education Predictions for 2015](#)

[Make Plans to Attend March For Life - 1/22/15](#)

[Congressional Bill Would Protect Unborn Babies from Late-Term Abortion](#)

Jamison Coppola: Legislative Director

Maureen Van Den Berg: Policy Analyst

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

Phone: 202.547.2991

Fax: 202.547.2992