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“In my view, the Christian religion is the most important and one of the first things in which all children, under a free government ought to be instructed. . . . No truth is more evident to my mind than that the Christian religion must be the basis of any government intended to secure the rights and privileges of a free people.”
Noah Webster

Secretary Duncan Rolls Out Administration’s Plan for ESEA Reauthorization

On Monday, Secretary of Education Arne Duncan [rolled out](#) the Administration’s plan for the reauthorization of ESEA, which includes replacing the current No Child Left Behind Act with a completely rewritten law. Throughout his speech, he emphasized the Administration’s goal of including early education in ESEA, specifically saying that the new law should be a “law that recognizes that no family should be denied preschool for their children, and reflects the real scientific understanding that learning begins at birth, not somehow at age 5.” He also called for the [continuance of annual testing](#) of students despite the cry from teachers unions and parents that too much testing has become burdensome rather than beneficial to students. Secretary Duncan’s solution to the testing problem is for states and districts to streamline tests and set time limits. He also emphasized his belief that students’ test scores should be tied to teacher evaluations—a point which is garnering criticism from teachers unions that have long called for a decoupling of test scores and teacher evaluations. The current NCLB does not require evaluations to include students’ scores, but the waivers awarded by the Department of Education required the connection for waiver relief from the provisions of NCLB. While the Secretary said he would like to work with Congress on reauthorization, he also said he is skeptical of a plan the Republican-controlled Congress would put forth. Both the House and the Senate are vigorously working on legislation, with the goal of having a floor vote in each house in the spring. The Senate plans to hold their first ESEA hearing on the subject of testing next Tuesday, January 20. Likely, the Republican plan will include efforts to drive more control to the states and limit the federal footprint on educational decisions. Conservative groups are calling for a plan which would decentralize educational decisions and allow for more control at local levels. The American Association of Christian Schools is monitoring the efforts of Congress and the Administration and is focusing efforts on maintaining the protective language in the bill that protects the autonomy and mission of private and faith-based schools and that prohibits the use of federal funds to establish or support a national standard and curriculum, a national test, mandatory teacher requirements and certification, or a national student database.

Dissenting Opinion in 9th Circuit Court on Marriage Issue

Three judges from the 9th Circuit Court have offered a strong criticism of the court’s October ruling in favor of gay marriage. Circuit Judge Diarmuid O’Scannlain was joined by Circuit Judges Johnnie B. Rawlinson and Carlos T. Bea in a dissent to the Circuit Court’s recent decision to deny an en blanc review of the case which overturned the marriage laws in Nevada and Idaho last October. That decision was determined by a 3-judge panel; but the Nevada Coalition for the Protection of Marriage petitioned the court for a rehearing of the case by the entire court (which consists of 29 judges), [claiming](#) in their petition that the assignment of judges for the original 3-judge panel was “not done through a neutral process but rather was done in order to influence the

outcome in favor of the plaintiffs.” Although a rehearing was denied, the strongly worded [dissenting opinion](#) noted that a 1972 Supreme Court Case, *Baker vs. Nelson*, offers a precedent that “federal courts must avoid substituting their own definition of marriage for that adopted by the states’ citizenry.” Judge O’Scannlain further [argued](#) that the “healthy, spirited, and engaged debate over marriage policy represents the virtues of democratic self-governance. The panel’s opinion shuts down the debate, removing the issue from the public square. In doing so, it reflects a profound distrust in—or even a downright rejection of—our constitutional structure.” Earlier this year, the 6th Circuit Court upheld the marriage laws in four states, also pointing to the *Baker* precedent and the argument that a sensitive issue like marriage is best decided by the people and the legislative process rather than the courts. Despite the clear controversy in the courts over this issue, the Supreme Court still has not decided to take up the issue of marriage.

President Obama Announces Plan for Free Community College

Last Friday, President Obama rolled out his [plan](#), “America’s College Promise,” to provide free community college for students across America. The plan would cost \$60 billion in federal funds over ten years and require states, community colleges, and eligible students to meet certain requirements in order to participate in the program. The plan is based on a federal-state partnership, with approximately 75% of the costs covered by the federal government, and states responsible for the remaining 25%. The Administration claims this is an issue which could easily garner bipartisan support, as Tennessee Governor Bill Haslam and both Tennessee Senators—all Republicans—[joined](#) President Obama for his announcement of the plan at Pellissippi State Community College in Knoxville. However, Tennessee Senator Lamar Alexander noted that while he is excited about the steps Tennessee has made in offering scholarships for community college, he supports reforms that are enacted state-by-state rather than the creation of a new federal program. Furthermore, House Education Committee Chairman John Kline, also a Republican, said the President is “proposing yet another multi-billion dollar federal program that will compete with existing programs for limited taxpayer dollars.” The plan has also received criticism from conservative groups. American Enterprise Institute director Andrew Kelly [questions](#) whether this will give the federal government more control over community colleges. Federal funds currently allotted to higher education generally go to students and families through grants and loans and rarely are sent directly to colleges, giving higher education institutions the ability to maintain some autonomy. The plan faces Congressional approval which will be difficult to achieve with a Republican-controlled Congress that is skeptical of expanding federal involvement in education.

In Case You Missed It:

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

[Coming Soon - National School Choice Week: January 25-31, 2015](#)

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

[The Common Core Standards' Undemocratic Push](#)

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