



**The Washington Flyer**  
**November 20, 2015**

*“Give thanks unto the LORD, call upon His name, make known His deeds among the people.”*  
*I Chronicles 16:8*

**ESEA Reauthorization Bills Move to Conference**

This week, a conference committee was formed to work out a compromise between the House and Senate reauthorization bills for the Elementary and Secondary Education Act (ESEA). The committee includes all 22 Senators serving on the Senate HELP Committee and 20 appointed Representatives from the House. The [first meeting](#) was held on Wednesday with the hope that a bill will be ready for a Congressional vote after Thanksgiving. Since the bills passed the House and Senate last spring, education staffers have been working to find a compromise that can be quickly approved by the committee and then both Houses of Congress. During the opening conference meeting, Members on both sides of the aisle were quick to express their desire to work together to get a bill passed. While a draft of the bill has not been released, several components of the compromise have been revealed. One key point is the accountability measure which will continue the requirement to administer tests in grades 3–8 but will now allow states to determine what action to take as a result of the test scores. Regarding school choice, Republicans did not get Title 1 portability, but the bill will authorize a pilot program for 50 school districts to consolidate federal, state, and local funds to follow a student to the public school of his/her choice. Republicans did get language which limits Secretarial power, essentially ending the waivers granted for No Child Left Behind (NCLB) and what Chairman Kline referred to as the “national school board,” referring to the steps the Department of Education had taken through Race to the Top competitions and NCLB waivers. Protections are maintained for the autonomy of private, religious, and home schools; and language is included which prohibits federal funds from being used to establish or promote national standards, the Common Core Standards, and a national test. Some reports indicate that early education funding is expanded through the inclusion of the Preschool Development Grant program, a cost of \$250 million. While a small number of Members expressed concern on parts of the new bill, Members on both sides of the aisle praised the compromise for taking steps to return power to the state and local level and reduce the federal footprint in education.

**South Dakota Lawsuit Over Common Core**

In response to the growing concerns of teachers and parents over the Common Core Standards, the Thomas More Law Center, a national public interest law firm, has [filed a lawsuit](#) against South Dakota’s governor, state superintendent, and other state officials. The lawsuit claims that South Dakota’s participation in the *Smarter Balanced Assessment Consortium* (SBAC) is unconstitutional, referring to the Compact Clause of the United States Constitution which requires that no state enter into any into any agreement or compact with another state without congressional approval. Additionally, the lawsuit argues that the implementation of Common Core violates law enacted by Congress that prohibits the federal government from controlling or implementing a national curriculum or assessment programs in elementary and secondary education. Furthermore, South Dakota’s SBAC membership fees equate to over a half million tax-payer dollars per year. The Thomas More

Law Center earlier filed lawsuits in North Dakota and West Virginia, after a similar lawsuit in Louisiana stopped the implementation of Common Core in the state.

### **MARRIpedia Offers Data**

The Marriage and Religious Research Institute recently introduced a new online resource which provides data on “all matters related to family, marriage, religion, and sexuality.” Founded by Dr. Patrick Fagan, a senior fellow at the Family Research Council, [MARRIpedia](#) was created to be an online social encyclopedia which offers information on how family and religion intersect with and affect areas such as education, government, and the economy. For example, the [education page](#) provides links to data which shows how different family structures and various environments within the family affect a child’s education. As stated in the [press release](#), “The purpose of MARRIpedia is to let the data do the talking. We hope to facilitate societal change by delivering the power of robust social science findings to the actors in families, churches, and schools, and other ‘people-forming’ institutions. Thus, informed citizens can affect changes for the good.”

### ***Happy Thanksgiving***

*We will not be sending out the Washington Flyer next week due to the Thanksgiving holiday. We will resume the following week.*

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

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

[Opposing School Choice Could Cost Dems 2016 Election](#)

[SC Abortion Clinics Charged With Unlawful Disposal of Aborted Babies](#)

### **Correction**

In last week’s article regarding the early education meeting at the Department of Education, we referenced statements made by HSLDA’s Will Estrada and Scott Woodruff. The quotations we cited were from an earlier [article](#) about home visitation and not made at the meeting as might have been interpreted from the wording in the *Washington Flyer* article. Both Estrada and Woodruff are strong advocates for the protection of parental rights and opposed to governmental overreach into family decision making but did not attend or make comments at the early education meeting.

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