

# Public Policy Notes

## Southern Early Childhood Association

### Things are Popping in Washington!

It's been a busy month in Washington, D.C., particularly during the last week



of June.

The **United States Supreme Court** issued two opinions that deal with **affirmative action** and the **Voting Rights Act of 1965**, issues of particular sensitivity in the South.

In a **7-1 ruling**, the Court sent a case concerning utilizing race as a factor for college admissions back to a federal appeals court. The case concerned admissions policies of the **University of Texas at Austin**. The court affirmed the use of affirmative action but required a higher standard of attaining diversity by applying a constitutional test known as "strict scrutiny." According to Justice Kennedy who wrote for the majority, "Strict scrutiny

imposes on the university the ultimate burden of demonstrating before turning to racial classifications, that available, workable race-neutral alternatives do not suffice." To read the opinion, go to

[http://www.supremecourt.gov/opinions/12pdf/11-345\\_15gm.pdf](http://www.supremecourt.gov/opinions/12pdf/11-345_15gm.pdf)

Since 1965, all or parts of 15 states (most of them Southern) had to get federal approval under the **Voting Rights Act of 1965** before changing election districts, amending voting rules or even moving a polling place. This **5 to 4 ruling** invalidated that portion of the law and gives states and localities control over their voting and election policies. The law was originally put in place to end discrimination and ensure the right to vote as the civil rights movement gained momentum across the nation and has been left intact since 1965. The provision was challenged by **Shelby County, Alabama**. Go to [\[t.gov/opinions/12pdf/12-96\\\_6k47.pdf\]\(http://www.supremecourt.gov/opinions/12pdf/12-96\_6k47.pdf\) to read the opinion.](http://www.supremecour</a></p></div><div data-bbox=)

#### President Barack

**Obama** unveiled a package of initiatives designed to address limiting carbon emissions. According to **The President's Climate Action Plan**, "*While no single step can reverse the effects of climate change, we have a moral obligation to future generations to leave them a planet that is not polluted and damaged.*"

The centerpiece of the President's plan is to cut carbon emissions from power plants, many fueled by coal. This plan is being put in place by regulatory authority, bypassing Congressional action. Southern states such as **West Virginia** and **Kentucky** (coal producing states) have expressed concern about the plan. To get a copy of the plan, go to <http://www.whitehouse.gov/share/climate-action-plan>

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#### Two Other Hot Issues in D.C.

The **Immigration Bill** has advanced through the U.S. Senate but faces an uphill battle in the U.S. House.

The U.S. House rejected the Senate version of the **Farm Bill** that includes the reauthorization of the food stamp program.

We'll update you in July.

# The New Health Care Exchanges: Everyone's Struggling to Meet Deadlines

As a cornerstone of the Affordable Health Care Act, **Health Care Exchanges** are scheduled to be available to consumers on January 1, 2014. These on-line "exchanges" will allow consumers to purchase health insurance, with some consumers eligible for federal subsidies.

Congress anticipated that most states would operate the exchanges; however, only 17 states have agreed to operate a state exchange with 33 deferring to the Centers for Medi-

care and Medicaid Services to put the technology in place and operate the on-line system. Some states such as **Arkansas** are operating a system that is a state/federal partnership.

During the summer of 2013, insurance companies are required to submit rate data (what the plans will cost) to the states. States will review the data and then send it to Washington for final approval.

A GAO report on the small business exchanges said that big tasks lie ahead for the feds and that 44% of the states have missed interim deadlines.

You may begin seeing ads in your state for "navigators" or "in-person assisters". These are the persons who will be hired to assist consumers and small business in navigating the on-line system.

Source: *Wall Street Journal*, 6/19/13

# Texas and Abortion: A Lesson in the Political System at Work

The last week of June marked the end of a special session for the Texas Legislature. During the final hours of that session, political drama and the use of the traditional **filibuster** in the Texas Senate took center stage on both the state and national level.

A bill that limited abortion services, limiting the period of time in which an abortion could be performed and the type of facility necessary to perform that procedure, had moved through the Texas House and was now on the floor of the Texas Senate for consideration.

With the special session scheduled to end at midnight on the 25th, **Senator Wendy Davis**, a Democrat from Fort Worth, undertook a **filibuster** of 13 hours



Senator Wendy Davis

that would essentially keep the bill from being considered before the legal expiration of the session at midnight.

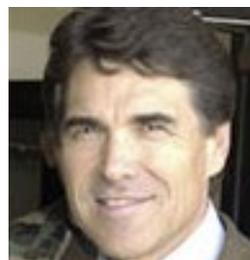
The Lieutenant Governor suspended the **filibuster** at 10:30 pm to the jeers and shouts of the chamber audience that was opposed to the bill.

Due to the chaos in the chamber and the noise level, the vote to pass the bill was not finalized until after midnight, which invalidated the passage of the bill.

**Governor Rick Perry** issued a statement the next

day criticizing the decorum of the audience and stating that he would **call legislators back into special session on Monday, July 1st**, to deal with this bill and other legislation such as a proposal to fund major transportation projects. *"Texans value life and want to protect women and the unborn. We will not allow the breakdown of decorum and decency to prevent us from doing what the people of this state hired us to do."* **Governor Perry**

**Regardless of your stance on the issue, following this debate gives advocates an insight into how important it is to know how your state's legislative process works.**



Governor Perry

## Adoption of Common Core Standards: Some SECA States are Thinking Twice

The month of June has seen a flurry of activity around the adoption of Common Core Standards and a re-visiting of whether states should adhere to those standards. (These standards, a project of the Council of Chief State School Officers, have been adopted by 45 states and the District of Columbia.)

In **Georgia**, leaders of the state's Republican Party voted on June 22, 2013, to ask the state to withdraw from Common Core. They stated their belief that state officials should maintain control over Georgia's educational standards.

The Republican Party wasn't the only dissenter in Georgia. In April 2013, the Cobb County School Board voted not to buy

textbooks aligned with the Standards, stating that the books were "an effort to dilute Georgia's education system." *Source:*

<http://onlineathens.com>, 6/23/13

On June 12, 2013, the **South Carolina State Board of Education**

heard from representatives of various groups that are opposed to the Common Core Standards. South Carolina Tea Party groups are joining with other groups nationally to derail the standards. Proposals in the South Carolina House (H.3943) and Senate (S.300) that would void the state's adoption and stop the state from enacting the Standards await action. *Source:*

<http://www.thestate.com>, 6/16/13

In **West Virginia**, the Standards are called the **Next Generation Con-**

**tent Standards and Objectives.**

The Standards came under fire in early June from Tea Party members as well as a delegation led by State Senator Donna Boley. The State Board of Education is staying the course and has opened a 30 day public comment period for some of the policies changed as a result of the adoption. *Source:*

<http://www.wvgazette.com>, 6/16/13

**All SECA states with the exception of Texas and Virginia have adopted the Common Core and are moving toward implementation in the 2014-2015 school year.**

**For more information, get these issues of *Public Policy Notes*: March 2010, August 2010 and September 2010.**

[http://www.southernearlychildhood.org/policy\\_newsletter\\_sign.php](http://www.southernearlychildhood.org/policy_newsletter_sign.php)

## Reauthorizing First Steps

This month, the **South Carolina Legislative Audit Council** released a report that identified deficiencies in the operation of **First Steps**. This report was requested by legislators as a precursor to the discussion of reauthorization of the program.

**First Steps**, a 501(c)3 agency, was created in 1999 to "help improve school readiness for the state's youngest learners." Each South Carolina county has a First Steps partnership with multiple community partners. Services provided by First Steps partners include: family strengthening, early educa-

tion, quality child care, health care and school transitioning. For FY 11-12, total state expenditures were approximately \$41 million.

Deficiencies noted in the report included:

- ⇒ The use of questionable statistics to verify the success of the program.
- ⇒ Governance & Board deficiencies.
- ⇒ Errors in calculations of county allocations, resulting in overpayments and underpayments.



For more information on the program, <http://www.scfirststeps.org/>

For a copy of the audit findings,

[http://lac.sc.gov/LAC\\_Reports/2013/Pages/SCFirstSteps.aspx](http://lac.sc.gov/LAC_Reports/2013/Pages/SCFirstSteps.aspx)

*Sources:* A Review of SC First Steps to School Readiness, South Carolina Legislative Audit Council, <http://lac.sc.gov>; SC Review Finds Questionable Stats, Other Ills in SC First Steps, <http://www.thestate.com>, 6/18/13

## Southern Early Childhood Association

1123 S. University, Ste 255  
Little Rock, AR 72204  
Little Rock, AR 72215-5930

Phone: 800-305-SECA

Fax: 501-227-5297

E-mail:

info@southernearlychildhood.org

Southern Early Childhood Association



"A Voice for Southern  
Children"

We're on the Web!  
www.southernearlychildhood.org

## How to Use This Newsletter

If you're interested in advocacy, one of the most effective tools that you can have is access to information. This newsletter is provided as a service to locate and share information that we think will be helpful to you in your work at the state level and to keep you updated on what's happening in public policy.

You'll find information that:

- **Compares your state to other SECA states**—how you're doing, what issues you have in common, what the hot topics are in your states.
- **Brings the national scene to your fingertips** and gives you a perspective on how national events might impact you...You'll also receive information about where to find additional information.

We hope you'll find it helpful. Children need you to be their "voice" in your community and state.

## What's Happening in the SECA States

### Alabama

The Alabama Commissioner for Children's Affairs has announced that there will be 93 new grant recipients with an increased attendance of 1,670 children in Alabama's pre-K program, *First Class*, for the 2013-2014 school year. This is possible through the increase in the state appropriation from \$19.1 million to \$28.5 million for FY 2014. Source: <http://blog.al.com>

### Arkansas

The Arkansas Department of Higher Education, with support from the Kresge Foundation, is implementing a new initiative to increase the number of Associate Degrees awarded in the state.

*Credit When It's Due* establishes a process that will award an Associate Degree to a student who transfers from a 2-year college to a 4-year institution without earning an associate degree. If the student completes required college credit at the 4-year institution, those credits may be transferred to the 2-year institution to achieve the Associate Degree. Source: <http://www.arkansasnews.com>

### Kentucky

On July 2nd, Kentucky will implement more than 100 new state laws. *One of those laws allows Kentucky school districts to begin voting on plans to raise the drop-out age from 16 to 18 years in the 2015-16 school year.* Initially this

process will be at the will of each local school district. Once 55% of the state's school districts implement the change, all remaining districts will have four years to implement the change.

Source: <http://www.kentucky.com>

### Mississippi

Governor Bryant has issued a proclamation for a *special session to begin on June 27th to deal with the reauthorization of Mississippi's Medicaid program.* Democrats had blocked a measure in the regular session to reauthorize the program but without the expansion contained in the Affordable Care Act. Reauthorization must occur before July 1st to avoid a shutdown.