

# CITIZEN

STRENGTHENING FAMILIES AND THE VALUES THAT MAKE FAMILIES STRONG

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## “Instant Racing” ruled legal, TFF appeals

*“Instant Racing” is neither pari-mutuel nor is it live racing, as the law requires. Appellates believe the Dec. 29 ruling will not stand.*

On Jan. 20, Stan Cave, the attorney for The Family Foundation, filed papers to appeal Circuit Judge Thomas Wingate’s Dec. 29 ruling that affirmed the use of “Instant Racing” video terminals at the state’s race tracks. Cave’s filing begins the second round of legal action that many say may end up at the Kentucky Supreme Court.

“We expect the Court of Appeals to reverse the Franklin Circuit Court,” said Martin Cothran, senior policy analyst for The Family Foundation.

### Is it “Live Racing”?

Current law permits pari-mutuel wagering on live horse races. “How can you have ‘live racing’ with video tapes of past races, some of which occurred decades ago?” asked Cothran. “And, in particular, how can you have live racing with dead horses?”

In the briefs, the Department of Revenue argued: “From the perspective of the wagerer, a historic horse race is very much ‘live’ — the wagerer does not know the outcome of the historical horse race in advance any more than a wagerer at a track knows the outcome of a race physically conducted at that track.”

In other words, it was “live in the mind of the wagerer.” Cothran pondered if by that logic someone could get out of a speeding ticket because he “thought” he was only going 35 miles per hour.

### Is it “Pari-Mutuel”?

The other major problem with the ruling is its finding that Instant Racing is “pari-mutuel.” The essence of pari-mutuel wagering is that wagerers bet against each other on the same race or combination of races. With Instant Racing, that is impossible. Instant Racing patrons are playing on their own machine, at their own pace, at different times of the day,

at different race tracks and on different historical races.

The Dec. 29 ruling claimed that the complex system of “pools” set forth in the Department’s regulations are somehow equal to “pari-mutuel.” Cothran said, “It looks more like a Ponzi scheme as money is moved from one pool to another rather than simple pari-mutuel wagering.”

With the notice of appeal filed on Jan. 20, it is likely that the Appellate Court process could extend until the Fall of 2011, and from there

to the Kentucky Supreme Court.

### Separation of Powers at issue

The other major issue made manifest by this case is

the question of separation of powers of the three branches of government. The legislature has a simple process to oversee the writing of regulations that emanate from legislation it has passed.

In this case, the Executive Branch, at the direction of Gov. Beshear, has asked the Judicial Branch to intervene and affirm with “emergency authority” that Instant Racing is in fact legal. Yet, all the while, those pushing Instant Racing have deliberately postponed and delayed scrutiny from the legislative oversight committee.

It boils down to this question, “Why is the Executive Branch working with the Judicial Branch to disrupt what the Legislative Branch is constitutionally commissioned to do?” The answer, according to Cothran, is simply, “To expand gambling.”



**“We expect the Court of Appeals to reverse the Franklin Circuit Court.”**

— Martin Cothran, Senior Analyst  
The Family Foundation

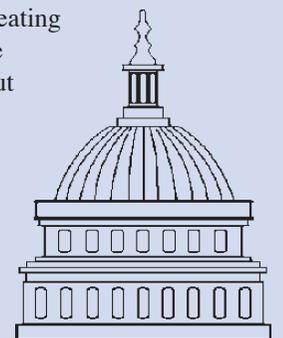
## 2011 GA Session off to quick start

*The Senate passes 12 bills in the first four days of the Session, sends them to House.*

Though the 2011 General Assembly was on recess until Feb. 1, things were already heating up as the Republican-controlled Senate passed 12 bills in the four opening days of the Session. House Leadership has expressed a chilly response to the Senate’s agenda, but all can at least recognize that the Assembly is not mired down with the normal “wait-and-see” posture of every other Session.

“Without doubt, this is an unprecedented effort to move things along,” said Kent Ostrander, executive director of The Family Foundation. “And with no less doubt, it will definitely stir up debate in early February when the legislators return and the House considers the bills that have come its way.”

Observers believe The Ultrasound Bill, which has passed the Senate in each of the last six years only to die in the House, and the Neighborhood Schools Act, which passed the Senate last year only to have the same fate, are likely to be the pieces of legislation that set off the most fireworks this year. Regardless of the past, supporters of each are optimistic.



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# Legislative session begins with major action

*The Senate passes 12 bills in the first four days of the Session. With the recess over on Feb. 1, the House can now take them up.*

In the first week of the 2011 legislative session, Senate Republicans, under the leadership of Senate President David Williams, successfully passed all but one of the legislative items on their agenda. Passing twelve pieces of legislation in the first week of a Session is highly unusual, and the effort raised many eyebrows at this, the beginning of an Executive Branch election year.

Normally, the first four days of the “short” legislative session (odd-numbered years) are designated as an organizational period in which each Party votes for their Caucus Leadership and assigns committee appointments. During a “long” Session (even-numbered years), legislation doesn’t normally move until February, the second month of the Session. Typically, legislators are not quick to act on legislation in either Session.

This year, with Williams’ gubernatorial campaign and the Republican “Agenda for Prosperity,” the Senate wasted no time. The House of Representatives, following standard protocols, passed only a series of resolutions, opting to wait on engaging any legislation until Feb. 1 when the Session reconvened.

Initial response from the House suggests that that Chamber will not rush to affirm the actions of the Senate, making this a very interesting Session and the beginning of a rough-and-tumble year in Kentucky politics.

Below is a brief summary of each of the bills that were pushed by the Senate in the opening week, two of which have been passed by the Senate in previous Sessions and have died in the House without any action. Only Senate Bill 2 did not pass:

## **SB 1 – Create Kentucky Council on Revenue Reform**

This bill creates a tax panel to study and potentially overhaul and simplify Kentucky’s current tax code. Likewise, the effort is intended to make the Kentucky tax system more efficient. The tax panel would be made up of business and tax professionals and would prevent legislators from joining the panel in an attempt to achieve bipartisan consensus.

## **SB 3 – Neighborhood Schools Act**

**This bill died in the House in 2010**



This bill legislates the creation of charter schools throughout Kentucky and also allows for each student to attend the school closest to his or her home. The action of this bill, by default, would undo the unpopular “Student Assignment Plan” currently enacted in Jefferson County.

SB 3 has been met with significant controversy. Proponents of the legislation believe that children ought to have the right to attend the school closest to home out of the belief that parental involvement is the missing commodity in the success of a child’s education. Busing, critics argue, creates distance between school and home. Further, allowing a child to attend their neighborhood schools prevents children from spending several hours a day being bused throughout the county, particularly Jefferson County. Currently, students spend upwards of two hours on a bus.

Critics of the legislation argue that SB 3 would unintentionally re-segregate Louisville. By forcing students to attend their neighborhood schools, critics allege that the town will be racially divided as it has been in the past. Critics argue that diversity plays an important role in the educational environment.

Still, proponents of SB 3 urge that education ought to be about education, not the pursuit of diversity. Diversity stands in the way of focusing on measures that strengthen education. Additionally, SB 3 makes allowances for students to still attend the school of their choice should their neighborhood school not be to their liking.

## **SB 4 – Election Reform**

This bill mandates that Kentucky primary races be shifted from May to August. It would also bar candidates for office from accepting campaign donations from lobbyists or the spouses of lobbyists. It aims at making campaigns more transparent.

## **SB 5 – Legislative Transparency Act**

This bill mandates that all proposed legislation be posted online for public

viewing prior to further legislative acts going forward.

## **SB 6 – Unauthorized Immigrant Measures**

This bill allows for tougher immigration enforcement on both the federal and state level. It includes controversial measures of authorizing police to question the immigration status of an individual if the individual has already been stopped based on a routine traffic stop. It also prevents local communities from adopting measures to limit immigration enforcement.

## **SB 7 – Transparency for State Expenditures**

This bill puts more state and government expenditures online for public viewing.

## **SB 8 – Sec. of State’s “One-Stop Shop” for Business**

This bill creates an electronic business portal for the intention of facilitating greater interaction between businesses and government agencies.

## **SB 9 – The Ultrasound Bill**

**This bill died in the House from 2006 thru 2010**



This bill deals with “informed consent,” specifically in regards to abortion and abortion consultation. It mandates that face-to-face consultation must be conducted 24 hours before an abortion procedure can occur. Further, it mandates that when the abortionist performs an ultrasound, he or she must clearly depict the ultrasound image. He must disclose the presence and location of the child along with disclosing the size of the child and provide the opportunity for the woman to see the ultrasound image of the child. This bill allows a woman to avert her eyes should she not want to see the ultrasound image of her child. This bill also creates a tier of penalties for abortionists for failing to abide by these laws.

Proponents of the legislation urge that this bill provides more information to the woman seeking an abortion. Statistically, providing an option of seeing the ultrasound image results in a greater likelihood of the woman choosing to keep her child. For proponents, this is victory – the saving of an unborn child that was headed for abortion.

Critics of the legislation argue that forcing a woman to have a face-to-face consultation places an unnecessary burden on impoverished women who now have to travel an additional day for a consultation in conjunction with the 24-hour waiting period required to obtain an abortion. Secondly, critics argue that burdening a woman with the picture of her unborn child places emotional duress on her capacity to make her own decision and could result in fewer abortions.

Proponents believe that allowing the woman to see her unborn child fulfills the truest commitment to being “pro-choice” by allowing the woman the choice to see the ultrasound image of her unborn baby and to have all the information available as she considers her decision.

## **SB 10 – 21<sup>st</sup> Century Bill of Rights**

This bill enacts a 21<sup>st</sup> Century Bill of Rights. It stresses the importance of state sovereignty; mandates that persons should not be forced to participate in healthcare systems or provide abortions; prohibits laws that restrict the posting of the Ten Commandments; prohibits laws that restrict hunting and gun laws; prohibits the expansion of gambling unless by constitutional amendment; and provide ample online time for Kentucky citizens to view any measure dealing with appropriations and/or revenue.

## **SB 11 – Addressing Fraud in Medicaid**

This bill allows for Kentucky to create a civil body/entity aimed at recovering false claims made against Kentucky’s Medicare system.

## **SB 12 – Empowering School Superintendents**

This bill authorizes greater involvement and authority for the superintendent in hiring new principals.

## **SB 13 – Achievement Awards for Math and Science**

This bill creates financial performance incentives for teachers based on student achievement on Advanced Placement Tests or International Baccalaureate tests in science and mathematics.

# How A Bill Becomes Law



A law begins its journey toward enactment when it is introduced as a bill. It can be introduced in either the House of Representatives or the Senate, but it must be approved by both in order to be sent to the Governor for his signature, at which point it becomes law.

Once a bill is introduced in one of the chambers (either the House or the Senate), the Committee on Committees (both the House and the Senate have one) decide to which committee the bill will be sent. This is an important decision because it is harder to get a bill through some committees than others.

The Speaker of the House is the chairman of the House Committee on Committees, and the Senate President is the chairman of the Senate Committee on Committees.

When the bill has been received by a committee, the chairman of the committee decides whether the bill should be heard by the committee. If the chairman decides that the bill should not be heard, it simply dies. If it is heard, it is either approved or defeated. If it is approved, it goes to the Rules Committee.

The Rules Committee of each chamber is also a powerful committee. There a bill gets its second reading. The Rules Committee decides when and whether a bill gets to the chamber floor for a vote. It can either send the bill directly to the floor or back to another committee for further review.

When a bill finally reaches the floor, before it can be voted on, it must be announced three times. The Speaker of the House or the President of the Senate can refuse to call the bill for a vote, in which case it will eventually die. If the bill is voted on and passed, it goes on to the other chamber and starts on the same entire process for approval there.

If one chamber passes a bill and the other chamber changes it in any way, the bill

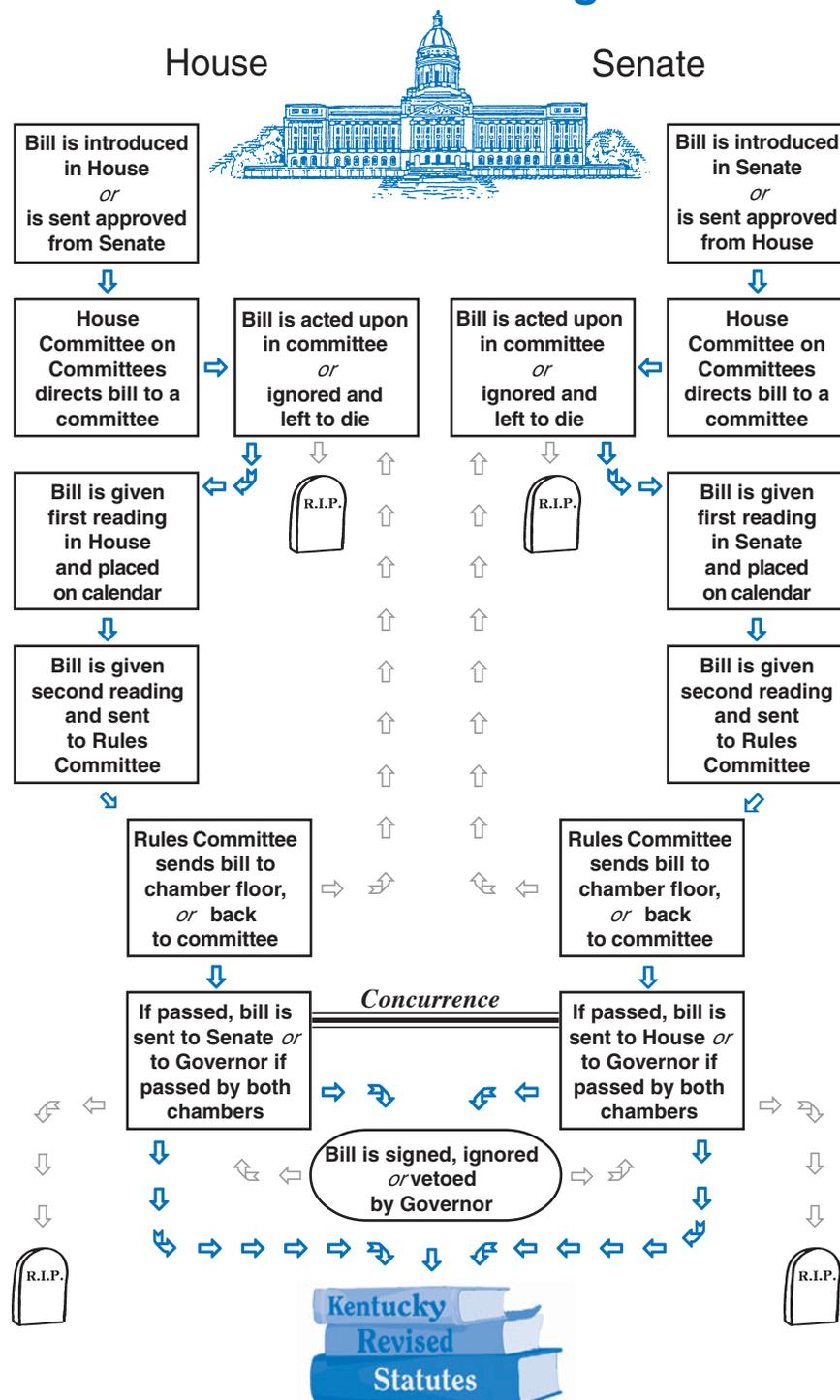
must go back to the chamber in which it originated to approve the change. This is called "concurrency."

Once it passes in both chambers, it goes to the Governor for his signature.

When the Governor receives the bill on his desk, he can do one of three things: he can sign it, veto it, or simply not act upon it. If he signs it, it becomes law. If he does not sign it, it still becomes law. Not signing a bill but letting it go into effect is a way for the Governor to express disapproval without actually stopping the bill.

If the Governor vetoes the bill, the bill can only become law if the General Assembly overrides the veto. A veto can be overridden only by a constitutional majority of both chambers. In the House, a constitutional majority is 51 votes (one more than half of 100). In the Senate, it is 20 votes (one more than half of 38). If the veto is overridden in this way, the bill becomes law. If it is not overridden, it does not become law.

## The Road to Passing a Bill



## Calendar

for the 2011 General Assembly

<b>January 4-7</b>	<b>Four-day Organization period</b>
<b>February 1</b>	<b>Session re-opens for legislation</b>
<b>February 4</b>	<b>Last day for bill requests</b>
<b>February 11</b>	<b>Last day for new Senate bills</b>
<b>February 14</b>	<b>Last day for new House bills</b>
<b>March 4 &amp; 7</b>	<b>Concurrency</b>
<b>March 8 thru 18</b>	<b>Governor's veto period (10 days)</b>
<b>March 21-22</b>	<b>Veto override period and <i>Sine Die</i></b>

# UK caught in utter “diversity” hypocrisy

*Evidently, diversity doesn't apply to faith — the Gaskell hiring affair exposes anti-Christian bigotry at the highest levels.*

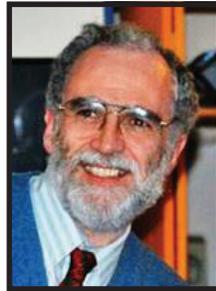
When accomplished astronomer Martin Gaskell applied for the job to direct University of Kentucky's new student astronomical observatory in 2007, he thought he had a good chance of landing the position. After all, UK faculty sought Gaskell's counsel as to how the observatory should be built.

The chairman of the search committee, Professor Thomas Troland, called Gaskell “so superbly qualified, so breathtakingly above the other applicants in background and experience.” Other search committee members sang similar praises, that is, until they uncovered one of Gaskell's lectures called “Modern Astronomy, the Bible and Creation.” In it, Gaskell said that the theory of evolution has “significant scientific problems.” Court documents say this revelation sparked a firestorm of internal debate which led to a violation of the law in

the hiring process and eventually led the UK astronomy department to hire the third ranked candidate even though he possessed “almost no relevant experience,” according to Troland.

Two discrimination complaints were filed with the UK Equal Employment Office and Gaskell received a Notice of Right-to-Sue letter on April 27, 2009. A complaint filed with the Kentucky Human Rights Commission in May 2008 charging UK with religious discrimination has yet to be acted upon.

“This is the clearest case of religious discrimination imaginable,” said Francis J.



**Dr. Martin Gaskell**

Manion, who is representing Professor Gaskell. “One of the committee members worried that Gaskell was ‘potentially evangelical’ as if this was a disqualifier. But can anyone imagine a potential employer voicing concerns that an applicant was potentially Jewish, or potentially Muslim, potentially

Lithuanian, or potentially African-American? The complete blindness of University officials to the illegality of what they were engaged in here is shocking.”

On Nov. 23, Federal District Judge Karl Forester found ample evidence, including lengthy email exchanges that implicate UK faculty of engaging in religious discrimination. “There is no dispute that based on his application, Gaskell was a leading candidate for the position,” Forester said.

Search Committee member Sally Shafer worried that Gaskell was “something close to a creationist.”

Astrophysics professor, Moshe Elitzur said that hiring Gaskell would be a “huge public relations mistake.” Biology professor James Krupa wrote to a colleague in an October 2007 e-mail, “We might as well have the Creation Museum set up an outreach office in biology.”

Critics say that the anti-Christian atmosphere in academia and rigid uniformity when it comes to adhering to evolution and secularism make it difficult for believers to find work in the university setting. “I think that if I had a document like this and I was advocating atheism . . . I don't think it would be an issue,” Gaskell said of his lecture on modern astronomy and the Bible. Gaskell denies being a creationist but apparently his belief in God was too much for UK professors who systematically denied the applicant his civil rights.

A person's religious beliefs cannot be used against them in hiring decisions according to the 1964 Civil Rights Act, but that didn't stop Department of Physics and

## Quotes from hiring panel

*“We might as well have the Creation Museum set up an outreach office in biology.”*

Biology Professor James Krupa

[Hiring Gaskell would be a] *“huge public relations mistake.”*

Astrophysics Professor Moshe Elitzur

*“Moshe predicts that he would not be here one month before the (Lexington) Herald-Leader headline would read: ‘UK hires creationist to direct new student observatory.’”*

Dept. of Physics and Astronomy Chair  
Michael Cavagnero

[Religion was an] *“underlying theme in everything we discussed.”*

Search Committee Member Steve Ellis

*“Clearly this man is complex and likely fascinating to talk with - but potentially evangelical.”*

Search Committee Member Sally Shafer

From: Thomas Troland  
Sent: Friday, October 19, 2007 4:57 PM  
To: Michael Cavagnero  
Subject: The Gaskell Affair

“It has become clear to me that there is virtually no way Gaskell will be offered the job despite his qualifications that stand far above those of any other applicant. Other reasons will be given for this choice when we meet Tuesday. In the end, however, the real reason why we will not offer him the job is because of his religious beliefs in matters that are unrelated to astronomy or to any of the duties specified for this position. (For example, the job does not involve outreach in biology). . . .

**If Martin were not so superbly qualified, so breathtakingly above the other applicants in background and experience, then our decision would be much simpler. We could easily choose another applicant, and we could content ourselves with the idea that Martin's religious beliefs played little role in our decision. However, this is not the case. As it is, no objective observer could possibly believe that we excluded Martin on any basis other than religious. . . .”**

**[Emphasis added]**

**Court Exhibit #35: One of the “smoking gun” emails**

Astronomy Chair Michael Cavagnero from questioning Gaskell about his religion during an interview. Several internal emails between Cavagnero and other professors provide evidence of discrimination according to court records.

The smoking gun was an incriminating email sent by committee chair Troland to Cavagnero. “In the end, however, the real reason why we will not offer him the job is because of his religious beliefs in matters that are unrelated to astronomy or to any of the duties specified for this position,” Troland said. [See excerpt of email on left]

Manion knew they had a solid case against UK. “Incredibly, the University of Kentucky allowed what one of its own faculty members called ‘a McCarthyism of the Left’ to sway its decision on Gaskell's application,” Manion said.

In order to avoid a jury trial, UK settled with Gaskell for \$125,000 on Jan. 18.

*OPINION: There has not been a more blatant expression of discrimination manifest in Kentucky in 40 years.*

# “Potential Evangelicals” need not apply at UK

Kentuckians love to cheer on their Big Blue this time of year, so when Federal District Judge Karl Forester recently called foul on the UK astronomy department for religious discrimination, it gave spectators a glimpse into the intellectual climate of academia. And it ain't like being at Rupp.

Martin Gaskell, a well-published astronomer with impeccable credentials, was likely to get the job as the new director of UK's student

astronomical observatory until one search committee member suspected that he was “potentially evangelical.”

Gaaasp!

Gaskell, who advised the UK astronomy department in the development of the student observatory that he

sought to direct, was blackballed for a lecture he delivered called “Modern Astronomy, the Bible and Creation.” In it, he criticizes materialistic evolution and shares some of the beliefs of Newton, Galileo, Kepler and Copernicus. All by the way were Christians, and each would be summarily rejected by UK's astronomy department for the same reason Gaskell was if the same search committee were in place.

On Nov. 23, Judge Forester found a smoking-gun-of-an-email that implicates several members of the search committee of violating Gaskell's civil rights. One search committee member worried that Gaskell was “something close to a creationist.” Another said that hiring him would be a “huge public relations mistake.” A biology professor wrote to a colleague, “We might as well have the Creation Museum set up an outreach office in biology.” Memo to future search committees: Carefully consider the idea of Creation Museum Outreach next time.

The star witness in the case, otherwise known as the chair of the search committee, said, “If Martin were not so superbly qualified, so breathtakingly above the other applicants in background and experience, then our decision would be much simpler. We could easily choose another applicant, and we could content ourselves with the idea that Martin's religious beliefs played little role in our decision. However, this is not the case. As it is, no objective observer could possibly believe that we excluded Martin on any basis other than religious.”

When intelligent people downgrade a candidate from “superbly qualified” to an embarrassment because they might be “potentially evangelical,” they are, by definition, practicing bigotry, regardless of how well cloaked in sophisticated language it may be. In his 2008 documentary “Expelled: No Intelligence Allowed,” Ben Stein revealed just how close-minded the university can

be when it comes to protecting the institutionalized theory of evolution.

When the self-appointed arbiters of truth discard an applicant like yesterday's lunch all because of a competing theory of origins—differences that the search committee members admitted had nothing to do with the job, then something is lost in our halls of higher learning.

Places that once welcomed free and open inquiry now shut it down, and positions that were once opened to the best qualified candidates are only open to ideological clones.

What would UK have done if Francis Collins, the director of the National Institutes of Health, applied for a job there? Collins

directed the International Human Genome Sequencing Consortium and wrote a book called *The Language of God: A Scientist Presents Evidence for Belief* (2006). Collins has one of the brightest scientific minds of our day. He's also an evangelical.

Interestingly, both Collins and Gaskell are not

creationists, but apparently any talk of the possibility of God so threatens the exclusive platform of their peers

that excommunication from the Church of Darwinian Fundamentalism is in order. The evidence against UK was so strong, they settled with Gaskell for \$125,000.

It seems the UK debacle is really a chess match of ideology and Gaskell merely a pawn. It was his non-conforming ideas that threatened the status quo – ideas that UK gatekeepers will be keen to censure in the future. But when a university violates someone's civil rights, as UK was charged with, they are in danger of becoming an institution plagued by what one of its own faculty members called a “McCarthyism of the Left.”



**Richard Nelson is the western Kentucky policy analyst for The Family Foundation**

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**When the self-appointed arbiters of truth discard an applicant like yesterday's lunch all because of a competing theory of origins . . . then something is lost in our halls of higher learning.**

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*Richard*

## Gay agenda funded in Kentucky

*Out-of-state monies flow into the Commonwealth by those pushing change.*

Since 1976, Tides Foundation has been on a mission to, some have said, “incite social change” throughout America. Through a clever grant-making process Tides Foundation uses public and private sources to fund progressive charities and organizations. It is now at work in Kentucky.

On Dec. 21, *The Courier-Journal* reported that Kentucky's Fairness Coalition (an alliance consisting of the American Civil Liberties Union of Kentucky, Louisville's Fairness Campaign, Kentucky Commission on Human Rights, Kentucky Fairness Alliance, and Lexington Fairness) had received a \$50,000 grant from Tides Foundation's State Equality Fund. This fund is a philanthropic partnership between the Evelyn and Walter Haas Jr. Fund, the Gill Foundation and anonymous donors whose common goal is to promote the lesbian, gay, bisexual and transgender (LGBT) agenda across the commonwealth.

This makes the second year that the Fairness Coalition has received monies from the State Equality Fund. In 2010, \$30,000 was awarded to the groups. In an e-mail released by the Kentucky Fairness Alliance, the Fairness Coalition “had initially applied for a three-year, \$90,000 grant to span 2010-2012 with \$30,000 to be awarded annually upon approval of progress, work plan, and availability of funds.” However, “the State Equality Fund asked the coalition to increase their 2011 request for support from \$30,000 to \$50,000” to help further the homosexual cause in the Bluegrass.

As for the Gill Foundation, they are no stranger to using their financial resources to promote LGBT goals in Kentucky. During the 2010 elections, Gill Foundation engaged in Kentucky politics when it contributed a large financial gift to Jim Gray, an openly gay candidate who went on to win Lexington's mayoral race.

Since its establishment in 1994, Gill Foundation has been dedicated to advancing the homosexual agenda by supporting nonprofit organizations that serve the LGBT cause. According to the Foundation's website, “The Gill Foundation has invested more than \$178 million in nonprofit organizations throughout the country.” Now Gill wants to continue to use his financial wealth to further promote the homosexual agenda across the state.

# **A Moment in History ■ Peter Muhlenberg's revolutionary sermon**

*He was both a minister and a soldier and he inspired many others during the struggle to found this nation.*

In the nostalgia of American history, individuals like Washington, Adams, and Jefferson grab most of the attention. As a result, individuals of equal merit, dignity, and renown often go overlooked. Such is the case with Peter Muhlenberg, a less well-known Founding Father.

Peter Muhlenberg (1746-1807) was a man of immeasurable capabilities and talents. During his life, he ably wore the title of pastor, general, senator, congressman, and above all, statesman.

Educated at what is today The University of Pennsylvania, he furthered his educational career in Germany. While there, he was a member of an elite set of soldiers called "the dragoons." Upon his return to America, he married and had six children.

He was ordained as an Anglican clergyman and was also elected to the

House of Burgess and the First Virginia Convention, a provisional government set in place until Virginia declared itself a sovereign Commonwealth.

His most famous event, however, was a sermon he delivered on January 21, 1776 from Ecclesiastes 3 at his church in Woodstock, Virginia. Quoting that there is "a time for war and for peace," Muhlenberg declared that the present time was a time for war. In an instant, he disrobed his clerical garb that displayed his military uniform underneath.

Little did his parishioners know that Muhlenberg had been personally approached by General George Washington to form a military regiment.

Outside the church, drums sounded off a military count. From what followed, Muhlenberg enlisted members of his congregation—162 in all—and proceeded

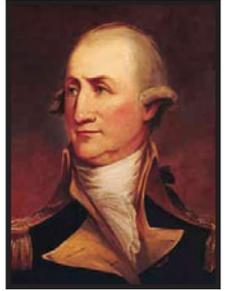
to form the majority of Virginia's 8<sup>th</sup> Regiment. During his military tenure, Muhlenberg would valiantly participate in four major battles, guiding and preserving his regiment.

By the end of the war, Muhlenberg had been promoted to Major General and would go on to serve in many roles in the young government of the United States.

Later in his career, Muhlenberg was elected Lieutenant Governor of Pennsylvania and would serve at the request of President Thomas Jefferson in the role of Supervisor of Revenue in Pennsylvania.

Muhlenberg's legend is one of

**Little did his parishioners know that Muhlenberg had been personally approached by General George Washington to form a military regiment . . . By the end of the war, Muhlenberg had been promoted to Major General and would go on to serve in many roles in the young government . . .**



dedication, virtue, and hard work to a young, developing country caught up in the midst of tumult and uncertainty. Still to this day, he serves a faithful example of a man who was willing to sacrifice his own life for the fortune and benefit of his country.

May the same be said of each of us.

## **"A Moment of Silence" Rabbi speaks out**

*This daily exercise in school is another way parents can shape their children's education and impart their values to their child.*

*Editor's Note: The Family Foundation fully supports the concept of a daily personal "Moment of Silence" in school where each child can engage a values lesson that his or her parent has tailored for their needs.*

While many parents have failed in their moral responsibility to train their children in the faith in the Creator, the schools should not look aside and circumvent the issue. If we want the next generation of youth to grow up as productive, moral humans, they must be given the opportunity during school hours to meditate on matters of vital importance, including their purpose in life and the belief in the Creator and Ruler of the World. Our democratic form of government and the principles of our republic provide for the freedom of religious practice and faith. This basic freedom must be afforded to children, by setting times for a moment of silence at the start of every school day

Is there an antidote for the problems that plague society today? How do we ensure that the youth of this generation will grow up to be responsible citizens of the world?

True education is not merely the transmission of facts and imparting information. The fundamental role of education, and one of its earliest and most important goals, is to mold a healthy, productive individual and to safeguard a person against his own potential negative tendencies and offensive traits.

On his own, a person is not objective in evaluating his own characteristics. A person's inclination and his own innate, materialistic nature and self-love often will "bribe" an individual into a distorted view of his negative traits. Proper education is therefore required to help an individual cultivate and carefully focus his/her introspective analysis.

This means that effective education must incorporate a strong approach to form the positive personality of the

individual and to rid the person of "unsavory" dispositions. Laxity in this area would represent disregard for our children, and experience has shown that those children who were not properly and strictly brought up, but were raised with a liberal, "free" upbringing came back to their parents later with serious complaints. Eventually they blame their "rod-sparing" parents and teachers for their personal behavior and unmodified, negative inclinations and traits.

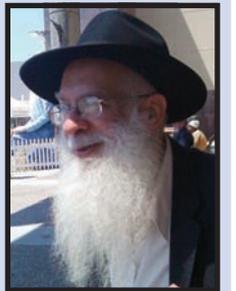
Knowing that school time is devoted to education, the child realizes that the moment of silence must be dedicated to the most important things in this life. His outlook on life will be as per the instructions which his parents will give him.

This moment should be at the start of the day to emphasize the magnitude of the subject. At any other time of the day, it may not have the proper impact.

Since the substance of this reflection time would depend on the free will of each individual, without teacher, supervi-

sor or government intervention, it does not represent an incursion of the state into the free exercise of religion by the individual.

We have had a steady increase across the country in the number of schools engaging in this practice. It seems educators are beginning to perceive the importance of silence in our daily lives and hopefully Kentucky educators can soon join the ranks of those sharing this most important practice so our youth grow up in the best way.



**Rabbi Avraham Frank**

*For more, go to:*  
**[www.momentofsilence.info](http://www.momentofsilence.info)**  
*or email:*  
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# Change the failing system!

The Jefferson County Public School (JCPS) system has for too long sacrificed educational achievement on the altar of diversity. During this legislative session, our legislators can undo such error.

Parents in Louisville have the chance to raise their voice and demand change by urging their legislators to support the Neighborhood Schools Act. This Act ends the despised “Student Assignment Plan.” It does so by allowing students to *enroll for attendance* in the school closest to his or her home.

Educational excellence is built on three foundational pillars; education that is parent-oriented, locally controlled, and academically based. Unfortunately, the educational system in America now parents the children it was intended only to educate.

This is a perilous role-reversal, resulting in the displacement of the family in the role of education. In response, the

Neighborhood Schools Act places a renewed priority on the involvement of parents in their children’s education by shortening the distance between school and home. Secondly, the bill would result

in much shorter commute times for children, as the current program of forced

busing would end. Third, the bill would promote the involvement of local communities. Currently, the Student Assignment Plan diminishes the role of communities by separating the very thing it strives to serve.

Critics of the legislation are pushing for a failed system that prioritizes diversity over educational excellence. Proponents of the same, failed status-quo system have yet to prove that socioeconomic diversity has any positive effect on education. The performance gap that JCPS has tried so intently to reduce still exists. As it stands,

Louisville schools are diversified, but failing. Moreover, the lack of emphasis on academic quality is hurting the very people that diversity is supposed to help. Equality of achievement should be valued over

diversity in enrollment. Parents need the guarantee of quality education, not two-hour bus rides.

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**Educational excellence is built on three foundational pillars; education that is parent-oriented, locally controlled, and academically based.**

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In all of Superintendent Sheldon Berman’s rebuttals of the Neighborhood Schools Act, it is apparent that he’s more concerned about the diversity of enrollment than the quality of education. When the integration of schools results in disintegration of our communities and fails our children, it’s time to revisit our priorities. The Neighborhood Schools Act possesses real ability to not only restore educational sanity, but also heal communities through the bonds of local collaboration.

The stigma surrounding the failure of Jefferson County Public Schools need not be exacerbated by the abysmal Student



**Andrew Walker is the Louisville-Metro policy analyst for The Family Foundation**

Assignment Plan. During this legislative session, parents and concerned citizens ought to petition their legislators demanding that education serve children rather than government. Let’s put all families and all children first by doing away with the Student Assignment quagmire by supporting the Neighborhood Schools Act. The Act signals an important first step in better education, and an even better step into healthier families and healthier local communities.

## Kentucky issues “In God We Trust” license plate

*There has been a spat about the plate for a couple of years now, but at long last it is going to be made available in February.*

In January, the Kentucky Department of Transportation joined six other states when it issued a license plate bearing the national motto “In God We Trust.” According to Transportation Cabinet spokesman Chuck Wolfe, this is the first time Kentuckians will have a choice between two standard-issue license plates. “The Cabinet often receives comments from people out in the state expressing interest in having something like this (In God We Trust plate),” Wolfe said. “The Cabinet believes there’s a sizable group of people who would like to have this choice.”

One reason for the widespread support is because of Louisville-based group Reclaim Our Culture Kentuckiana (ROCK), which has garnered support for a specialty plate bearing the national motto since 2007. However, the Transportation Cabinet set up “roadblocks and gave excuses” for denying ROCK’s request for the specialty plate, according to ROCK President MaryAnn Gramig. “This is about not wanting a faith-based group to receive a specialty plate,” Gramig said.

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**“Any time the national motto is displayed, that’s a good day.”**

*— MaryAnn Gramig  
President, ROCK*

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If ROCK had been approved, the money received from the plates would have supported women and children hurt by the sex industry—one of the issues that ROCK focuses on. Yet, Gramig does not begrudge the new standard issue plate. “Any time the national motto is displayed, that’s a good day,” Gramig said.

The Transportation Cabinet is slated to have 95,000 “In God We Trust” plates available by February. Each will cost the standard \$21 fee. ROCK says that it plans to continue to pursue the specialty plate.

Arkansas, Florida, Indiana, North Carolina, South Carolina and Tennessee also have plates bearing the national motto.



**Pictured is the state’s design (above) and ROCK’s proposal (bottom).**

# “Parent One and Two”?

*Gender confusion is prevalent in the U.S. State Department.*

The U.S. State Department struck a blow against traditional marriage and gender roles in early January when they proposed to nix “mother” and “father” on American passports and replace the terms with “parent one” and “parent two.”

The Human Rights Campaign hailed the move as an “important step to recognize the many different family structures in our nation, including those headed by same-sex couples.” Critics say the move violates the Defense of Marriage Act (DOMA), which upholds the traditional definition of marriage for federal purposes.

Family Research Council president Tony Perkins harshly criticized the change. “Only in the topsy-turvy world of left-wing political correctness could it be considered an ‘improvement’ for a birth-related document to provide less information about the circumstances of that birth,” said Perkins. “This is clearly designed to advance the causes of same-sex ‘marriage’ and homosexual parenting without statutory authority, and violates the spirit if not the letter of the Defense of Marriage Act.”

Once the story made national news, Secretary of State Hillary Clinton denied any involvement with the change. However, observers note that she and the Obama administration have openly courted the gay lobby and made no secret their disdain for DOMA. The Obama administration has already handsomely rewarded gay activists for their political support.

In 2009, President Obama elevated homosexuality and cross-dressing to protected status with the signing of the hate crimes bill. In December’s lame duck session, he signed a bill to overturn the policy that prohibited open homosexuality in the military. While President Obama has lost the Congressional muscle to overturn DOMA (a stated policy objective), critics say he continues to do all he can behind the scenes to undermine traditional marriage.

In order to squash any backlash from the political maneuver toward gender neutrality, Sec. Clinton immediately amended the proposed passport change to

retain the terms “mother” and “father.” The form will now say “mother or parent 1” and “father or parent 2” and will appear on new passport applications in February.

Jennifer Chrisler, executive director of Family Equality Council, lauded the change as an issue of fairness. “Changing the term mother and father to the more global term of parent allows many

**The head of the State Department, Secretary of State Hillary Clinton, claims to have had no involvement in the change of passport policy.**



different types of families to be able to go and apply for a passport for their child without feeling like the government doesn’t recognize their family,” said Chrisler. “Our government needs to recognize that the family structure is changing. The best thing that we can do is support people who are raising kids in loving, stable families.”

According to Brenda Sprague, deputy assistant Secretary of State for Passport Services, the change is not due to political correctness. “We find that with changes in medical science and reproductive technology that we are confronting situations now that we would not have anticipated 10 or 15 years ago,” Sprague said. Traditional family advocates do not buy those arguments.

Internet columnist and commentator Selwyn Duke said the move is ultimately detrimental to the foundation of family. “The family is the central building block of civilization, and nations rise and fall with its fortunes. And as with obesity and other physical problems, familial anomalies will inevitably exist (e.g., single-parent households),” Duke said. “But this doesn’t mean they should be normalized . . . We’re so darn inclusive, we’re including the poison pill in the software of civilization.”

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