

Pill

continued from page 1

Lawyer Kristen Waggoner said during closing arguments Wednesday that the state was trying to suppress religious objection to Plan B - an idea she called "repugnant to the Constitution."

The pharmacists "can violate their core religious beliefs and participate in the taking of a human life, or they can lose their license," she told U.S. District Judge Ronald Leighton.

Waggoner noted numerous business

Plan B was at the center of the state's decision to adopt the dispensary rule in 2007

exemptions under which it's OK for pharmacies not to stock a drug, including low demand, high cost, insurance concerns, and security reasons in cases where stocking a drug such as the addictive painkiller oxycodone could increase risk of theft.

If the state allows pharmacies not to stock a drug for non-religious reasons, it should also allow them not to stock a drug for religious ones, she argued.

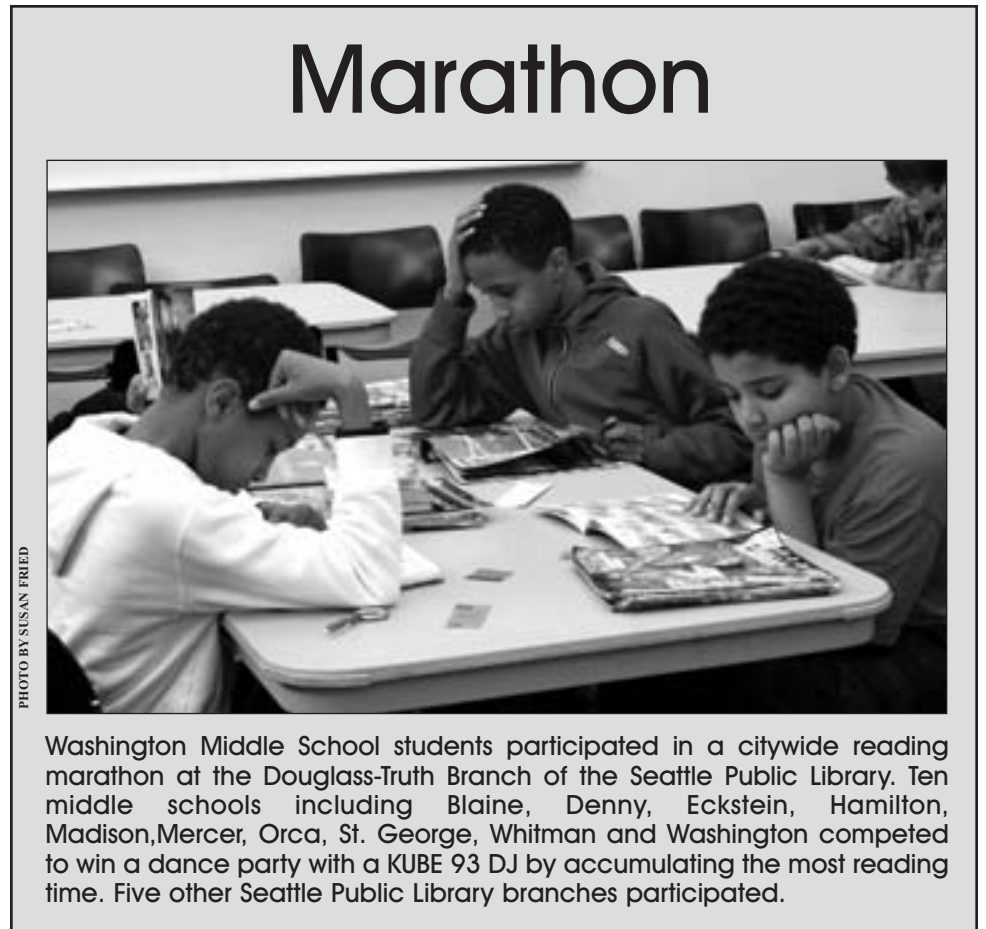
She also said the state showed no interest in rigidly enforcing the rule until Planned Parenthood and related groups began filing complaints and sending test-shoppers and picketers to Ralph's and other pharmacies to see if they would dispense Plan B. She called that an indication that the state's true objective was to stamp out religious objection to the drug.

Plan B was at the center of the state's decision to adopt the dispensary rule in 2007. Following Planned Parenthood's concerns, the state's Democratic governor, Chris Gregoire, warned that she would replace Pharmacy Board members who didn't follow her wishes on the issue. Gregoire later rejected a compromise the board reached that would have allowed druggists to refer patients to other pharmacies for reasons of conscience.

Lawyers for the state insist that the 9th U.S. Circuit Court of Appeals, in an earlier ruling in the case, has already determined that the rules are neutral and do not directly target religious views.

The only question left for the judge to determine, they said, was whether the state has any rationale that supports the rules. They said the state has a clear interest in promoting the timely access to drugs, especially those like Plan B, which become less effective with delay.

Exemptions to the rule allowing pharma-



Marathon

Washington Middle School students participated in a citywide reading marathon at the Douglass-Truth Branch of the Seattle Public Library. Ten middle schools including Blaine, Denny, Eckstein, Hamilton, Madison, Mercer, Orca, St. George, Whitman and Washington competed to win a dance party with a KUBE 93 DJ by accumulating the most reading time. Five other Seattle Public Library branches participated.

cies not to stock a drug for financial or business reasons actually increase the general accessibility of drugs because it helps pharmacies stay in business, the state's lawyers said. Allowing pharmacies not to stock Plan

B for religious reasons, however, would in no way promote public access to medicine.

The judge made several comments sympathetic to the plaintiffs during Waggoner's closing argument.

NCLB

continued from page 1

provide them until an announcement is made on whether a waiver is granted. The Education Department has previously said it expected to notify states by mid-January.

"Our priority is protecting children and maintaining a high bar even as we give states more flexibility to get more resources to the children most in need, even if that means the process takes a little longer than we anticipated," said Daren Briscoe, a department spokesman.

Jack Jennings, president of the Center on Education Policy, said federal officials are in a challenging spot.

"The current law means that each group of kids, whether they are children with a disability, or African-American, or poor kids, have attention paid to them, because the schools are accountable for each and every group," said Jennings. "But what the states are asking is that they all be lumped together."

The Bush-era law is aimed at making sure 100 percent of students reach proficiency in math and reading by 2014, a goal states are far from achieving. As that year draws closer, more and more schools are expected to fall out of compliance, subjecting them to penalties that range from after-school tutoring to closure.

While there is bipartisan agreement the 2002 law needs to be fixed, Congress has not passed a comprehensive reform. Presi-

dent Barack Obama announced in September that states could apply for waivers and scrap the proficiency requirement if they met conditions designed to better prepare and test students.

The 11 states that applied for the first round of waivers were Colorado, Florida, Georgia, Indiana, Kentucky, Oklahoma, Massachusetts, Minnesota, New Jersey, New Mexico and Tennessee. Many more states are expected to request waivers in the second round — meaning all eyes will be on the first approvals.

The Center on Education Policy analyzed all the waiver requests and found that in nine of the 11 states, almost all decisions on penalties and interventions would be based on the performance of two groups: all students and a "disadvantaged" group that would replace the current system of separate categories of students according to race, ethnicity, income, disability and English language proficiency.

Those separate categories are at the heart of what No Child Left Behind aimed to correct — vast achievement gaps between white, black and Hispanic students, between the affluent and low-income — and what most agree is the problem with the law: If any one of these groups of students

does not meet the state's annual benchmarks for proficiency in reading and math, the school is labeled as "failing."

In a letter sent Jan. 17, Sen. Tom Harkin, D-Iowa, and Rep. George Miller, D-Calif., urged Education Secretary Arne Duncan to require strong accountability measures and ensure civil rights and educational equity gains under No Child Left Behind are not lost.

"We fear that putting students with disabilities, English language learners and

The Bush-era law is aimed at making sure 100 percent of students reach proficiency in math and reading by 2014, a goal states are far from achieving

minority students into one 'super subgroup' will mask the individual needs of these distinct student subgroups," they said.

In the feedback provided to states by a panel of peer reviewers in December, many states were praised for plans to institute college and career-ready standards and develop teacher evaluation systems that take into account student growth — two hallmarks of

the Obama administration's education policy. The panel's concerns varied, but meeting the needs of all groups of students was one consistent theme.

In New Mexico, for example, the U.S. Education Department expressed concern about a lack of incentives to close achievement gaps and hold schools accountable for the performance of all students. In a follow-up letter sent late in January, subgroup accountability was still an area of concern.

Hanna Skandera, secretary designate for the New Mexico Public Education Department, said the state's original plan did include breaking down data on student performance by subgroup on each school's report card. But after conversations with the U.S. Education Department, schools will be adding information on whether they are on track for progress and growth in meeting annual targets. If a group falls behind, schools will be subject to intervention measures.

"We had high level reporting," Skandera said. "Now we're going to provide another layer so everything is crystal clear to parents across the state."

Marriage

continued from page 1

full chamber with Lt. Gov. Brad Owen, president of the Senate, saying that he has emphasized tolerance and diversity at state schools for decades, which would make it "hypocritical for me to not support this bill."

"For me, this is not a religious question," said Owen, a Democrat. "It's a legal question."

The committee advanced the bill on a 14-7 vote, with seven of the eight Republicans

Opponents of same-sex marriage have promised a referendum battle at the ballot if the measure becomes law

on the committee in opposition. Sen. Cheryl Pflug, R-Maple Valley, voted to advance it. She is one of two Republican senators who have said they will support the measure.

Opponents of same-sex marriage have already promised a referendum battle at the ballot if the measure becomes law.

Same-sex marriage is legal in New York, Connecticut, Iowa, Massachusetts, New Hampshire, Vermont and the District of Columbia.

Lawmakers in New Jersey and Maryland are expected to debate gay marriage this year, and Maine is likely to see a gay marriage proposal on the November

ballot.

A referendum can't be filed until after the bill is passed by the Legislature and signed into law by Gregoire. Opponents then must turn in 120,577 signatures by June 6.

Washington state has had a domestic partnership law since 2007 and an "everything but marriage" expansion of the domestic partnership law since 2009. Gay marriage bills were introduced in both the House and the Senate this year, and received their first public hearings this month.