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“The philosophy of the school room in one generation will be the philosophy of the government in the next.”
Abraham Lincoln

Supreme Court Upholds Religious Liberty in Notre Dame Case

The Supreme Court has [ordered a lower court to reconsider](#) its 2014 ruling requiring the University of Notre Dame to accept the “accommodation” offered to the HHS contraception mandate, despite its continued religious objections. In February of 2014 the case was appealed to the Supreme Court after a ruling by the 7th Circuit Court of Appeals which denied a request from Notre Dame for an injunction against the Obamacare rule that required that all health insurance plans include contraceptives and abortion-inducing drugs. Like other religious groups, the Catholic university holds deep religious convictions compelling them to protect the life of the unborn by not becoming party to abortion by providing abortion-inducing drugs in their mandated health plans. Since then, the Administration has often referred to the 7th Circuit decision when trying to defend the HHS mandate and force other religious groups to comply. However, on Monday, the Supreme Court ordered the lower court to reconsider its decision in light of the High Court’s more recent ruling (June 2014) for religious liberty in the [Hobby Lobby case](#). As [stated by Mark Rienzi](#), Senior Counsel for the Becket Fund for Religious Liberty, “This is a major blow to the federal government’s contraception mandate. For the past year, the Notre Dame decision has been the centerpiece of the government’s effort to force religious ministries to violate their beliefs or pay fines to the IRS. . . . [This] is a strong signal that the Supreme Court will ultimately reject the government’s narrow view of religious liberty.”

8th Circuit Court Upholds Traditional Marriage in Nebraska

The 8th Circuit Court has [blocked](#) same-sex marriages from taking place in Nebraska by granting a stay on the recent decision by Judge Joseph Battalion which overturned Nebraska’s marriage amendment. After the judge ruled in favor of same-sex marriage, Nebraska’s Attorney General Doug Peterson appealed to the 8th Circuit and requested the stay in order to avoid confusion in the state. The 8th Circuit Court has combined the case with cases from three other states—South Dakota, Arkansas, and Missouri—which have all had their marriage amendments overturned by judges. Arguments are scheduled for May 11, just two weeks after the Supreme Court is scheduled to hear oral arguments on the marriage cases before them from the 6th Circuit Court. The Supreme Court is expected to deliver a decision regarding marriage at the end of June. A listing of the status of marriage in each state can be found [here](#).

Alabama Supreme Court Upholds School Choice Program

The Alabama Supreme Court has [ruled in favor](#) of a tax credit program that provides school choice options for children in failing public schools. The Accountability Act was passed in 2013 and provides a dollar-for-dollar tax credit to parents and allows them to use the funds to send their child to the public or private school of their choice. The program also offers a tax credit to individuals or corporations for donations to an educational scholarship organization. The program was challenged by a Democratic state senator who charged the act allows public funds to support private education and also claimed the law was passed without proper debate and

procedure in the state legislature. However, the court ruled that the law was indeed legally passed and that the program does not violate any restrictions on the use of public funds since the money goes directly to parents and not to schools.

West Virginia Passes Bold Pro-Life Bill

Last week, West Virginia passed legislation [banning abortion](#) after 5 months or more of pregnancy. The bill, titled the Pain Capable Unborn Child Protection Act, has now been passed in 11 states. Although claiming to be pro-life, West Virginia Governor Earl Ray Tomblin has twice vetoed the bill. The State House voted last week to override the veto and was followed by an overwhelming 24-5 vote by the Senate in support of the ban, allowing the bill to take effect on May 26, 2015. This marks the first time in 30 years that a West Virginia legislature has overruled a governor's veto. Mary Spaulding Balch, director of state legislation for the National Right to Life committee, applauded the act stating, "We commend the members of the legislature who supported this bill for their courage and compassion by adding their voices in favor of protecting pain-capable unborn children who are unable to speak for themselves."

Two DC Laws Assault Religious Liberty

Conservative groups are working to encourage Congress to disapprove two laws recently passed by the Washington, DC, city council and signed by the mayor. The laws, known as the Reproductive Health Non-Discrimination Amendment Act (RHNDA) and the Human Rights Amendment Act (HRAA), are seen by [conservatives](#) as a direct assault on religious liberty. RHNDA expands the definition of sex discrimination to include what the law calls "reproductive health decisions" and prohibits employers from discriminating against employees for their decisions related to contraception and abortion. This law creates an environment where a pro-life advocacy organization in DC could be forced to employ those who advocate for abortion. Although the DC council has passed an emergency amendment supposedly clarifying the law, some see the amendment as a parliamentary maneuver creating a straw man designed to distract attention away from the law and reduce pressure on Congress to disapprove the measure. Even with the [emergency amendment](#), Casey Maddox from Alliance Defending Freedom points out, "This would still mean that a pro-life organization in the District would still be required to employ someone who doesn't agree with the group's message on abortion." The other law, HRAA, would remove longstanding protections for religious organizations from DC's far reaching anti-discrimination laws and would [force religious schools](#) not only to condone groups on campus in favor of homosexual behavior but also to fund their activities on an equal basis with other groups. The bills have been submitted for approval, and Congress will now have 30 legislative days either to condone these laws or to pass a resolution of disapproval.

In Case You Missed It:

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

[Colleges Not Ready for 'College Ready' Common Core](#)

[What You Need to Know About Marriage and the Supreme Court](#)

[Protecting the Religious Nature of Schools](#)