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*“While we give praise to God, the Supreme Disposer of all events, for His interposition on our behalf, let us guard against the dangerous error of trusting in, or boasting of, an arm of flesh. . . . If your cause is just, if your principles are pure, and if your conduct is prudent, you need not fear the multitude of opposing hosts.”*

**John Witherspoon**

**AACS Joins Amicus Brief Standing for Religious Liberty**

The AACCS has joined the Christian Legal Society along with the Association of Christian Schools International in submitting an amicus brief to the Supreme Court in support of the religious liberty of faith-based nonprofits and charities, including several Christian colleges and the Little Sisters of the Poor. In the case *Zubik v. Burwell*, the Supreme Court will decide whether the religious organizations must provide contraception and abortion-inducing drugs in health care plans, a move which would violate the religious tenets of the organizations. Despite the fact that the Supreme Court ruled in favor of religious liberty for companies like Hobby Lobby, the Administration is still requiring certain faith-based institutions to adhere to the controversial Obamacare mandate or face heavy fines. The amicus brief points out that not only does the U.S. Constitution provide for religious liberty but also the Religious Freedom Restoration Act (RFRA) provides protection for religious organizations against an overreaching government. The amicus brief explains that the lower courts which ruled against the religious institutions overstepped their authority when they evaluated the “religious reasoning” rather than evaluating “whether the regulations at issue imposed a substantial burden on [the] Petitioners’ exercise of their religious faith.” The brief further explains, “In effect, the courts inquired into whether Petitioners’ *belief* is reasonable, rather than whether *the burden placed on that belief* is substantial. In so doing, the court moved from the role of legal arbiter to that of moral philosopher, and thus moved from a role of constitutional necessity to one of constitutional incompetence.” An amicus brief which supports the religious liberty of these organizations was also submitted by Senators James Lankford (OK) and Orrin Hatch (UT), and Representatives Diane Black (TN) and Mike Kelly (PA), and signed by 207 Members of Congress. In a [press release](#), Senator Lankford explained the importance of the issue: “This bipartisan amicus brief articulates the great concern that many Americans have about our First Amendment right of the free exercise of religion. The case exposes the Obama administration’s focus on freedom of worship as our primary religious right, instead of our freedom of religion, which includes our everyday lives. Colleges, universities and nonprofits should never be placed in a position where they have to violate their faith to please the government. The question before the Supreme Court should never have reached this level, but it is important for the future of our liberty that the Court now rule in favor of religious freedom.”

**Education and President Obama’s Final State of the Union**

President Obama delivered his final [State of the Union address](#) on Tuesday, and included a final push for his education agenda which includes universal preschool and free community college. He praised the efforts to expand early education and the passage of the Every Student Succeeds Act which reauthorized ESEA, and he claimed higher graduation rates. He then challenged, “In the coming years, we should build on that progress, by providing Pre-K for all, offering every student the hands-on computer science and math classes that make them job-ready on day one, and we should recruit and support more great teachers for our kids. And we have to make

college affordable for every American. . . . Now, we've actually got to cut the cost of college. Providing two years of community college at no cost for every responsible student is one of the best ways to do that." In the Republican [response](#), SC Governor Nikki Haley offered that a new Republican administration would "reform education so it worked best for students, parents, and teachers, not Washington bureaucrats and union bosses."

### **Catholic School Is Forced to Hire a Gay Man**

An all-girls Catholic preparatory school has been [forced](#) to hire a gay man after a Massachusetts state court has ruled that the school violated the state's antidiscrimination law by rescinding a job offer to a man after discovering he was married to another man. The school, Fontbonne Academy, had extended a job offer to Matthew Barrett to work as its Food Service Director but withdrew the offer based on closely held religious beliefs on marriage. The school argued it was exempt from the law under the U.S. Constitution's explicit protection of the right to free exercise of religion. However, Superior Court Associate Justice Douglas Wilkins rejected the school's arguments for exemption from the state law, claiming that "Barrett has shown he is a protected class, that he was qualified (and even received an offer) for the position of Food Service Director, that he suffered denial of employment, that the reason for the denial was his sexual orientation and that he suffered harm as a result. This proves sexual-orientation discrimination as a matter of law on the undisputed facts."

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

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

[Make Plans to Attend the March for Life - January 22, 2016](#)

[Coming Up -- National School Choice Week, January 24-30, 2016](#)

[Faith-based Schools and the New Federal K-12 Education Law](#)

[School Voucher Rules Trip Up Student Success in Louisiana](#)

### **Correction:**

Last week's article regarding AL Chief Justice Roy Moore's actions to support marriage referenced marriage laws in the state of Arkansas in the last sentence. However, it should read that Moore stated in his letter that the marriage laws in Alabama will remain in effect until the state supreme court rules on how the federal Supreme Court decision will affect the laws in the state.

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