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*“[A]ll men shall be free to profess, and by argument to maintain, their opinions in matters of religion, and that the same shall in no wise diminish, enlarge, or affect their civil capacities.”  
Thomas Jefferson, Virginia Statute of Religious Freedom*

**FEMA Announces Churches Now Eligible for Disaster Relief Assistance**

As of January 2, 2018, FEMA (Federal Emergency Management Agency) will provide assistance to churches that suffered damage from disasters such as Hurricanes Harvey and Irma. The change in policy came after three Texas churches and two Florida synagogues appealed to the Supreme Court over FEMA’s denying them assistance. Justice Samuel Alito asked FEMA to respond to the cases, but before the court’s deadline arrived, [FEMA issued its change in policy](#), stating that “private nonprofit houses of worship are now eligible for disaster assistance as community centers, without regard to their secular or religious nature.” As a result, houses of worship that suffered damage on or after August 23, 2017, and houses of worship that have pending applications with FEMA as of that date will be able to receive assistance to rebuild their facilities. One reason FEMA gave in support of its decision was the *Trinity Lutheran* case, in which the Supreme Court overturned a lower court decision which had denied a Missouri church funding to resurface its playground because of its religious identity. The court ruled that the church could not be denied generally available public funding simply because it was religious. FEMA applied that principle to its recent decision, [stating that](#) “in light of the Trinity Lutheran decision, FEMA . . . will revise its interpretation of the aforementioned statutory and regulatory authorities so as not to exclude houses of worship from eligibility for FEMA aid on the basis of the religious character or primarily religious use of the facility.” Becket Fund lawyer Daniel Blomberg, who represented the Texas churches in court, [praised the decision](#), saying it is “better late than never.” Other groups, such as Americans United for Separation of Church and State, the American Civil Liberties Union, and the Anti-Defamation League oppose the new guidelines, [claiming that](#) such funding is “plainly proscribed by the Establishment Clause” and “is unconstitutional under current precedent.” FEMA’s policy change falls in the middle of legislation in Congress. In December, the House passed a bill that allowed FEMA funds to go toward houses of worship. The bipartisan bill was supported by Representatives Peter King (NY), Grace Meng (NY), and Chris Smith (NJ) in the House and is led by Senators Roy Blunt (MO), Claire McCaskill (MO), James Lankford (OK), and Ted Cruz (TX) in the Senate. Since FEMA’s statement came after the House passed its version of the bill, there may be differences between FEMA’s new understanding of policy and the policy laid out by the House bill. The Senate’s treatment of the House bill will determine whether the final legislative product reflects FEMA’s policy or determines a new policy stance for FEMA to follow. Either way, the Trump Administration has made clear that houses of worship affected by disasters are not to be excluded from public aid.

## **Christian School Fights for Right to Operate Out of a Church**

Livingston Christian Schools in Genoa Township, Michigan, is battling for the right to operate within the town's limits after being denied a special permit by the township's board of trustees. After trying to move their school into part of Brighton Church of the Nazarene, the township interceded and denied the school access, claiming concerns over traffic and the church's noncompliance with township-approved renovation plans. Livingston has already appealed to a district court and the Sixth Circuit Court of Appeals, which have upheld the township's decision. The school claims that Genoa Township violated the [Religious Land Use and Institutionalized Persons Act](#) (RLUIPA), which prohibits government from implementing "a land use regulation in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution," without a least-restrictive, compelling interest. The Sixth Circuit Court ruled that Livingston Christian Schools had no claim to any "substantial burden" because the school could have settled on a location within Livingston County, not necessarily within Genoa Township, and still accomplished its stated mission. Hiram Sasser, a First Liberty Institute lawyer defending the school, [states that](#) "this precedent is very dangerous. . . . Towns who use their zoning laws to keep religious schools and organizations out of their backyard violate federal law and the First Amendment." The school is expected to appeal the case to the Supreme Court.

## **National Religious Freedom Day**

Tuesday marked National Religious Freedom Day, an annual recognition of the passage of the Virginia Statute of Religious Freedom in 1786 which served as the basis for the First Amendment to the U.S. Constitution. President Trump issued a [proclamation](#) recognizing the significance of religious freedom, and in so doing, followed the actions of the [four presidents](#) before him who also issued annual proclamations recognizing the significance of religious liberty. This year's Presidential Proclamation affirmed the administration's position that the "right to choose and exercise faith without government coercion or reprisal" is guaranteed by the U.S. Constitution. The proclamation also referenced the current threats facing religious freedom and the president's support for protecting religious liberty in the workplace: "Unfortunately, not all have recognized the importance of religious freedom, whether by threatening tax consequences for particular forms of religious speech, or forcing people to comply with laws that violate their core religious beliefs without sufficient justification. These incursions, little by little, can destroy the fundamental freedom underlying our democracy. . . . No American—whether a nun, nurse, baker, or business owner—should be forced to choose between the tenets of faith or adherence to the law." Many conservative leaders also used the day as an opportunity to highlight the [history](#) and significance of religious liberty and encourage [continued protection](#) for this foundational freedom.

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

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

### **National School Choice Week Is Next Week!**

National School Choice Week is January 21–27, 2018, and offers an opportunity for schools, families, teachers, and students to highlight the many benefits and successes of school choice. To schedule an event or receive materials to help you celebrate, click [here](#).

[Jane Roe of Roe v. Wade Never Had an Abortion; Her Daughter is 48](#)

[Church Alliance: Is Your Church Prepared to Handle a Challenge to Its Religious Liberty?](#)