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*“Without morals a republic cannot subsist any length of time; they therefore who are decrying the Christian religion, whose morality is so sublime and pure, [and] which denounces against the wicked eternal misery, and [which] insures to the good eternal happiness, are undermining the solid foundation of morals, the best security for the duration of free governments.”*

*Charles Carroll, signer of the Declaration of Independence*

**AACS Joins Amicus Brief Supporting Religious Liberty**

The AACS has joined an amicus brief in a California case that advocates for the religious liberty of faith-based schools in what is called the “ministerial exemption” as it relates to teachers in religiously motivated schools. The amicus brief was submitted on behalf of the Stephen S. Wise Temple, a prominent Jewish school in Southern California that is being sued by the state of California for not giving their preschool teachers enough time for lunch. A state trial court ruled in favor of the school in March 2016, following the precedent set by the Supreme Court ruling in the *Hosanna-Tabor vs. EEOC* case which recognized the religious liberty of a Lutheran school to conduct operations for their employees without government interference. As explained by the Becket Fund, the organization which represented the Lutheran school, the underlying principle which was named in the *Hosanna-Tabor* decision was the “ministerial exception” which [specifies](#) “that the government should not interfere with religious institutions’ decisions about the employment of their ministers—including teachers in religious schools.” The state of California has since appealed their case to the California Court of Appeals where the case is now. The AACS joined the Christian Legal Society and the Association of Christian Schools International in submitting the amicus brief, specifically supporting the religious liberty of the Temple school to create policies for their employees, based on the ministerial exception, without interference from the government in those decisions. As stated in the amicus brief, “The [ministerial] exception has long protected a religious organization’s right against government interference in its employment relations with those who lead the organization, speak for it, or teach the faith. The exception rests in a religious organization’s broader First Amendment right to form its internal structure and governance free from government interference.” The amicus brief also explains why teachers should be considered “ministers” who are covered by the exception. The brief noted that “teachers can perform an important religious function, thereby qualifying as ‘ministers,’ even if they also spend a large amount of time on secular instruction.” The AACS joined the brief to support the efforts to protect the autonomy of faith-based schools from burdensome governmental interference.

**AACS Submits Public Comments Supporting Pro-Life Regulations**

The AACS submitted public comments supporting [proposed regulations](#) which would ensure Title X funds are appropriated according to the true intent of the law, and that none of the funds will be used to promote or perform abortion. Title X is a federal grant program that was enacted in 1970 to provide preventive health care and family planning services for low-income families. The bill included specific language which stated, “None

of the funds appropriated under this title shall be used in programs where abortion is a method of family planning.” However, despite this clear language, regulations were issued in 2000 which required Title X clinics to offer abortion referrals and also allowed facilities which performed abortions to co-locate with Title X grantees. This allowed Planned Parenthood to receive approximately [\\$50-\\$60 million a year](#) in Title X funds. The proposed regulations have been called the Protect Life Rule as the language would effectively reverse the previous Obama administration’s regulations which violated the integrity of Title X. The AACS public comments offered strong support for the proposed regulations, noting, “We believe that a commitment to core biblical values, such as the sanctity of life, serves to promote a healthy environment which allows children and families to thrive. As such, we strongly support the efforts to ensure compliance with the law and also to protect all children, including the unborn.”

### **Third Circuit Court Affirms Transgender Students’ Rights**

The full Third Circuit Court of Appeals has refused to rehear a case that a shortened Circuit panel of three judges decided last month concerning transgender students’ use of public school restrooms. The [panel](#) of three judges ruled in June that Boyertown Area School District was within its constitutional rights to allow transgender students to use the restroom that aligns with their gender identity, to the discomfort of other male and female students that typically use those facilities. According to the panel, the presence of transgender students in various restrooms does not constitute a violation of privacy. In addition, they [found](#) that “the level of stress” some students felt was not “comparable to the plight of transgender students who are not allowed to use facilities consistent with their gender identity.” Upon losing their case in June, the four appellants, including students and parents of Boyertown Area High School, appealed to the full Third Circuit Court of twelve judges. On July 26, that court decided 8-4 to not rehear the case, stalling and potentially handing down final judgment in favor of the transgender students. Randall Wenger of Alliance Defending Freedom, which represents the appellants, has [stated](#) that “the Boyertown District could have crafted policies that respect the privacy concerns of all students . . . . Instead, the district failed to fulfill its responsibility and harmed students rightfully concerned about their bodily privacy.”

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

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

[British Court Rules that Patients Can Be Starved to Death Without Consent, Without a Court Hearing](#)

[Trump Administration Creates Religious Liberty Task Force to Protect Pro-Life Christians](#)

[School Safety Commission July 24 Meeting: Transforming School Climate and Culture to Meet the Behavioral Needs of Students](#)

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