



The Washington Flyer
August 21, 2026

*"Of all the dispositions and habits, which lead to political prosperity,
Religion and Morality are indispensable supports."
George Washington*

School Choice Victory in Arizona

On Tuesday, the Arizona Supreme Court [upheld](#) a lower court ruling that invalidated a ballot initiative intended to significantly curb the success of the state's Empowerment Scholarship Account (ESA) program. The ESA program is a universal education savings account program that provides public funds for participating families to use for a variety of educational options, including private school tuition, tutoring, and online learning programs. The ballot measure, Proposition 212, which was heavily backed by teachers' unions, would have limited eligibility for the program to families earning less than \$150,000 and imposed additional regulations on private schools participating in the program. Supporters argued that ESA funding was diverting money from public schools without sufficient oversight to prevent fraud and misuse. Proposition 212 supporters submitted more than 420,000 signatures—well above the 256,000 required to qualify for the ballot. However, the Goldwater Institute and the Arizona Free Enterprise Club challenged the validity of the signatures, citing duplicate and defective signatures as well as alleged misconduct by signature circulators, including violations related to the hiring of felons to collect signatures. Victor Riches, president and CEO of Goldwater Institute, [pointed out](#) that the discrepancies in signatures point to the strong support of school choice among Arizona voters. "Despite spending an unprecedented amount of money in an effort to deceive voters into restricting school choice, the unions could not convince even a small fraction of Arizonans to sign their petition. Instead, they had to resort to unlawfully collecting thousands of signatures to try to game the system and dupe their way onto the ballot." The state Supreme Court's decision allows the program, which serves over 100,000 students, to continue without interruption this fall.

New Report Shows School Choice Aids Student Performance in Wisconsin

Recent research out of [Wisconsin](#) shows that students who participated in the state's school choice programs experienced stronger academic gains than their public school peers. The study, conducted by the Wisconsin Institute for Law & Liberty (WILL), examined the English/Language Arts scores of 100,000 students from low-to middle-income families between the 2018-19 and 2022-23 school years. Results showed that longer participation in school choice was associated with greater reading growth. Specifically, students in the Milwaukee Parental Choice Program for two years saw a gain equivalent to approximately 1.35 additional years of learning, and students in the Racine Parental Choice Program for four years experienced reading growth equivalent to nearly two additional years of learning. Students in the statewide Wisconsin Parental Choice Program for three years also experienced significant growth in reading levels. WILL Research Director Will Flanders emphasized the strength of the peer-reviewed research, [stating](#), "This groundbreaking research provides some of the clearest evidence yet: school choice is a win for students." He also offered this caution, "Our research should serve as a fire alarm for states evaluating new limitations or even repealing their choice programs. Make no mistake, those [school choice] students will suffer due to their misjudgment."

2nd Circuit Court Upholds Freedom of Church to Select Leaders

The 2nd U.S. Circuit Court of Appeals has ruled in favor of the [church autonomy doctrine](#) that protects religious organizations from government interference in internal religious matters. The Russian Orthodox Church Outside of Russia (ROCOR) Synod suspended a priest from his office following a letter from local diocesan leaders with their concerns that Father Alexander Belya had failed to meet ROCOR's qualifications for church office. The letter also described concerns with Belya's conduct. The priest then left the church and sued ROCOR and its leaders for defamation. ROCOR moved to dismiss the case on the grounds that it had First Amendment protections from government interference in its internal matters. However, a federal district court allowed the case to continue. ROCOR eventually petitioned the Supreme Court to hear the case, but the case returned to the lower level after the high court declined to grant cert. After the district court ruled in favor of ROCOR, Belya appealed to the 2nd Circuit. This week, the 2nd Circuit affirmed the lower court's ruling for ROCOR. The court found that a jury could not assess Belya's claims without determining the good faith of ROCOR's election practices. "Churches can't freely minister to the faithful if every internal leadership dispute can be the subject of a federal lawsuit," [said](#) Diana Thomson, senior counsel at Becket and an attorney for ROCOR. "This ruling is a resounding victory for the principle that religious communities govern their own religious mission."

New Trump Rule Cuts Federal Funding for Child Sex-Rejecting Procedures

The Trump administration has released a final rule that prevents federal Medicaid money from funding sex-rejecting procedures for children. Previously, federal Medicaid money has funded millions of dollars in child sex-rejecting procedures. The [final rule](#) noted that the federal government spent \$30,595,765 on these procedures for 6- to 18-year-olds in 2023 alone. Specifically, federal Medicaid money funded \$180,553 in inpatient hospital surgery. The largest category of spending was over \$23 million on prescription drug hormone therapy. The administration estimates it will save a total of \$235 million dollars over 10 years by defunding these procedures. The final rule goes into effect on October 16, and the administration is allowing a six-month period for children on cross-sex hormones to continue receiving the drugs. The final rule is a step toward protecting children, but more barriers remain. States may still use state Medicaid dollars to fund these procedures so long as they do not match the money with federal funds. In addition, some medical providers may commit [fraud](#) by assigning the wrong medical diagnosis code to continue prescribing these procedures for children. "Children deserve our protection, not experimental interventions that pose serious risks and convey no proven benefits," [said](#) Centers for Medicare and Medicaid Services Administrator Dr. Mehmet Oz. "By cutting off federal funds for these sex-rejecting procedures, we're following the science, saving taxpayer dollars, and, most importantly, protecting children from potentially irreversible harm so they can truly flourish."

In Case You Missed It:

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

[Practical Legal Help for Christian Schools: ADF Ministry Alliance](#)

[Register Now for the AACS National Legislative Conference in Washington, D.C.—September 14-16, 2026](#)

[Governors, Here Are 52 Million Reasons Why It's Time to Act on School Choice](#)

[Democrats Speak Out Against "Barbaric" Massachusetts Abortion Law](#)

Jamison Coppola: Government Relations Director

Olivia Summers: Government Relations Specialist

Maureen Van Den Berg: Policy Analyst

Washington Office, 119 C Street SE, Washington, DC 20003