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“Intelligence, patriotism, Christianity, and a firm reliance on Him, who has never yet forsaken this favored land, are still competent to adjust, in the best way, all our present difficulty.”

Abraham Lincoln

School Choice Update in the States

As state legislatures are in session across the country, many are considering bills which would improve education by advancing school choice options. In Florida, a state that already offers school choice to over 140,000 students through [four different programs](#), Governor DeSantis has unveiled [details for a plan](#) that would create a new equal opportunity scholarship program, designed to serve those who are currently on the waiting list for the Florida Tax Credit Scholarship Program. The tax credit program currently serves just under 100,000 students and has around 14,000 on the waiting list. This new program would provide roughly 14,000 scholarships for families making up to 265% of the federal poverty line, with an increase each year that doubles the number of children served. Senate Republicans also [plan to introduce a bill](#) to create a similar program, with only slight differences in the numbers for enrollment and the income requirement for participating families. The state’s legislative session begins next week and will then be open for 60 days, giving lawmakers until early May to advance this new school choice endeavor. In [Arizona](#), another state known for its wide array of school choice options, lawmakers are considering a bill (SB 1395) which would open the education savings account (ESA) program to students who live within the district of public schools that receive a “D” or “F” rating. Currently, students are eligible only if they actually attend one of those schools. There is heightened controversy over this bill since voters in Arizona rejected a universal expansion of the ESA program last fall through a ballot measure. However, lawmakers supporting this bill believe that this proposed expansion would not violate the will of the people but simply offer support and opportunity for students with legitimate needs for educational options. In Mississippi, the state Senate just [passed a bill](#) (SB 2675) which will expand the state’s education savings account program to continue through 2024. Currently, the program serves just over 350 special needs students and is scheduled to sunset in 2020. The bill is now under consideration in the state House. Legislatures in both [Oklahoma](#) and [South Dakota](#) are considering increasing the tax credits available through their existing tax credit programs. Notably, school choice is also being considered on the federal level, with discussions currently taking place over the [introduction of a tax credit scholarship program](#) that would provide incentives to people to donate to organizations that provide scholarships for a variety of educational training opportunities.

Senate Democrats Block Bill to Stop Infanticide

This week, Senate Democrats [blocked a bill](#) that would have provided medical care and protection for babies who are born alive after an attempted abortion. The Born-Alive Abortion Survivors Protection Act (S. 311), introduced by Sen. Ben Sasse (NE) and co-sponsored by 49 Republican Senators, would have [required doctors](#) to “exercise the same degree of professional skill, care, and diligence to preserve the life and health of the child as a reasonably diligent and conscientious health care practitioner would render to any other child born alive at

the same gestational age.” Sen. Sasse introduced the bill in response to the new abortion law in New York and the [shocking comments](#) by Virginia’s Governor Ralph Northam, in which he not only defended a similar bill in Virginia but also offered support for taking the life of a baby born with severe deformities or deemed “non-viable.” Remarks offered by Democratic Senators objecting to S. 311 focused on women’s health and reproductive rights; however, Sen. Joni Ernst (IA) [rebuked their arguments](#), stating, “My colleagues across the aisle are debating a bill that’s not in front of us. . . . This bill does not address abortion. . . . What this bill does is address the health care of a baby that is born alive after a botched abortion.” A [similar bill has been introduced](#) in the House, and House Republicans have been seeking 218 signatures from House members on a discharge petition that would force a floor vote on the legislation.

Religious Liberty Is Threatened by Rules Regarding Conversion Therapy

In Florida and New York, therapists have recently challenged their cities’ bans on conversion therapy over religious exercise and free speech concerns. In [Florida](#), a federal magistrate judge recently ruled that Tampa’s conversion therapy ban infringed upon the free speech rights of marriage and family therapists who use [talk therapy](#) to help their clients “reduce or eliminate same-sex sexual attraction, behaviors, or identity.” In a similar case in [New York City](#), Jewish psychotherapist Dr. Dovid Schwartz is challenging the city’s Counseling Censorship Law, which penalizes therapy efforts that seek to change or discourage a person’s gender identity or sexual orientation. In a case represented by Alliance Defending Freedom, Schwartz argues that he primarily serves a group of people in his orthodox Jewish community that share his views on human sexuality. These cases come only months after [California’s Assembly Bill 2943](#), which would have outlawed conversion therapy among adults as a fraudulent business practice, was withdrawn by its sponsor at the last moment amid cries of outrage from Christians in the state. In both of these cases, the Supreme Court ruling in [NIFLA v. Becerra](#) (2018) bolsters the argument that conversion therapy bans for adults unconstitutionally limit the freedom of speech for professionals and that allowing government to ban one kind of speech can open the door to more blatant constitutional violations.

In Case You Missed It:

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

[529 Education Savings Plans: Federal Action and State Policy Trends](#)

[Vermont Discriminates Against Students from Religious High Schools, Lawsuit Claims](#)

[Federal Judge Rules Missouri Planned Parenthood Cannot Offer Abortions](#)