



**The Washington Flyer**  
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*“Freedom is not a gift bestowed upon us by other men,  
but a right that belongs to us by the laws of God and nature.”*  
**Benjamin Franklin**

**Join Today—the Virtual March for Life**

The March for Life is happening today, January 29, 2021, via a [live stream event](#). The March has been held annually for the last 47 years to mark the anniversary of the *Roe v. Wade* Supreme Court decision which legalized abortion and to bring awareness to pro-life efforts to save lives by ending the practice of abortion. To join today’s event, please [click here](#).

**President Biden Signs Executive Order on SOGI Discrimination**

President Biden signed an [executive order](#) that supposes to end discrimination based upon an individual's gender identity or sexual orientation. The executive order (EO) seeks to expand on the Supreme Court’s ruling last year in *Bostock v. Clayton County* that decided Title VII of the 1964 Civil Rights Act, prohibiting workplace discrimination based on a person’s sex, also includes an individual’s sexual orientation and gender identity (SOGI). Although the *Bostock* decision was specifically limited in its scope to employment scenarios that fall under the purview of Title VII, the executive order (EO) requires all agencies in the federal government to look at “overlapping forms of discrimination” within the workplace. In so doing, it orders the head of each agency, including the Department of Education which oversees Title IX enforcement, to develop a plan within 100 days to ensure the new policy is implemented. Indicating the intention for the EO to apply to public school students, the EO states, “Children should be able to learn without worrying about whether they will be denied access to the restroom, the locker room, or school sports.” The executive order immediately received criticism, not just for the [moral and liberty issues](#) the policy creates, but mostly for the [problems](#) that will arise for women’s sports as male transgender students will be allowed to compete in female sports.

Notably, a week before the inauguration, the Department of Education released a [memorandum](#) regarding the extent to which the *Bostock* decision should affect Title IX. The overriding conclusion was that the *Bostock* decision does not apply to Title IX because “the Court decided the [*Bostock*] case narrowly, specifically refusing to extend its holding to Title IX and other differently drafted statutes.” Of particular interest to faith-based institutions, the memorandum points to the religious exemption in Title IX, and cites three reasons for ensuring religious liberty protections: the *Bostock* ruling cited the importance of protecting the Title VII religious exemption, the DOE’s regulations for Title IX do not allow the restriction of First Amendment rights of an institution, and the Religious Freedom Restoration Act provides further protection of the free exercise of religion. The memorandum concludes with the definitive statement that the “Department’s longstanding construction of the term ‘sex’ in Title IX to mean biological sex, male or female, is the only construction consistent with the ordinary public meaning of ‘sex’ at the time of Title IX’s enactment.” While there is a possibility the memorandum will be revoked under the Biden administration, the memorandum lays out strong legal arguments which could be followed in pushing back against new overreaching government requirements.

## **National School Choice Week Celebrated Across the Country**

This week, thousands of students and their families are celebrating [National School Choice Week \(NSCW\)](#) by highlighting the positive impact that school choice opportunities have in their lives. In states all across the country, various events—including social media contests, movie screenings, scavenger hunts, virtual school open houses, and even large buildings and national landmarks (including Niagara Falls) lit in [red and yellow lights](#)—have pointed to the benefits that school choice provides to families and communities. U.S. Senators James Lankford (OK) and Tim Scott (SC) introduced a Senate resolution recognizing National School Choice Week and emphasizing the need for more educational options. Sen. Scott stated, “As the pandemic has shuttered schools and brought into sharp relief the challenges faced by working parents, it is clear we need to give families more options, not less. We need to empower parents and students to choose what’s right for their future and break every barrier to success because when our children succeed, America succeeds.” President Trump also issued a [proclamation](#), days before leaving office, declaring this week as National School choice week, highlighting the gains his administration made for school choice, and calling on Congress to pass legislation to help enact more school choice options. He stated, “All Americans, no matter their family income, deserve the opportunity to choose the best educational option for them.”

## **1776 Report Tells the Story of American History**

Just days before President Trump left office, his 1776 Commission released the 1776 Report, a document that reasserts the first principles of America’s founding. Faced with the deepening divide within American politics today, the 1776 Report strives to assert a unifying message of the American experiment, the ideas that shaped it, and the unprecedented prosperity it brought to Americans and the world. It begins with the Declaration, a document that justified the founder’s separation from England because their cause was “both true and moral,” based upon “the Laws of Nature and of Nature’s God.” Among the founding principles, none is more central to the formation of America than the idea that “all men are created equal.” This universal truth was enshrined in the U.S. Constitution, the report explains, a new form of government designed to protect man’s God-given rights. However, the report notes, many challenges have beset the American founding from the very beginning, from slavery to progressivism, communism, and the latest attack on American principles, identity politics. The last section of the report lays out the plan to renew the spirit of America, focusing on the roles the family, schools, universities, cultural leaders, and reverence for the law all play in rediscovering the truth of the American founding and unifying the American people. President Biden quickly removed the report from the White House website after taking office, but the 1776 Report can still be read and shared [here](#).

## **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](#)

[HuffPost Blaming Christian Curriculum for Riots is Slanderous](#)

[3 in 4 Americans Favor "Significant Restrictions" on Abortion, Poll Finds](#)