



A Publication of the American Association of Christian Schools

**The Washington Flyer**  
**May 28, 2021**

*“If ever the time should come, when vain and aspiring men shall possess the highest seats in government, our country will stand in need of its experienced patriots to prevent its ruin.”*  
**Samuel Adams**

**AACS Submits Comments on DOE Proposal for American History and Civics Education**

The AACS submitted public comments in response to the Department of Education’s [proposed priorities](#) for American History and Civics Education which are intended to be used as a basis for consideration of grant recipients. The AACS expressed concern that the proposal is a “dangerous step towards establishing a national standard or national curriculum that is endorsed by the federal government,” as the proposal indicates applicants (states) must follow a particular philosophy in order to be considered for grants. The AACS points out that when curriculum and standards decisions are “dictated by the federal government, the result is a politicized educational system that teaches history and civics according to temporary and ‘politically correct’ ideas rather than teaching academics based on the true and lasting Founding principles and ideals of good citizenship.” The idea of a national curriculum and national standard has been dismissed numerous times, including a rejection of national history standards by the U.S. Senate in 1995 by a vote of 99-1 because of the problems that would arise from a centralized system for curriculum decisions. The AACS also emphasized concern over the specific philosophy being promoted by the proposed priorities through the references to the *New York Times* 1619 Project and the works of Ibram X. Kendi, both of which emphasize equity over equality and have been proven “on multiple occasions, to be faulty and controversial at best and racist and divisive at worst.” The AACS stated, “Instead of trying to rewrite history and divide our country, we firmly believe that civics instruction should enlighten students with the truths about our country, instill appreciation for the ideals upon which it was created, and encourage students to continue pursuing the achievement of our Founding principles.”

In the House of Representatives, [legislation has been introduced](#) to combat the dangerous teaching of critical race theory in federal institutions, the military, and education. Rep. Chip Roy (TX) introduced a bill this month that would prohibit funds from going to states where critical race theory was taught in schools, and Rep. Burgess Owens (UT) introduced a resolution that emphasizes the dangers of teaching CRT in schools and a bill that would ban promoting or teaching the ideology in federal institutions. In a press release, Rep. Owens charged that CRT “undermines civil rights, constitutionally guaranteed equal protection before the law, and U.S. institutions at large. This is the United States of America, and no one should ever be subjected to the discrimination that our laws so clearly prohibit.” The 1776 Commission, established under President Trump to promote patriotic education and then disbanded by President Biden, has announced they will [reconvene this week](#) in an effort to engage in educational policy and combat CRT in education. Matthew Spaulding, the executive director of the 1776 Commission, sent a letter to the Department of Education, charging that its proposed priorities “should be withdrawn,” and noting that “individual states, which actually have the authority over the nation’s K–12 educational system, should oppose race-based pedagogy as part of their curricula and even if attempted to be imposed by the federal government.”

## **Religious Victory in California**

A California District Court [entered an order](#) earlier this month, placing a statewide permanent injunction on California's COVID restrictions imposed on churches and worship. The permanent injunction was the result of a [settlement](#) over a lawsuit that was filed by Harvest Rock Church and Harvest International Ministry charging the restrictions were unconstitutional because they prohibited religious worship and activity but allowed secular gatherings and protests. The permanent injunction references multiple Supreme Court rulings from the last year which struck down overreaching restrictions placed on churches, including *Tandon v. Newsom*, *South Bay United Pentecostal Church v. Newsom*, *Harvest Rock Church, Inc. v. Newsom*, and *Roman Catholic Diocese of Brooklyn v. Cuomo*. In the order, Judge Jesus Bernal also ruled specifically that singing and chanting during church services cannot be prohibited and ordered the state to pay \$1.35 million in attorney's fees to Liberty Counsel which represented the plaintiffs in the case. As a statewide permanent injunction, this order is significant because it prohibits all discriminatory restrictions against churches and religious activity, whereas previous court decisions just provided relief against specific restrictions such as the ban on in-home Bible studies. Liberty Counsel Founder and Chairman Mat Staver stated, "California may never again place discriminatory restrictions on churches and places of worship. Gov. Gavin Newsom has now been permanently quarantined and may not violate the First Amendment rights of churches and places of worship again."

## **Judge Rules Against Christian College that Challenged Biden Rule**

A federal judge in Missouri recently ruled against a Christian college that [challenged](#) a U.S. Department of Housing and Urban Development (HUD) memo that prohibits discrimination on the basis of sexual orientation and gender identity in the Fair Housing Act. The directive follows President Biden's recent executive order that applies the Supreme Court's redefinition of the word "sex" in *Bostock v. Clayton County* (to mean sexual orientation and gender identity [SOGI]) to the entire federal bureaucracy. Under this directive, [HUD has determined](#) that "the Fair Housing Act's sex discrimination provisions are comparable to those of Title VII and that they likewise prohibit discrimination because of sexual orientation and gender identity." The HUD memo specifically mentions the Fair Housing Act's effect on "places of education," which includes Christian institutions of higher education such as College of the Ozarks that accepts federal funding through student aid programs. College of the Ozarks challenged the memo because it would force Christian colleges to violate their beliefs regarding human sexuality and marriage by opening private spaces, including dormitories and bathrooms, to those who identify as the opposite sex. Federal District Judge Roseann Ketchmark [denied](#) the college's motion for a preliminary injunction which would have temporarily protected the college from the directive. College of the Ozarks President Jerry C. Davis has [announced](#) his intention to appeal the ruling and fight for the religious liberties of Christian colleges against the administration's radical sexual agenda.

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

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

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

[Promise to America's Children](#)

[Two Visions of Religious Liberty](#)

[Oh, What a Year for School Choice!](#)