



A Publication of the American Association of Christian Schools

The Washington Flyer
September 10, 2021

“If you take out of your statutes, your constitution, your family life all that is taken from the Sacred Book, what would there be left to bind society together?”
Benjamin Harrison

Religious Liberty Victory for California Church, Pastor John MacArthur

In a victory for religious liberty, California officials have [agreed to a settle](#) with Grace Community Church and Pastor John MacArthur and pay \$800,000 in prevailing party attorney fees to the church. The settlement comes after state and federal courts have already ruled against the overreaching COVID-19 restrictions that California officials placed on churches last year. This particular case began in the summer of 2020 when Pastor MacArthur and the elders at Grace Community made plans to resume in-person worship services, but the state of California and Los Angeles County ordered churches to remain closed, even though other venues were deemed “essential” and allowed to open to crowds. After the county and state threatened arrest or fines of \$1,000 a day if the church continued to meet in person, the leaders of the church filed suit charging that the government officials were overstepping constitutional boundaries in denying the free exercise of religion. Per the settlement, the county of Los Angeles and the state of California will each pay \$400,000 in prevailing party attorney fees. Pastor John MacArthur has indicated the total of \$800,000 will be donated in its entirety to the Thomas More Society, a legal firm which specializes in First Amendment cases and defended the church in this case. In a [statement](#), Pastor MacArthur expressed gratitude for the “Lord’s protection and providence throughout this past year.” He further stated, “Our commitment to the Word of God and his church has never wavered. We have simply continued to stand firm, as we always have and always will. We put our trust in the Lord Jesus Christ who is the head of the church. Over the past year, our congregation has seen his hand of blessing in ways like never before, and the Lord’s promise has been realized: ‘I will build my church and the gates of Hades will not overpower it.’”

Over the past year, several other churches have seen [similar victories](#) as they took a legal stand against governmental overreach with pandemic restrictions. [Harvest Rock Church](#), also in California, was awarded \$1,350,000 in attorney’s fees in a case in which they sued the state of California over their First Amendment rights to worship in person. In Washington, D.C., [Capitol Hill Baptist Church](#) won a \$220,000 settlement against the District of Columbia in a case in which the church sued for the right to meet and worship outdoors. These victories for religious liberty are encouraging in the midst of the challenges that ministries are facing due to COVID-19.

AACS National Legislative Conference Next Week

The AACS will be hosting our annual National Legislative Conference next week in Washington, D.C. Due to the conference, we will not be sending out The Washington Flyer but will resume the following week. We appreciate your prayers for the conference details, the attendees, and our contacts with elected and government officials.

Arkansas Attorney General Rules Critical Race Theory Violates Title VI of the Civil Rights Act.

Arkansas Attorney General Leslie Rutledge recently issued an [advisory opinion](#) which states that Critical Race Theory (CRT) violates Title VI of the Civil Rights Act of 1964, the Equal Protection Clause of the Fourteenth Amendment, and Article II of the Arkansas Constitution. The opinion was a response to a question submitted by state Representative Mark Lowery that asked if the “introduction of practices based on ‘antiracism’ and critical race theory” in public educational institutions violated the nondiscrimination laws. In her opinion, Rutledge offers a thorough explanation as to the ideology of CRT and how, if implemented, the theory [causes](#) racist and “discriminatory practices.” Her opinion stated that, while the First Amendment safeguards individual expression, “it does not immunize a person or educational institution from violating others’ rights” through “engaging in prohibited race-based practices.” Her analysis offered the conclusion that “the classroom isn’t a place to promote extremist political ideologies and preach discrimination. When schools allow the classification of children based on race, they violate both state and federal law.” State Representative Mark Lowery introduced a bill earlier this year prohibiting classroom material that elevates one race above another or teaches that America is a racist country. The bill passed in the house but failed in the senate.

Texas Passes Abortion Ban and Supreme Court Lets It Stand

Last week, a high-profile law went into effect in Texas to protect the lives of unborn babies from the violence of abortion. The Texas Heartbeat Act (SB 8) bans abortions after six weeks gestation, when the first fetal heartbeat can be detected through ultrasound. The law is unique among state-passed heartbeat bills, all of which until this point have been challenged in court, because the state placed enforcement of the ban on private parties to sue those who perform or aid in performing an abortion. Abortion advocates submitted an emergency request to the Supreme Court to stop the law from going into effect, but in a late-night decision last Wednesday, the Court ruled 5-4 to let the new law stand. Public controversy quickly erupted over the law and the Supreme Court’s [narrow decision](#). The conservative majority wrote in an unsigned opinion that the novel strategy Texas was employing made it impossible for the Court to determine the legality of the law until a lawsuit is brought against an abortion provider. President Biden [condemned](#) the ruling and directed the Departments of Justice and Health and Human Services to find ways to shield women seeking an abortion under federal law. The Supreme Court will have a chance to rule on the merits of abortion in another case next term, [Dobbs v. Jackson Women’s Health Organization](#), to determine to what extent a state can place restrictions on abortion.

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](#)

[Promise to America’s Children](#)

[20 States Sue Biden Administration for Corrupting Title IX with ‘Gender Identity’ Mumbo Jumbo](#)

[Cal Thomas: Breaking Up the Education Monopoly](#)