The Washington Flyer September 3, 2021

A Publication of the American Association of Christian Schools

"I must confess equally boldly that my own solid hopes for the well-being of my country depend, not so much on her navies and armies, nor on the wisdom of her rulers, not on the spirit of her people, as on the persuasion that she still contains many who love and obey the Gospel of Christ. I believe that their prayers may yet prevail."

William Wilberforce (leader of the movement to abolish slavery for over 20 years in England)

Department of Education Opens Investigation into States Which Prohibit School Mask Mandates

The Department of Education (DOE) announced this week that the Office for Civil Rights within the DOE will be opening "directed investigations" into five states (IA, OK, SC, TN, and UT) which have implemented policies that prohibit public schools from imposing mask mandates on their students. Additionally, four other states (AR, AZ, FL, and TX) are being "closely monitored" because, although they have created similar policies, their bans have currently been blocked by court orders. Secretary of Education Miguel Cardona stated that such an investigation is necessary because the DOE has received calls from parents of students with disabilities who are concerned that the bans on mask mandates are "putting their children at risk and preventing them from accessing in-person learning equally." According to a DOE press release, a letter was sent to the five states under investigation "outlining how prohibitions of universal indoor masking prevent school districts from implementing health and safety policies that they determine are necessary to protect students from exposure to COVID-19." The letter further explains that not allowing mask mandates could actually be discriminating against students with disabilities who need in-person education but cannot safely return to school because other students are not required to wear masks. While the Centers for Disease Control (CDC) has issued guidance recommending that school children above the age of two should wear a mask, not all agree with the assessment that masks are necessary to stop the spread of COVID-19 in school children. A recent article published by the Daily Signal explains that the study which the CDC uses as a basis for the mask recommendation actually shows that masks do not make a difference in the spread of COVID-19 in school children.

Christian Schools Grappling with Mask Mandates

In a recent <u>podcast</u>, AACS leaders discussed guiding principles for school leadership in making decisions regarding masks and other COVID-19 requirements within their schools. While recognizing that there is not one simple answer that covers every situation, AACS Executive Director Jeff Walton, Government Relations Director Jamison Coppola, Legal Counsel Steve Cummings, and the Regional Director of the Mid-South AACS Matt Ticzkus offered thoughtful, practical help which can aid school administrators in responding to government mandates, serving the students and parents in their schools, and maintaining a strong Christian testimony. The discussion emphasized specifically the principles of following government authority, respecting and upholding God-given parental stewardship, and protecting individual freedom and religious liberty—and how to respond when following these principles brings conflict. Dr. Walton encouraged the audience that although there is an "increasing tension . . . between coercion by government agencies and individual freedoms and religious liberties," Christian schools have been successful in the past in their efforts of "pushing back against that effort to seize freedoms that belong to churches and to parents." He reminded the listeners of the importance of both "grace and courage" in each situation. To listen to the podcast, click <u>here</u>.

Report Shows Common Core Has Been Harmful to Education

Two recent studies show that Common Core and its federal approach to education has had harmful effects on the education of children. In one study, Joshua Bleiberg at Brown University compared test scores of six National Assessment of Educational Progress (NAEP) tests from 2003 to 2013, before and after Common Core was implemented. Bleiberg found that Common Core contributed to raising math scores by "only 10 percent of a standard deviation." Further, test results increased much less for poor students than their more affluent peers. In light of these results, Bleiberg calls Common Core "a policy failure." His assessment is echoed by Tom Loveless, former director of the Brookings Institution's education policy department, who stated that "the idea that we're going to have this broad-scaled, top-down implementation of standards in a way that improves learning—that just doesn't work." Another study by Benjamin W. Arnold and M. Danish Shakeel at the Harvard Kennedy School shows similar poor results. According to Arnold and Shakeel, the emphasis Common Core placed on scoring well in math and English resulted in reduced instruction time in other subjects such as history and science. They found that the test-driven standards pushed for test readiness at the cost of other studies. Even within the context of English, untested learning such as speech and listening skills received less class time than tested components. Despite the federal support and funding given to Common Core, these studies show the ineffective and harmful effects of national standards on students' education.

Judge Upholds Students' Right to Decline COVID-19 Vaccine for Religious Reasons

U.S. District Judge Terry Doughty ruled in favor of religious freedom for three students attending the University of Louisiana's medical school. The students requested a religious exemption from taking the COVID-19 vaccine because the aborted fetal tissue used in its development violated their religiously held beliefs, and they also believed that the emergency authorization approval of the vaccine meant that it was still in the experimental stage. While Edward Via College of Osteopathic Medicine initially denied the students' request, the college reversed the decision after receiving a letter from Liberty Counsel. However, the school then changed its policy to place other requirements on the students including frequent COVID-19 testing, wearing a mask on campus, and an app to track their whereabouts and inform other students of their vaccination status. Liberty Counsel responded by filing a lawsuit on behalf of the students, and Louisiana Attorney General Jeff Landry submitted a friend of the court brief, in which he called the school's requirements "discriminatory, punitive, and ill-advised policy." He further argued that COVID-19 was "not an excuse for the obliteration of individual rights." Judge Doughty also reached the conclusion that the school violated the free exercise clause in the Louisiana constitution which is very similar to the U.S. Constitution, giving religious liberty advocates hope that this victory will pave the way for other students seeking exemptions. Liberty Counsel is actively defending religious exemptions from the vaccine in at least two other cases in Missouri and Illinois.

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

Texas Has Become the First State in America to Ban Abortions

Cal Thomas: Breaking Up the Education Monopoly