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“Children should be educated and instructed in the principles of freedom.”
John Adams

Reconciliation Bill Includes Universal Preschool but Not Religious Liberty

The [\\$1.75 trillion reconciliation bill](#) being considered by Congress includes \$400 billion for early education, the second largest cost in the bill after climate change programs. The early education plan includes subsidized childcare and provisions to provide free universal pre-K for 3- and 4-year-olds and also rigid requirements for the participating childcare and preschool providers. Conservatives have expressed concern over the expansion of government control into the early years of a child’s life, as well as the onerous nature of the requirements for providers that receive government funds. Perhaps the greatest concern is the fact that the bill effectively excludes religious providers from participation in the expanded childcare and universal pre-K programs. Currently, the majority of childcare and preschool providers are faith-based providers, and an even larger percentage would be considered private providers. Under current law for childcare subsidies, parents can take advantage of the Child Care and Development Block Grants program (CCDBG) which provides certificates directly to parents to use at the childcare center of their choice. Because the certificates are awarded to parents, participating childcare providers are not considered recipients of federal funds and, therefore, they are able to maintain their autonomy, religious identity, teachings, hiring practices, and admission standards. However, in the reconciliation package, the language of the bill states that religious providers would be considered direct recipients of federal financial assistance (FFA), thus making them subject to the federal “nondiscrimination” requirements like those enforced in the Head Start program that prohibit religious hiring and admission. Furthermore, the proposed universal pre-K provisions declare that participating providers are direct recipients of FFA, and further prohibits religious teaching or activities.

Democratic leadership is determined to use the reconciliation process to enact the bill, as reconciliation is a path that needs only 51 Senate votes to pass. Senator Joe Manchin (WV) has expressed concern over the exclusion of religious providers, but Rep. Bobby Scott (VA), the author of the early education portion of the bill, is adamant that the “nondiscrimination” language be kept in the bill. In a letter to Speaker of the House Nancy Pelosi, Rep. Scott [urged](#) the Speaker to “oppose any effort to remove or change the nondiscrimination provisions included in the childcare and universal preschool provisions of the Build Back Better Act.” Several religious groups are [working to raise awareness](#) that these provisions will eliminate religious providers as an option for parents. In “The Briefing” podcast this week, [Al Mohler argues](#) that the battle is more than just about protecting the opportunity for religious participation; it is also part of the ongoing effort to force faith-based institutions to adopt the government’s ideology concerning morality. Many AACCS schools offer childcare or preschool options for parents; and while most of these ministries do not participate in government programs, *the AACCS has encouraged those who are concerned about government encroachment on our religious liberty to contact their Representatives and Senators with the message that this proposed program is dangerous to religious liberty, parental rights, and the success of faith-based childcare and preschool centers.*

Plans to Include Women in the Draft in the NDAA

This week, the Senate moved forward to debate on the National Defense Authorization Act (NDAA), a yearly bill that funds the military, which includes a provision to draft women into the military. The drafting women provision gained national attention after the Senate Armed Services Committee overwhelmingly approved of its inclusion in the final bill, with 8 out of 13 Republicans in support. Senate Majority Leader Chuck Schumer's (NY) plans to vote on the bill were stalled Wednesday over concerns about a China-related bill included in the defense package. Senators Josh Hawley (MO), Mike Lee (UT), and James Inhofe (OK) plan to introduce amendments to the NDAA to strip the drafting women provision from the bill, including an amendment that would prohibit the drafting of both parents in a family to protect children from having both parents shipped to war. Requiring women to sign up for selective service along with men would subject women to the same penalties as men for failing to comply, including forfeiting federal jobs and federal student loans. Additionally, many think tanks and conservative groups have [pointed out](#) that forcing women to serve in the military ultimately [weakens military readiness](#) and effectiveness, citing evidence that mixed sex troops have [worse outcomes](#) than all male troops. [Others](#) have argued that forcing women into the military undermines the fundamental differences between men and women and inflicts harm on women, children, and families. *Please take a moment to call your Senators if you strongly oppose drafting women into the military to tell them to vote against the NDAA unless this dangerous provision is stripped from the final bill.*

Teacher's First Amendment Rights Upheld, Lawsuit Continues Against School Board

Three public school teachers are [suing](#) Loudon County, Virginia, over the county's new rules mandating that teachers refer to transgender-identifying students by their preferred names and pronouns. The county policy also allows students to use the private facilities, including bathrooms and locker rooms, that align with their gender identity rather than their biological sex. The three teachers, Tanner Cross, Monica Gill, and Kim Wright, are represented by Alliance Defending Freedom attorneys who argued that "Policy 8040 gives the Loudon Country superintendent the power to silence and punish teachers because of their views about sex and gender." Cross was [suspended](#) by his school district after he spoke out at a school board meeting in May, stating that he "will not affirm that a biological boy can be a girl, and vice versa, because it is against my religion, it's lying to a child, it's abuse to a child, and it is sinning against our God." A judge [ruled](#) in Cross's favor in June, allowing him to return to work, and ADF attorneys this week reached a settlement with the county to protect Cross's free speech rights in the future. ADF continues to seek similar protections for other teachers against the policy. The county is arguing that the policy does not compel speech because it falls under curricular speech, but ADF and the teachers argue that the policy not only violates the teachers' First Amendment rights, but also the safety and wellbeing of the children under their instruction.

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](#)

[6 Takeaways from Emails Revealing White House Role in Targeting Parents who Disagree with Local School Boards](#)