



**The Washington Flyer**  
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*“I have sworn upon the altar of God eternal hostility against any form of tyranny over the mind of man.”*  
*Thomas Jefferson*

**Court Rules in Favor of Maryland Christian School**

A federal district court in Baltimore has ruled in favor of a Maryland Christian school and its ability to maintain a Christian mission while participating in a state voucher program in the case [Bethel Ministries v. Salmon](#). Maryland provides school choice to low-income families through a school voucher program called Broadening Options & Opportunity for Students Today ([BOOST](#)) Scholarship Program. Started in 2016, BOOST provided an average scholarship of \$2,008 in 2019 to over 3,000 students to attend one of 163 participating schools. One of the participating schools was Bethel Christian Academy, a K–8 school in Savage, Maryland, serving about 220 students and holding biblical beliefs about human sexuality and marriage. For two years, Bethel participated in the program, accepting students who would not be able to afford a quality Christian education without the help of the scholarships. In 2017, the Maryland State Department of Education (MSDE) started reviewing the handbooks of participating schools to weed out possible violations of the program’s non-discrimination requirement. As part of its investigation, MSDE stated in a letter that participating schools should “review [their] school’s moral and religious position on non-discrimination, particularly on sexual orientation” to remain in the program. In 2018, the state informed Bethel that it was no longer eligible to participate in the program and asked that the school pay back the \$100,000 in funding that it had accepted over the previous two years. The state made its determination after reviewing Bethel’s handbook and discovering that the church-run school promotes biblical views on marriage and sexuality and enforces those standards within its student body. The state claimed that Bethel’s handbook was evidence of discrimination in admissions against students based on their sexual orientation, a charge that Bethel denied. The school sued the state superintendent, resulting in the recent First Amendment victory.

Bethel argued in its brief that Maryland violated the First and Fourteenth Amendments by banning its participation in the program based on its biblical beliefs as stated in the school’s admissions policy. Bethel also argued that it applies the same standards of biblical purity to all its students, regardless of their sexual orientation, a claim that is especially notable considering that the school accepts students only through eighth grade. The [court found](#) that Maryland violated Bethel’s First Amendment right to free speech by asking it to change its standards of conduct because they did not align with the government’s preferred beliefs. Further, the court found that the state discriminated against Bethel based on its viewpoints on marriage and sexuality. The court condemned the state’s action, stating that “the First Amendment is designed to prevent the government from acting as the arbiter of acceptable and unacceptable speech.” While the court acknowledged that the state can impose requirements in state-funded programs, it cannot run roughshod over constitutional rights. Alliance Defending Freedom attorneys, who represented Bethel in the case, [praised](#) the decision, stating, “The government may not discriminate against religious schools simply because it dislikes their religious beliefs. . . . The court was on firm ground to stop the state from targeting and denying children scholarships simply based on the beliefs and policies set out in their school’s parent-student handbook.”

## **Parents in Virginia County Sue over Critical Race Theory Teaching**

A group of parents from across the political spectrum have joined together to [stand up](#) to a Virginia county that is pushing Critical Race Theory within public school classrooms. The parents, represented by Alliance Defending Freedom, sued Albemarle County Public Schools over a new “anti-racism” policy introduced in 2019. The [policy](#) instructs teachers to group middle school students according to a group identity such as race or gender identity and categorize these groups as either an oppressed or an oppressor class. The curriculum teaches that students are guilty of “white privilege” and encourages them to view all aspects of life through the lens of racial identity in order to be “anti-racist.” The county approved the policy and applied it to all school curriculum without giving parents an option to opt their children out of these divisive lessons. The parents argue that the county policy violates the Virginia Constitution and state law that prohibit racial discrimination and segregation in schools. They also argue that the county public schools are forcing students to promote a government-approved viewpoint and are undermining parents’ rights in raising their children. As many public schools remained closed for large portions of the past two school years, parents have seen the damaging effects of Critical Race Theory firsthand often through their children’s online classes and are pushing back against such policies at the school board, local government, and state government levels.

## **Build Back Better Defeated but Universal Pre-K Still an Issue**

Senator Joe Manchin (WV) effectively killed President Biden’s Build Back Better agenda when he announced before Christmas that he could not support the “mammoth bill,” but the White House has indicated that it is hoping to push through certain parts of the plan during this new Congressional session. Some political pundits are predicting this could include universal pre-K and an expansion of the Affordable Care Act, both of which are issues that [Senator Manchin has previously supported](#). Days before his announcement, Senator Manchin had presented the White House with a [compromise plan](#) that highlighted universal pre-K, expanding the Affordable Care Act, and some climate change proposals. However, his plan did not include an extension of the child care tax credit, something that is a key component of Biden’s agenda. When explaining the reasons he could not support the Build Back Better plan, [Senator Manchin cited](#) the enormity of the bill and increased inflation as his primary concerns and urged fellow Democrats and the Senate to get back to addressing issues through proper procedures rather than lumping enormous social change into one large package that can’t be properly funded without massively increasing the debt. In an interview with Bret Bair, the Senator [stated](#), “If I can’t go home and explain it to the people of West Virginia, I can’t vote for it. And I cannot vote to continue with this piece of legislation. I just can’t.”

## **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](#)

[National School Choice Week Begins January 24, 2022](#)

[Pre-natal Tests Wrong 85% of the Time, But Still Used to Refer for Abortions](#)

[U.S. Department of Ed Announces Joint Action with Department of Transportation to Help Bus Driver Shortage](#)