



A Publication of the American Association of Christian Schools

**The Washington Flyer**  
**February 25, 2022**

*“The secret of my success? It is simple. It is found in the Bible, ‘In all thy ways acknowledge Him and He shall direct thy paths.’”*  
*George Washington Carver*

**Parents Speaking Out on Education and Gaining Victory**

A successful effort to recall three school board members in San Francisco, CA, is the latest victory for parents across the country who are dissatisfied with the problems in the educational system. School closures, woke ideology, and renaming schools (including schools named after George Washington and Abraham Lincoln), and the elimination of merit-based entrance to one of the most prestigious schools in the area were all [issues](#) prompting the recalls. The latter issue was of grave concern to many Asian Americans—the largest demographic to show up for the recall vote. The San Francisco recall follows the outcry of parents in Virginia who have been fighting local school boards for months, largely on the same issues. The Virginia election of conservative Governor Glenn Youngkin has been attributed to the involvement of parents and their fight against local school boards that have ignored parents’ concerns and advanced liberal policies. The [recent passage of a Virginia law](#) that ensures parents can decide whether or not their children wear masks at school also signals that the efforts of parents are having an effect. The new state law codifies an executive order issued by Governor Youngkin immediately following his inauguration, but which had been bogged down in litigation. During the bill’s signing ceremony, Governor Youngkin [stated](#), “We are reaffirming the rights that we know all parents have.” However, perhaps what is most significant is the bipartisan support the new law received, having [passed](#) the Democrat-controlled state senate by a vote of 29-9. Furthermore, governors in Democrat-led states such as New Jersey, Delaware, Connecticut, and Oregon have also signaled an end to mask mandates in schools.

The efforts of parents to have a say in their children’s education have not been limited to public school education. Recent reports show that parents concerned with policies at some [private schools](#) are speaking out against the infusion of woke ideology into school policies and class curricula, often promoted under the terms “diversity, equity, and inclusion.” Parents with children in Westminster schools in Georgia noticed lessons and teaching which promoted LGBT and gender ideology along with “anti-discrimination” lessons which actually focused on racial division rather than true inclusion. Some parents also noticed that the National Association of Independent Schools (NAIS), which accredits the Westminster schools, is promoting organizations which advance LGBT issues and liberal policies. Concerned parents connected with other private schools in Georgia created the website [Education Veritas](#) as a resource to help parents understand the terminology which promotes these woke ideologies. While some argue that private school parents can simply “unenroll” their children from private schools, many of the Westminster parents are hoping to persuade their school to move away from following the political, liberal trends. Meanwhile, member schools of the American Association of Christian Schools, many of which hold to mission statements that pledge to partner with and support parents through their provision of educational services, have seen an increase in enrollment in the last year as parents are seeking schools that are committed to teaching the truth to students.

## **School Choice in the Courts**

Opponents of school choice programs are using the courts to try to stop some of the most recently enacted school choice programs. In [West Virginia](#), a lawsuit has been filed against the Hope Scholarship Program that was created last year and is often referred to as the biggest school choice program in the country because of the broad range for eligibility for families. The lawsuit has been filed by three West Virginia families, all with special needs children; however, the lawyers representing the case are from all over the country (Los Angeles; New York City; Newark; Montgomery, AL; and Washington, D.C.) and have partnered with a national organization, Public Funds Public Schools, signaling there is a national effort to oppose the program. The plaintiffs claim equity and funding issues, arguing that no private schools have special needs programs so not all children can participate (a claim which is false), and also arguing that the state constitution requires funding public schools only, not private schools. In a recent [podcast hosted by EdChoice](#), the VP for Legal Affairs Leslie Hiner explained the problems with these arguments, emphasizing the point that providing education for each student does not necessarily mean funding public schools. Funding is also the main issue for three other lawsuits: one filed against the new tax credit scholarship program in [Kentucky](#), one against the new education savings account program in [Tennessee](#), and another against the voucher program in [Ohio](#). As school choice programs continue to grow and increase across the country, the legal challenges also increase. However, most existing school choice programs have survived past challenges and continue to help families have educational options.

## **Office for Civil Rights Dismisses Title IX Complaint Against Religious College**

The Office for Civil Rights (OCR) within the Department of Education has [dismissed](#) a Title IX complaint filed against Brigham Young University for its religious views on marriage and sexuality. The [complaint](#) was first filed in 2020 and alleged that BYU unlawfully discriminated against homosexual and queer students by prohibiting same-sex relationships in its Honor Code, which all students agree to abide by. BYU responded to the complaint by sending OCR a letter asserting it was claiming the religious exemption in Title IX. Title IX is the federal civil rights law that prohibits discrimination based on sex, originally enacted to ensure fair academic opportunities for women, but more recently reinterpreted to give federal civil rights protections based on sexual orientation and gender identity. The religious exemption in Title IX exempts religious colleges from following Title IX when doing so would contradict or inhibit its religious mission or policies. OCR's recent [letter](#) upholds that exemption, noting that BYU is religiously exempt from enforcing Title IX in areas related to admissions, recruitment, education programs, housing, counseling, financial assistance, health and insurance plans, and athletics, among other things. OCR's dismissal of the complaint is an important recognition of the broad religious liberty of religious colleges to pursue their mission in all areas of college life. BYU is one of the colleges implicated by the Religious Exemption Accountability Project (REAP) in its [lawsuit](#) against the Department of Education alleging that Christian colleges use the religious exemption to discriminate against LGBT students and therefore should be barred from receiving federal funding and student loans. Groups supporting the religious rights of colleges praised the OCR dismissal as a win for the rule of law and the First Amendment.

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

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

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

[Promise to America's Children](#)

[TX Christian School Staff Arrested for Failing to Report Hazing Assault](#)

