



**The Washington Flyer**  
**March 18, 2022**

*“The price of freedom is eternal vigilance.”*  
*Thomas Jefferson*

**Poll Shows Strong Support for School Choice as States Advance School Choice Bills**

A [new poll](#) released by RealClear Opinion Research shows overwhelming support for school choice with 72% of respondents indicating they support choice and only 18% opposing. Over 2,000 registered voters participated and were given this question: “School choice gives parents the right to use the tax dollars designated for their child’s education to send their child to the public or private school which best serves their needs. Generally speaking, would you say you support or oppose the concept of school choice?” Not only did the general response reveal very strong support for school choice, but when broken down according to party line, support also remained very strong across all parties with 82% of Republicans, 68% of Democrats, and 67% of Independents indicating support for educational freedom policies. Interestingly, when compared with poll numbers from April 2020, support from each of these groups increased 7 to 9%. Tommy Shultz, CEO of American Federation for Children, called the poll numbers “stunning” and noted that the “past two years have exposed to the world what many in the parental choice movement have known for decades: no single educational environment is right for every child.” He added, “We urge policymakers, regardless of party, to act to expand options and opportunity to every child in America and eradicate barriers that prevent families from choosing a learning environment where their children can thrive. As these poll numbers show, there will be consequences if you go against the staggering majority of parents who support this issue.”

Lawmakers in several states are taking note of the growing wave of support for school choice, and [several state legislatures](#) are working to advance school choice by either creating new programs or expanding existing programs. In [South Dakota](#), Governor Kristi Noem signed into law a bill which expands the state’s tax credit scholarship program by raising the cap from \$2 million to \$3.5 million, allowing more families to participate. In [Iowa](#), both houses in the legislature are considering a bill which would create an education savings account program, the Student First Scholarships, for families at or below 400% of the poverty level and families with special needs children. Each scholarship would be approximately \$5,200, and eligible families would be able to use the funds for a variety of educational methods that would best meet the needs of their children. [Oklahoma](#) legislators are also considering an education savings account program through a bill that would establish the Oklahoma Empowerment Act. The bill has support from the governor and has passed the senate education committee; however, the bill faces an uphill battle in the house where House Speaker Charles McCall has indicated he will not bring the bill to the house floor. In [Arizona](#), the senate passed a bill this week which would expand eligibility for Arizona’s ESA program (the Empowerment Scholarship Account). The state of Arizona already has several active school choice programs, and passage of this bill would signify the largest expansion for eligibility and funding of Arizona choice programs. School choice supporters are also celebrating the fact that New Hampshire’s school choice program, which was established last year, remains intact after multiple legislative attempts to limit the program, and West Virginia’s new education savings account program, also created last year, began accepting applications this year.

AACS Executive Director Jeff Walton recently contributed to a *WORLD* magazine news production called “The World and Everything in It” to discuss the current teacher shortage in Christian education ([here](#)). AACS school administrator and Minnesota Executive Director Alan Hodak also contributed to give a school’s perspective.

### **Judge Halts Texas Efforts to Investigate Treatment to Children with Gender Dysphoria**

A Texas judge [recently ruled](#) to stop an [investigation](#) that was ordered by Texas Governor Greg Abbott into transgender-affirming medical procedures performed upon children in the state. Travis County District Judge Amy Clark Meachum ruled in favor of transgender activists and the family of a transgender child who argued that Governor Abbott’s investigation would harm children struggling with gender dysphoria, a condition in which a person identifies with a gender other than his biological sex. Judge Meachum issued a temporary restraining order that prohibits the investigations from taking place while the court case continues. On February 22, 2022, Governor Abbott announced a directive to investigate the medical procedures done to children, including prescribing puberty-blocking drugs and cross-sex hormones, that can have [devastating effects](#) on their development and physical and mental health. Texas Attorney General Ken Paxton also issued a nonbinding [legal opinion](#) stating that such medical procedures, if found to be harmful to children, could constitute child abuse. LGBT activists such as the Human Rights Campaign and some leading medical organizations have strongly opposed the investigation, claiming that it would “cause severe, immediate, and devastating harms to transgender youth.” Governor Abbott continues to support a hard look at transgender-affirming care, decrying that a “Democrat judge tries to halt legal and necessary investigations into those trying to abuse our kids through ‘trans’ surgeries and prescription drugs. I’ll win this fight to protect our Texas children.”

### **Court Rules in Favor of Religious Liberty for Vermont Students and Religious Schools**

The 2nd Circuit Court of Appeals has ruled in favor of religious schools in Vermont to begin offering education to students in a dual enrollment program. The case, [A.M. v. French](#), concerns students attending religious schools who were barred from participating in a state-funded program that paid tuition for high school students to dual-enroll in courses at some Vermont colleges to earn college credits. Under the program’s rules, high school students attending public, secular private, and home schools that are publicly funded could all participate in the program, but students attending private religious schools were categorically excluded. As a result of the unfair treatment to exclude religious school students from participating in a generally available public program, Alliance Defending Freedom filed a lawsuit against the state in 2019. Since ADF filed its lawsuit, the U.S. Supreme Court has ruled in *Espinoza v. Montana Department of Revenue* (2020) that a state cannot prohibit families in a state school choice program from using scholarship funds to send their children to religious schools. In its [decision](#) granting a preliminary injunction against the state, the 2nd Circuit agreed that the state’s denial of funding to religious school students violated their free exercise rights under the First Amendment. Further, the court noted that the program’s requirement that only students that attend publicly funded schools can participate in the dual enrollment program “falls on religious school students and no others,” and, therefore, violates the Constitution.

### **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](#)

[3 Reasons Parents Are Absolutely Right to Demand Informed Consent to What Schools Do to Kids](#)