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“Those people who will not be ruled by God will be ruled by tyrants.”
William Penn

State Update on School Choice Growth

School choice continues to advance across the country as [several states](#) work to create new programs or expand existing ones, offering more opportunities for parents to choose the best educational option for their children. In [Iowa](#), the state legislature is considering a bill which would establish an education savings account program which would make up to 10,000 ESAs available to families that are at or below 400% of the federal poverty level or to students with an individual educational plan (IEP). The proposal has the vocal support of Governor Kim Reynolds and has already passed the Senate (31-18); school choice advocates are hopeful it will soon pass the state house. In [Pennsylvania](#), state legislators are considering a proposal that would create an education savings account program, called the Lifeline scholarships, which would be available for military families, students with an IEP, and students in low-achieving school districts. The bill has passed the house education committee with a vote of 10-4 and awaits a vote on the house floor. In [Louisiana](#), the education committee in the state house voted unanimously to pass [House Bill 33](#) which would provide education savings accounts to approximately 11,000 military families, 3,000 students in foster care, and students in low-performing schools who are not able to transfer to better schools. In [Alabama](#), Governor Kay Ivey signed into law a measure which expands the state’s tax credit scholarship program by increasing the giving cap for individuals and corporations, from 50% to 100% of income tax liability for both groups. In [South Carolina](#), the state senate approved a measure (by a 25-15 vote) which will provide up to \$6,000 of taxpayer money to disabled students or low income students whose families qualify for Medicaid to attend the school of their choice, private or public.

These efforts have not been without some challenges, but school choice advocates continue to persevere, and the results are showing. In [Georgia](#), the state house and senate increased the cap for the tax credit scholarship program after an effort to pass an education savings account program failed. The adopted House Bill 517 will increase the cap for the tax credit scholarship program from \$100 million to \$120 million, allowing approximately 4,000 additional students to participate. In [New Hampshire](#), efforts to expand the state’s tax credit scholarship program failed in the state senate after narrowly passing the house (159-152). However, several measures were blocked that had been introduced to hinder the new education freedom account program created [last year](#) by either defunding the program or affecting the eligibility of students and schools that can participate. Finally, in [Oklahoma](#), a bill failed which would have created the Oklahoman Empowerment Account program, an education savings account program which would be available to most students in the state. However, the measure has support from the governor as well as the senate president, so efforts are still underway to establish the program, possibly through inclusion in the budget bill. In a recent [podcast](#), school choice policy expert Jason Bedrick noted that, although the advancements in school choice may not be as big as they were in 2021, historical trends show that “this still is a pretty big year for the educational choice movement. We’re making a lot of progress, and I expect that 2023 could even rival 2021. Still looking forward to great things from educational choice movement in the future.”

New Kentucky Law Declares Churches Essential in Future Emergencies

Governor Andy Beshear of Kentucky has [signed](#) a bill into law declaring that churches are essential during future states of emergency. During the COVID-19 pandemic, many states and localities enacted restrictions on Americans' freedom to gather and worship, implementing capacity limits or closing churches altogether. These emergency orders separated businesses into essential and nonessential categories, in some cases placing houses of worship on the nonessential side. In Kentucky, pandemic emergency orders kept churches closed while secular businesses such as liquor stores and retail shops were allowed to operate. This new law, the Church Is Essential Act, ensures that churches will not be closed in future emergencies, protecting the fundamental freedom of Americans to worship together as their faith commands. State Rep. Shane Baker, sponsor of the bill, [stated](#) that "churches and other religious organizations should be treated in the same manner as other essential organizations during times of emergency. . . . [This bill] codifies recent Supreme Court decisions that make clear that free exercise rights are fundamental, and governments cannot treat religious organizations worse than other groups, just because they are religious." This year, South Carolina and Florida have signed similar bills declaring that churches are essential during emergencies. In 2021, over twenty states [proposed](#) bills that would make churches essential or limit state officials' emergency powers and control over churches.

Supreme Court Hears Religious Liberty Case

On Monday, the Supreme Court heard [oral arguments](#) in the case [Kennedy v. Bremerton School District](#). This case concerns former high school football coach Joe Kennedy, who for several years had a practice of kneeling at the midfield line after football games for a moment of quiet prayer. In 2015, Bremerton School District, where Coach Kennedy worked, suspended and later fired him after an employee from another school complained to the Bremerton High School principal. Represented by First Liberty Institute, Coach Kennedy has argued that his firing violated both his free speech and his religious exercise rights under the First Amendment. During oral arguments, some Justices [questioned](#) whether Coach Kennedy's prayer coerced students into engaging in religious activity. Lawyer Paul Clement, representing Kennedy in court, argued that the coach was engaging in private, rather than government, speech and, therefore, was not coercing his students but instead was simply expressing his religious beliefs as a private citizen. In contrast, the school district, represented by Americans United for Separation of Church and State, argued that high school students have a right not to be coerced into accepting religion by public school employees. Justices Samuel Alito and Brett Kavanaugh in turn pressed the school district on whether its actions preventing Kennedy from praying unlawfully discriminated against his religion. In his closing rebuttal, Clement urged the Court to decide on this important First Amendment case rather than send it back to the lower courts, noting that Coach Kennedy "has already waited six years to get his job back."

In Case You Missed It:

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

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

[Promise to America's Children](#)

[How Should States Approach Early Childhood Policy?](#)

[Condoleezza Rice Has Harsh Words for CRT](#)