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“If religious books are not widely circulated among the masses in this country, I do not know what is going to become of us as a nation. If truth be not diffused, then error will be. If God and His Word are not known and received, the devil and his works will gain the ascendancy.”

Daniel Webster

TODAY: March for Life

The 49th March for Life is taking place today in Washington, DC, with the goal of celebrating life at all stages and highlighting the importance of continuing the fight to protect the unborn. The theme for this year’s March is “Next Steps—Marching in a Post-Roe America.” AACCS Washington Office personnel will be attending the March to support our friends and to encourage our fellow citizens to support life. To watch live updates on the March, please [click here](#).

Court Dismisses REAP Lawsuit Against Religious Exemption in Title IX

Last week, a federal district judge in Eugene, Oregon [dismissed a lawsuit](#) filed against the Department of Education (DOE) by the LGBT activist group [Religious Exemption Accountability Project](#) (REAP), representing 40 current and former LGBT students at Christian colleges. The case *Hunter v. Department of Education* alleges that the religious exemption in Title IX, which governs all federally funded education programs, allows LGBT students to be unlawfully discriminated against. Title IX of the Education Amendments of 1972 provides for equal educational opportunities for men and women, but, in recent years, the DOE has begun to redefine *sex* to mean sexual orientation and gender identity (SOGI). These efforts were further accelerated after the Supreme Court’s 2020 decision in *Bostock v. Clayton County* that redefined *sex* in federal employment law to include SOGI. Although the Court at the time explicitly refused to extend its redefinition of *sex* to the education context, the DOE proposed in July 2022 to overhaul Title IX regulations to prohibit discrimination based not only on biological sex but also on sexual orientation and gender identity. However, Title IX also contains a robust religious liberty protection, stating that religious institutions can assert an exemption to Title IX wherever it conflicts with the institution’s religious beliefs. REAP sought to invalidate that statute, thereby forcing Christian colleges either to abandon their biblical beliefs or refuse to accept federal funding, including through federal student loans. In her [decision](#), Clinton-appointed Judge Ann Aiken found that the religious exemption is a legitimate governmental “objective of accommodating religious exercise.” In evaluating REAP’s many spurious claims, Judge Aiken found that REAP failed to show that the religious exemption violated the Constitution or LGBT students’ due process rights. The judge also dismissed REAP’s claim that the religious exemption constituted a federal establishment of religion in violation of the First Amendment. While her decision is a victory for religious liberty, Judge Aiken also lends some credence to REAP’s argument by finding that REAP “adequately alleges a stigmatic injury” at Christian colleges that hold to a biblical understanding of human sexuality. However, she dismissed the case because most of the students have either graduated from or left their schools. Senior Counsel David Cortman of [Alliance Defending Freedom](#), which intervened on behalf of three Christian colleges implicated in the case, praised the decision, stating that the court “rightly rejected an unfounded assault on the religious freedom of faith-based educational

institutions” and “correctly concluded that Title IX’s religious liberty exemption doesn’t violate any of the plaintiff’s claimed rights.” REAP is expected to appeal the decision.

National School Choice Week is Next Week!

[National School Choice Week 2023](#) (NSCW) begins January 22 with events planned throughout the week to celebrate the benefits of school choice programs across the country. Since the first celebration of NSCW in 2011, the organizers have helped plan or promote over 240,000 events which have highlighted school choice, and this has resulted in more awareness of the importance educational options for children and families. This year, the [NSCW organizers are reporting](#) that 26,499 events have been planned across all 50 states to celebrate the positive impact that school choice has had in the lives of thousands of students and families. These include over 25,000 school or homeschool events and activities, 66 state flagship events, 28 school fairs, and 62 events planned by nonprofit organizations. In addition, 20 governors have issued proclamations recognizing next week as School Choice Week, and 51 landmarks in 27 states will be lit in red and yellow in support of school choice. The support for school choice continues to grow as a [recent survey](#) reported that a majority of parents are rethinking education for their children, willing to look at alternatives to public education, including some nontraditional options such as microschooled and learning pods. Black, Hispanic, and millennial parents especially were interested in exploring new educational models. For materials and ideas for your school or event, please [click here](#).

House of Representatives Passes Bill Protecting Babies Surviving Abortions

On January 11, the 118th Congress passed the *Born-Alive Abortion Survivors Protection Act*, [a bill](#) which will ensure that a baby born alive after a failed abortion will receive the same medical attention provided to prematurely born babies. The legislation is the first federal pro-life bill passed in Congress since the Supreme Court overruled *Roe v. Wade* this past summer. It passed mainly along party lines, with one Democrat, [Henry Cuellar](#) (TX), joining every Republican in voting for the bill. According to research done by the [Centers for Disease Control and Prevention](#), from 2003 to 2014, a total of 143 babies were born after an attempted abortion, with many dying a few hours after birth. One of the bill’s sponsors, [Representative Ann Wagner](#) (MO) said, “All children should have the right to receive lifesaving care, especially those who survive an abortion. . . . It will provide commonsense protections for innocent children and their mothers and will ensure all babies receive the essential care they need at an incredibly vulnerable moment.” [The bill](#) would also impose either heavy fines or up to five years imprisonment for those who do not give medical care to babies born during a failed abortion. It is unlikely the bill will become law during this Congress, as Senate Majority Leader [Chuck Schumer](#) (NY) said that it is “doomed in the Senate.” However, its passage in the House indicates that protecting life is a strong priority for Republicans.

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](#)

[Christian Hope in 2023](#)

[Arkansas Governor Bans Critical Race Theory in Schools](#)