



**The Washington Flyer**  
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*“I have been driven many times upon my knees by the overwhelming conviction that I had nowhere else to go. My own wisdom and that of all about me seemed insufficient for that day.”*  
*Abraham Lincoln*

**New AP Course on African American History Sparks Controversy**

Earlier this month, the College Board [released](#) its official framework for the [AP African American Studies](#) coursework and exam after some revision was done on the pilot course which was used in 60 schools across the country. The pilot course received criticism last month from officials in the state of Florida who charged that the curriculum contained content that promoted critical race theory and gender ideology and subsequently violated [Florida’s new law](#), the Individual Freedom Act (also known as the “Stop Woke Act”) which prohibits instruction that prescribes guilt to people simply because of their race. The Florida Department of Education (FDOE) [sent a letter](#) to the College Board in January explaining their decision to prohibit the course in Florida schools: “The content of this course is inexplicably contrary to Florida law, and significantly lacks educational value. In the future, should College Board be willing to come back to the table with lawful historically accurate content, the FDOE will always be willing to open the discussion.” Manny Diaz, Jr., the Education Commissioner of Florida also [posted a chart](#) in which he outlined examples of the concerns that the framework for the pilot course promoted controversial issues including queer ideology, intersectionality, Critical Race Theory, and prison abolition.

The [revised official framework](#) for the course was released at the beginning of this month, with several of the controversial authors and topics removed from the required portions of the curriculum. Specifically, authors associated with promoting Critical Race Theory, queer expression in Black communities, and reparations have been moved to a list of suggested topics for a required research project along with topics of Black Lives Matter and incarceration; additionally, “Black conservatism” has also been added to the same list. The College Board is now receiving criticism from liberal and progressive groups that it caved to political pressure from conservatives to make the revisions, but the College Board insists that the core revisions were made in December 2022 before Florida officials voiced their concerns. The current official framework will now be available to hundreds of schools during the 2023–24 school year, with the final version available to all for the 2024–25 school year. Florida is currently reviewing the revised course framework, and [other states](#) are also giving the course a thorough review before allowing it in schools, including Mississippi, North Dakota, Arkansas, and Virginia.

**CLARIFICATION to Last Week’s “Washington Flyer”:** An article last week described a recent report by the Lepanto Institute which gave evidence that the NWEA (Northwest Evaluation Alliance) either promoted LGBTQ materials or worked to include references to gender ideology in their assessments and resources for teachers and students. The standardized assessments produced by the NWEA, now owned by Houghton Mifflin Harcourt, mentioned in the article are the MAP Assessments, the Measures of Academic Progress. The MAP Assessments are used by many schools to prepare students for taking state standards-based assessments.

## **Christian School Appeals to Supreme Court on Employment Issue**

A Christian School in Colorado has submitted a [petition](#) to the U.S. Supreme Court, asking the court to review a case which involves the school's decision to fire a teacher for his insubordination and philosophical views which were counter to those of the ministry. In January 2018, Gregory Tucker, who at the time served as chaplain for Faith Christian Academy, gave a chapel message in which he charged that the students and parents were racist, using terms such as "white privilege" and "systemic racism." The leadership at the school, a ministry of [Faith Bible Chapel](#) (FBC), eventually terminated Tucker's employment after repeated attempts to discuss concerns with Tucker only resulted in his making the disagreement public through communication to the school community. Over a year later, in June 2019, Mr. Tucker sued FBC on the grounds that they violated [Title VII](#) of the Civil Rights Act for firing him for his opposition to a racially hostile work environment. FBC requested that the court dismiss the case, pointing to the [ministerial exception](#), a judicial principle that "allows religious organizations to make employment decisions for ministers without government interference." In 2020, the U.S. Supreme Court ruled in [Our Lady of Guadalupe School v. Morrissey-Berru](#) that the ministerial exception extended to employment decisions made by religious schools for teachers who perform "vital religious duties," such as chaplains. However, in June 2022 the [Tenth Circuit Court of Appeals](#) sided with a lower court which had issued a ruling in favor of Tucker. On February 3, 2023, FBC requested the U. S. Supreme Court review the case. The Becket Fund for Religious Liberty represents FBC and expects the Supreme Court to decide whether or not to hear the case by summer, with a ruling to occur later in 2024.

## **Congress Reintroduces the Protection of Women and Girls in Sports Act**

Rep. Greg Steube (R-FL-17) and Rep. Virginia Foxx (R-NC-5) have reintroduced the [Protection of Women and Girls Sports Act](#) into Congress. This [bill](#) would protect female athletes from unfair competition against biological males who now claim to be transgender. The bill applies to all schools that receive federal education funding. Representatives Steube and Foxx introduced the legislation in light of the Biden Administration's potential plans to issue a [regulation](#) redefining sex to include sexual orientation and gender identity. The bill would protect female athletes in states that do not currently have laws shielding them from competition against males, which is more than half the country. "Allowing biological males to participate in women's sports is a complete affront to the hardworking women and girls who have spent their lives training to achieve their dreams. It's simple: biological males have no place in women's sports," Rep. Steube [stated](#). There are three key components to the bill, including a clarification that schools who receive government funding and allow a male to compete against a female sports team are in violation of Title IX's sex discrimination prohibition. The other two components stipulate that an athlete's sex is to be determined by his "reproductive biology and genetics at birth" and iterates that males can practice against female sports teams in instances such as a scrimmage. Rep. Virginia Foxx noted that this bill would "restore the safety, privacy, and opportunities of women and girls in sports." She added, "Our nation passed Title IX 50 years ago to give women equal access to education and athletic opportunities. This revolutionized women's sports. Moving backward is not an option. We must honor the original intent of Title IX." If the bill passes, it will be added to the Education Amendments of 1972.

## **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](#)

[Answers in Genesis: Is Revival Breaking Out at Asbury University?](#)