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*“Liberty must at all hazards be supported. We have a right to it, derived from our Maker.
But if we had not, our fathers have earned, and bought it for us,
at the expense of their ease, their estates, their pleasure, and their blood.”*
John Adams

School Choice Update: Federal Legislation Introduced and State Update

A bill has been introduced in both the U.S. House and U.S. Senate which would establish a federal tax credit scholarship program intended to provide school choice opportunities to qualifying families in each state. Titled the [Education Choice for Children Act](#) (ECCA), the bill would provide \$10 billion in annual tax credits for individuals who made a contribution to a scholarship organization which then granted scholarships to students for tuition and other education related fees at an elementary or secondary school. According to a [press release](#) from the office of Senator Bill Cassidy (LA), the bill’s sponsor in the Senate, the [bill includes language](#) that “uses a limited government approach with respect to federalism, thus avoiding mandates on states, localities, and districts.” The bill also includes language which explicitly prohibits government interference and control over any participating religious schools, thereby providing protection for the autonomy and religious liberty of Christian schools. The bill has 14 cosponsors in the Senate; and the House version, introduced by Rep. Adrian Smith (NE), has 26 cosponsors. Senator Cassidy stated, “Parents deserve the right to make the best educational decision for their child, regardless of income. Our bill empowers families to pick the school that best fits their children’s needs.” Rep. Smith agreed, stating, “Parents—not government—should always have the final say in what kind of education their child receives, no matter where they live or their socioeconomic status.”

Several states are also considering legislation that would advance school choice opportunities for parents and students. In [Nebraska](#), the state legislature began debate on a bill which will create a tax credit scholarship program to allow a dollar-for-dollar tax credit for donations made to a scholarship organization which, in turn, would provide scholarships for students to attend the school of their parent’s choice. In [Georgia](#), the state senate approved a bill that will create a program to provide \$6,000 education savings accounts for students in low-performing public schools. The bill had originally been intended to be available to all students, but debate in the senate resulted in paring the bill down for only those students currently in zones of low-performing schools. In [Texas](#), the legislature is considering a bill which will create “parental empowerment accounts,” a form of educational savings accounts providing \$10,000 to qualifying parents to then direct to the best educational method for their children. While school choice in Texas has faced obstacles in the past from Democrats and some Republicans, school choice supporters are hopeful that 2023 is the year a program is created with the [strong support](#) of both Governor Greg Abbott and Lt. Gov. Dan Patrick and also the support from the State Board of Education, which just recently reversed its position and now supports school choice opportunities. In [Florida](#), a state which already has four school choice programs reaching over 190,000 students, the legislature will take up HB 1 which will create an education savings account for all students. The bill has strong support in the legislature and from Governor DeSantis. Should it pass, Florida will join Utah and Iowa, which also passed robust universal ESA programs this year.

West Virginia Passes Religious Freedom Bill

The West Virginia state legislature has passed the [Equal Protection for Religion Act](#), a bill which is intended to protect “people who believe the government has infringed on their religious beliefs.” Modeled after the federal Religious Freedom Restoration Act (RFRA), the bill states, “no state action may burden a person’s exercise of freedom of religion, unless doing so is essential and is the least restrictive means of furthering a compelling government interest,” and includes “incorporated entities” in the definition of “person.” The [federal law RFRA](#) was signed by President Bill Clinton in 1993, who stated at the time, “What [RFRA] basically says is that the government should be held to a very high level of proof before it interferes with someone’s free exercise of religion. . . . We believe strongly that we can never . . . be too vigilant in this work.” The federal law was intended to apply to both federal and state governments, but the Supreme Court ruled in 1997 that the law could apply only to federal ordinances, causing 23 states to enact RFRA laws for their states. West Virginia becomes the 24th state to pass the bill through the state legislature. Those opposing the law claimed it would cause discrimination against LGBT groups; however, as the Becket Fund for Religious Liberty [points out](#), the bill is intended to protect religious minorities and ensure First Amendment rights remain protected for everyone. The bill passed the WV state senate by vote of 37-3 and now waits for the signature of Governor Jim Justice.

Arizona School Board Votes to Not Hire from a Christian University

For the past five years, Arizona Christian University (ACU) and the Washington Elementary School District (WESD) have had a contract that allowed ACU’s student teachers to be placed in district schools for field experience, which often led to employment opportunities. However, on February 23, the WESD school board [unanimously voted](#) to dissolve the contract, basing their decision “on the board’s commitment to create a safe place for our LGBTQ+ students, staff, and community,” of which three of the board members claim to be a part. One of these three, Tamillia Valenzuela, publicly criticized [ACU’s core commitments](#), which include the school’s goal to “transform the culture with truth by promoting the biblically informed values that are foundational to western civilization . . . the centrality of family, traditional sexual morality and lifelong marriage, the sanctity of human life.” A few days after the school board’s decision, the president of ACU, Len Munsil, [called the decision](#) “wrong” and “unlawful.” [Munsil](#) also presented a short history of the WESD/ACU contract, stating that “more than 100 ACU students have served the district . . . many of whom were hired full time after graduation.” Munsil also vowed that the school would fight back against the decision. This decision has also gathered attention from Christians nationwide, such as Tanner DiBella, president of the [American Council](#), who has promised to commit resources to elect different board members in 2024.

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](#)

[ADF Video: Respect for Marriage Act: What Church and Ministry Leaders Should Know](#)

[Mississippi Governor Makes Strong Stand to Protect Children from Gender Ideology](#)