

A Publication of the American Association of Christian Schools

# The Washington Flyer November 10, 2023

"That the opinions of men are not the object of civil government, not under its jurisdiction; that to suffer the civil magistrate to intrude his powers into the field of opinion and to restrain the profession of propagation of principles on supposition of their ill tendency is a dangerous fallacy, which at once destroys all religious liberty."

Thomas Jefferson

#### **AACS Submits Public Comments for EEOC Guidance**

The AACS submitted public comments for a proposed guidance document published by the Equal Employment Opportunity Commission (EEOC). The purpose of the "Proposed Guidance for Harassment in the Workplace" was "to provide clarity . . . regarding Commission [EEOC] policies and existing requirements under the law." Guidance documents do not have the force of law, but they do indicate an administration's view on policy issues and interpretation of the law. The EEOC proposed guidance offers an explanation for what constitutes workplace discrimination, which by law includes harassment based on sex, race, national origin, religion, disability, genetic information, and age. In the explanation for what constitutes sex-based harassment, the proposed guidance included abortion and issues relating to sexual orientation and gender identity (SOGI), specifying that this included pronoun usage and bathroom access for those who claim to be transgender. The AACS comments expressed deep concern over the inclusion of SOGI and abortion issues, pointing out that not only are they contrary to truth and reality, but their inclusion also threatens the religious liberty of many Americans who have religious convictions about these issues.

Regarding the inclusion of abortion, the AACS pointed out that "most Christian schools and a majority of religious organizations across the nation believe in the sacredness and value of human life before birth. This view is ingrained in their organizations and affects everything from personnel selection to policies governing employee behavioral expectations." The comments further explained that including abortion as a protected area from discrimination will create a hostile legal and workplace environment for pro-life organizations. Regarding the inclusion of misgendering or pronoun usage and bathroom access as an area of harassment, the AACS comments pushed back on the gender ideology that is being advanced, stating, "Only two sexes exist—male and female—and these remain fixed despite any desire or attempt to change otherwise. The Scriptures reflect this reality, and our schools teach and enact policies accordingly." Addressing the inclusion of pronoun usage, the comments explained that this constitutes the government compelling speech and trampling on religious liberty. "Despite those who believe objective truth to be hurtful, the government cannot veto religious liberty and compel certain speech even from those who believe differently," the comments stated. Regarding the inclusion of bathroom access, the AACS highlighted that this threatens the safety of women and girls. Perhaps most concerning about the proposed guidance was the omittance of any explanation or clarity regarding religious liberty and expression, areas that are protected under the First Amendment, the Religious Freedom Restoration Act, and the religious exemption that is part of Title VII of the Civil Rights Act. The AACS comments concluded, "We urge the Commission to clearly state in the proposed guidance that it follows the religious organization exemption in Title VII and is also under the authority of the Religious Freedom Restoration Act, and the First Amendment."

## **Court Rules Against Parents in Indiana**

Two parents have petitioned the Supreme Court to review a case where their child was taken from them because of their religious beliefs. Their son, a teenage boy who struggled with an eating disorder, identified as transgender and wanted to be called by a feminine name and pronouns. After his parents refused to use his desired opposite-sex name and pronouns, the Indiana Department of Child Services investigated their home. The child was ultimately removed from their home, and the trial court specified that he must be placed with a foster family that would affirm his claimed female gender identity. The trial court also barred the parents from speaking about sex and gender during their one-day-a-week unsupervised visitation. The parents appealed to the Indiana Court of Appeals, which found that the parents had neither abused nor neglected their child. However, the appellate court upheld the trial court's decision to remove the child and restrict his parent's religious speech. Because the Indiana Supreme Court declined to take the case, the parents now hope the U.S. Supreme Court will review it. Even though their son has aged out of the foster care system, they hope the nation's highest court will reverse the dangerous precedent set by Indiana's court system. "No other fit parents should lose custody of their child or face a government muzzle on their deeply held religious beliefs and best judgment," said the petition to the U.S. Supreme Court. "This Court's intervention is needed."

## Poll Shows Relationship Between Religious People and Positive Outlook

A poll conducted by Gallup and the Radiant Foundation shows a <u>correlation</u> between religious people and positive mindsets. The <u>poll</u> reviews data collected from 2012 to 2022 on about 1.5 million people in 152 countries. Religious people rated higher on the positive experience index (69 to 65) when compared with nonreligious people. Religious people also rated higher on the social life index (77.6 to 73.7), the optimism index (49.4 to 48.4), and the community basics index (59.7 to 55.6). Because the data represents a wide amount of information, each one-point difference affects approximately 40 million adults. In other words, the study found that "an estimated 160 million more adults have positive experiences than would be the case if those adults were not religious." However, religious people tended to fare worse on the negative experience and personal health indexes. Religious people experienced more negative emotions, feelings, and personal health experiences than nonreligious people did. One <u>reason</u> why religious people experienced more negative emotions and feelings may be because the data includes various religions including Islam and Buddhism. In addition, researchers did not attempt to quantify the genuineness of respondents' religious beliefs and the effect of how many religions emphasize eternal punishment. Yet for followers of Christ, the results supporting a positive outlook serve to emphasize the joy and strength found in the Lord.

#### 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

Federal Judge Blocks Colorado's Abortion Drug Reversal Ban

The Politically Incorrect Reality About What Boosts Kids Chances for Success

2023 Election Analysis