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*“Without liberty, law loses its nature and its name, and becomes oppression.
Without law, liberty also loses its nature and its name, and becomes licentiousness.”*
James Wilson

AACS Hosts National Bible, Fine Arts, and Academic Competition Next Week

Next week, approximately 1,800 students from 188 schools in 33 states will compete in 76 categories in the five basic areas of Bible, music, speech, art, and academics in the 46th annual AACCS National Competition. We are looking forward to an exciting week with these students as they compete. There will be no *Washington Flyer* next week, but you can follow the event [here](#).

Oklahoma Supreme Court Hears Oral Arguments for Case of Religious Charter School

On Tuesday, the Oklahoma Supreme Court [heard oral arguments](#) for a case that may decide the fate of the nation’s first religious charter school. The lawsuit was filed by Oklahoma’s Attorney General Gentner Drummond after a religious charter school was approved by the Oklahoma Statewide Virtual Charter School Board. St. Isidore of Seville Catholic Virtual Charter School is the first religious charter school and plans to open July 1, 2024. During oral arguments, Mr. Drummond charged that the establishment of a religious charter school was unconstitutional because the state constitution requires public schools to be “free of sectarian control.” He also argued that a religious charter school violated the principle of separation of church and state. “If this charter school is authorized by this court, then the state of Oklahoma effectively has control over the school. That’s the state controlling religion. That is a slope for which there is no end,” he [stated](#). Phil Sechler, senior counsel for Alliance Defending Freedom, [defended](#) the school by pointing out that the charter school is “privately owned and operated,” rather than publicly owned; thus, denying the religious school participation in the charter program would violate the free exercise clause of the U.S. Constitution. “The U.S. Constitution and Oklahoma’s Religious Freedom Act both protect St. Isidore’s freedom to operate according to its faith and support the board’s decision to approve such learning options for Oklahoma families,” stated Sechler in a [press release](#). He added, “The board knew that the First Amendment’s Free Exercise Clause prohibits state officials from denying public funding to religious schools simply because they are religious.” Sechler also pointed to recent U.S. Supreme Court decisions that ruled that the government cannot discriminate solely based on religion in programs that are available to the public. He specifically discussed the precedent set in [Carson v. Makin](#) in which the Supreme Court ruled that the state of Maine could not exclude religious schools from participating in the state’s school choice town tuition program.

The justices hearing the case seemed divided in their responses to the arguments. Justices Norma Gurich and Dustin Rowe questioned whether this made taxpayers fund the Catholic church. However, Justice Dana Kuehn pointed out parents may not be supportive of the content being funded in public schools, [stating](#), “If a public school . . . decides to teach against religion, against certain biblical thought—whether it’s from evolution to gender or whatnot—do you believe that that’s a public school taking a stance on religion itself?” No matter their position on the issue, most court watchers expect that the case will end up at the U.S. Supreme Court.

Religious Freedom on the Chopping Block in Minnesota

The Minnesota Legislature has made it clear that it opposes the religious freedom of Minnesotans and will do what it can to squash the First Amendment. Since 1993, the Minnesota Human Rights Act has contained a provision that added a person's sexual orientation to the list of protected statuses. However, religious organizations have an exemption to this sexual orientation provision. In 2023, the Legislature updated the Minnesota Human Rights Act and added gender identity as a separate protected status. However, the Legislature failed to add a religious freedom exemption to the new gender identity provision. Many believed the omission of a religious freedom exemption was simply an oversight. Thus, state Rep. Harry Niska introduced an amendment this session to add a religious freedom exemption to the gender identity provision. However, Democrat members made it clear that the omission was purposeful. The omission of a religious freedom exemption "was not an oversight," [said](#) Rep. Jamie Becker-Finn, chair of the Judiciary, Finance, and Civil Law Committee. "I was aware that language was there." Other members of the committee [lambasted](#) the religious freedom amendment as infuriating, appalling, and disturbing. When the amendment failed to pass out of committee, Niska tried to bring the legislation [directly](#) to the House floor, a maneuver Democrats promptly killed. "I can't imagine living in a state where faith communities of all types can't pick their own teachers and ministers," [said](#) Niska. "Unfortunately, Democrats prevented us from resolving this issue today."

Supreme Court Hears Oral Arguments on Abortion Pill Case

The Supreme Court will soon decide whether the FDA should return to its original safety procedures for the abortion-inducing drug mifepristone in the case [U.S. Food and Drug Administration v. Alliance for Hippocratic Medicine](#). The FDA approved mifepristone in 2000 but added safety requirements to protect women. Then in 2016 and 2021, the FDA eliminated those requirements. Consequently, women can skip an in-person doctor's visit and have the drug delivered by mail. Doctors have to [report](#) only complications resulting in death and are prevented from reporting other severe complications. However, [women](#) who take mifepristone have [reported](#) excessive bleeding and weakness, complications that should always be reported to protect the health of other women considering taking the chemical abortion drug. Because of the dangers associated with the drug, a group of doctors and medical associations sued over the FDA's original approval of mifepristone and its subsequent elimination of the safety requirements. The 5th Circuit Court of Appeals ruled that it was too late to overturn the FDA's original approval of mifepristone but that the FDA unlawfully removed the safety requirements. The case was appealed, and the Supreme Court heard oral arguments last week. The [court](#) seemed focused on whether the doctors and medical associations have standing, or the legal ability to bring the case. Depending on how the Supreme Court rules, the FDA might have to reinstate the safety requirements it eliminated. The Supreme Court will release its final ruling by the time its term ends in June.

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](#)

[NEW! AACs Today Podcast: A Discussion about Christian Nationalism, Part 1](#)

[Registration Information for a Webinar on Equitable Services Available Through ESEA, Hosted by Office of Non-Public Education](#)

[Florida Supreme Court Allows Heartbeat Law to Take Effect, Protecting Babies from Abortion](#)

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