“Freedom is never more than one generation away from extinction. We didn’t pass it on to our children in the bloodstream. The only way they can inherit the freedom we have known is if we fight for it, protect it, defend it, and then hand it to them with the well-taught lessons of how they, in their lifetime, must do the same. And if you and I don’t do this, then you and I may well spend our sunset years telling our children and our children’s children what it once was like in America when men were free.”

Ronald Reagan, March 30, 1961

AACS Hosting the 30th Annual Youth Legislative Training Conference Next Week

The AACS Washington Office is looking forward to hosting the annual AACS Youth Legislative Training Conference next week, offering AACS high school students from across the country the opportunity to experience the political workings of Washington, D.C., from a biblical worldview. Please join us in praying for a profitable week that provides an excellent education for the students. Our goal is to inspire them to diligently seek the Lord and His will regarding their future role and how they may serve Him through service to their country. Because of the activities of the conference week, there will not be a Washington Flyer next week. We invite you to follow the activities of the week through Facebook (@AACSeducates), Instagram (@yltc_aacs), and X (@AACS_DC). The YLTC is funded by donors who provide the funds to scholarship each student who attends. Those wishing to donate to the YLTC may do so here.

Oklahoma Supreme Court Rules Against Religious Charter School

The Oklahoma Supreme Court ruled last week that recognizing a religious charter school would be unconstitutional and violate state law. The school, St. Isidore of Seville Catholic Virtual School, had been approved by the virtual charter school board in Oklahoma in October of 2023. That same month, Oklahoma’s state attorney general, Gentner Drummond, filed a lawsuit challenging the constitutionality of the school, pointing to both the state law that prohibits public funds supporting religious efforts and the U.S. Constitution that forbids the establishment of religion. While charter schools are publicly funded and considered public schools, they maintain private rights of association and governance, allowing them to have a more localized focus to meet the needs of their students. The leaders at St. Isidore applied for recognition as a charter school, seeking recognition under new Supreme Court precedents expanding school choice and religious free exercise. However, the state Supreme Court ruled that the religious charter school violates both the U.S. Constitution’s establishment clause and Oklahoma’s state constitution which says, “No public money or property shall ever be appropriated, applied, donated, or used, directly or indirectly, for the use, benefit, or support of any sect, church, denomination, or system of religion.” Misty Smith, principal of St. Isidore, voiced her disappointment, stating, “Today’s decision is a setback for Oklahoma K-12 students and for the ideal of free choice and open opportunity in education.” However, Drummond praised the decision as a “tremendous victory for religious liberty.” He further explained that the “framers of the U.S. Constitution and those who drafted Oklahoma’s Constitution clearly understood how best to protect religious freedom: by preventing the State from sponsoring any religion at all. Now Oklahomans can be assured that our tax dollars will not fund the teachings of Sharia Law or even Satanism.” While recognizing the disappointment of the governor and other key leaders over the
decision, Drummond also stated that he “hope[d] that the people of Oklahoma can rejoice that they will not be compelled to fund radical religious schools that violate their faith.”

**Supreme Court Ruling for Idaho Abortion Case**
The Supreme Court’s recent ruling in *Moyle v. United States* means Idaho hospitals are required to perform emergency abortions despite the state’s abortion ban. After *Dobbs v. Jackson Women’s Health Organization* overturned *Roe v. Wade*, the Department of Health and Human Services reinterpreted the Emergency Medical Treatment and Labor Act (EMTALA) to expand abortion access. The new EMTALA regulation requires hospitals receiving Medicare funds to provide abortions “when needed to stabilize a medical condition that seriously threatens a pregnant woman’s life or health.” In *Moyle v. United States*, the Biden administration filed a lawsuit against Idaho’s Defense of Life Act that prohibits abortions except in cases of rape, incest, or the mother’s life. However, EMTALA also requires hospitals to perform abortions to prevent health consequences, like fertility loss, even if the mother’s life is not in danger. The administration claims that EMTALA supersedes the state’s abortion ban. The district court and the 9th U.S. Circuit Court of Appeals sided with the administration and blocked enforcement of Idaho’s abortion ban. The Supreme Court was split 3-3-3 on the merits of the case but did decide 6-3 to block Idaho from enforcing its ban while the case returns to the lower courts. The Supreme Court dismissed the case as improvidently granted, meaning it was accepted prematurely. Chief Justice John Roberts and Justices Amy Coney Barrett and Brett Kavanaugh stated that because the positions of both parties have shifted, the lower courts should revisit and review the case before returning to the Supreme Court. Because of the significant conflict between state and federal law, other justices disagreed with the ruling to delay the decision. *Written by AACS summer intern Ashlyn Mortiz*

**Texas Court Rules Against Biden’s Overtime Rule**
A U.S. District Court has granted an injunction to the state of Texas against the Biden administration’s new overtime rule that requires that salaried employees in executive, administrative, or professional (EAP) positions either be paid a minimum of $58,656 per year or receive overtime pay. As the AACS reported earlier this year, the new rule, issued by the Department of Labor, excludes clergy, religious activities and education directors, and “all other” religious workers from the threshold salary requirement, but it offers no clarification as to whether the “all other” religious workers includes staff at religious schools. Shortly after the new regulation was published, the state of Texas filed a lawsuit, charging that the Department overstepped its boundaries in creating a regulation without the legislative authority to do so. U.S. District Judge Sean Jordan sided with Texas, handing down his ruling shortly after the U.S. Supreme Court issued its ruling in the *Loper Bright* case that overturned the “Chevron doctrine,” a long-standing court practice of deferring to administrative agencies and unelected bureaucrats for interpretations of legal statutes. Jordan specifically referenced the *Loper Bright* ruling as a precedent for his decision to grant Texas an injunction to the Department’s rule. He also pointed to the Administrative Procedures Act, that requires courts to “hold unlawful and set aside” government regulations that are “found to be arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law.” The injunction applies only to employees of the state of Texas, although it is likely that other cases will result in rulings that block the Department’s regulation in other states as well.

**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](#)
- [NEW! AACS Today Podcast](#)