A Publication of the American Association of Christian Schools

The Washington Flyer July 3, 2025

"[This day] ought to be commemorated, as the Day of Deliverance by solemn acts of devotion to God Almighty. It ought to be solemnized with pomp and parade, with shews, games, sports, guns, bells, bonfires and illuminations."

John Adams, July 3, 1776

Supreme Court Rules in Favor of Parents' Religious Freedom

The Supreme Court has ruled 6-3 in favor of parents' rights and religious freedom in the case *Mahmoud v*. *Taylor*. The case involved religious parents from Muslim, Catholic, and Ukrainian Orthodox faiths, who wished to opt their elementary children out of LGBT storybook lessons. The Montgomery County school district in Maryland initially had a notice and opt-out policy for these materials, but then reversed course by removing the parental opt-out after being flooded with exemption requests from parents. The decision by the Supreme Court found that the lack of an opt-out option for parents infringed on their First Amendment rights. Justice Samuel Alito wrote the majority opinion and was joined by Justices John Roberts, Clarence Thomas, Amy Coney Barret, Brett Kavanaugh, and Neil Gorsuch. "For many people of faith across the country, there are few religious acts more important than the religious education of their children," wrote Justice Alito. "The practice of educating one's children in one's religious beliefs, like all religious acts and practices, receives a generous measure of protection from our Constitution." Drawing from Supreme Court precedent in Wisconsin v. Yoder and also Espinoza v. Montana, the majority opinion emphasized, "We have long recognized the rights of parents to direct 'the religious upbringing' of their children." Justice Clarence Thomas authored a concurring opinion that specifically addressed the Board's actions to mandate the teaching of the LGBT books to elementary students. "Beyond the materials themselves, the Board instructed teachers to reprimand certain traditional religious views about sex and gender as 'hurtful,' and to respond to students' questions with answers that, among other things, endorse same-sex marriage and transgender ideology." He further stated that the requirement "imposes conformity with a view that undermines parents' religious beliefs, and thus interferes with the parents' rights to 'direct the religious upbringing of their children." Justice Sonya Sotomayor authored the dissenting opinion in which she claimed that the Board was simply trying to instill "universal acceptance and civility" through the texts and lessons. Thomas countered this argument: "In this case Board members' treatment of parents has been neither 'kin[d] nor 'civi[1]' nor "universal[ly] accept[ing]. . . the Board's decision to disregard – or, in some cases, to denigrate – parents' sincerely held religious beliefs is anothema to its declared objectives." The Supreme Court's decision grants a preliminary injunction for the parents and sends the case back to the lower court for reconsideration.

One Big Beautiful Bill Passes Senate with Limited School Choice

Earlier this week, the Senate voted to pass the <u>reconciliation bill</u>, dubbed the "One Big, Beautiful Bill," with a vote of 51-50. The Senate version included a limited school choice program and a revision of the Educational Choice for Children Act (ECCA) which was part of the House-passed version of the bill. The inclusion of a federal school choice program marks a historic advancement for school choice and is a result of much work by a broad coalition of school choice advocates. This historic provision brings a federal tax credit scholarship program one step closer to reality, making school choice a possibility for many families. However, although the efforts were successful in establishing a permanent program, significant changes must be addressed in future

legislation to maximize the program's benefit. As it stands, the program would allow for a 100% tax credit of up to \$1,700 for individuals who donate to a scholarship-granting organization (SGO). Scholarships can be awarded to families living under 300% of the median income in their area. States must choose to opt-in to the program, which is a limiting change that was made to the Senate version of the bill. Additionally, language was removed in the Senate version that explicitly protects the autonomy and religious liberty of participants, such as parents, SGOs, and private schools. The AACS will continue to fight to improve the program and protect the AACS schools that will participate in it. The bill is awaiting approval by the House. President Trump hopes to be able to sign the bill into law by July 4.

Supreme Court Rules Against Planned Parenthood

The Supreme Court ruled 6-3 in *Medina v. Planned Parenthood South Atlantic* allowing South Carolina and other states to exclude abortion providers like Planned Parenthood from receiving Medicaid funding. The case centered on whether individual Medicaid recipients have the right to sue states for removing providers from the program. Justice Neil Gorsuch, writing for the majority, concluded that Congress did not create a clear private right of action for individuals to bring such lawsuits under Medicaid law. South Carolina Gov. Henry McMaster directed the state's Department of Health and Human Services in 2018 to remove Planned Parenthood from the Medicaid provider list, citing the state's prohibition on funding abortion providers. McMaster stated, "South Carolina has made it clear that we value the right to life. Therefore, taxpayers should not be forced to subsidize abortion providers who are in direct opposition to their beliefs." The state maintains that access to women's health and family planning services remains available through over 140 federally qualified health clinics and pregnancy centers. Planned Parenthood operates two clinics in South Carolina, which it argues provide critical health services beyond abortion. The ruling is expected to encourage other Republican-led states to follow suit in cutting Medicaid funding for abortion providers. Planned Parenthood criticized the decision as a threat to health care access for Medicaid recipients while pro-life groups praised the ruling as a victory for unborn children and their mothers. *Written by AACS intern Hudson Knight*

Victory for Christian Camp

After a lawsuit, the Colorado Early Childhood Department has allowed a Christian camp to keep its license and maintain its private facilities based on sex. As the AACS reported, Camp IdRaHaJe is a long-standing Christian ministry that offers overnight camps centered on biblical teaching. The camp faced the threat of losing its license earlier this year for not complying with the department's regulations requiring access to private facilities based on campers' perceived gender identity. Camp directors claimed that these regulations violated the camp's foundational religious convictions. With legal support from Alliance Defending Freedom, Camp IdRaHaje filed a lawsuit against the department. One month after the lawsuit was filed, both parties settled, granting the camp a religious exemption. The settlement states that Colorado cannot take any enforcement action against the camp for not following gender identity requirements. Additionally, the department was required to include a clarification on its website, noting that "places of public accommodation do not include a church . . . or other place that is principally used for religious purposes." Critics refer to the case as a "freedom to discriminate" lawsuit. However, supporters say the settlement is a victory for religious liberty. Alliance Defending Freedom counsel Andrea Dill is grateful the camp can continue to "operate . . . as a Christian summer camp that accepts all campers without fear of being punished." This settlement may set a precedent for other faith-based institutions seeking similar protections nationwide. Written by AACS intern Hayden Coates

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