

Eight Contract Provisions to Consider

By Philip Scott, Esq., ACSI Vice President of Legal Affairs

Clear and carefully written contracts are essential to the smooth operation of Christian schools. Yet, some important provisions are often missing from teacher and enrollment agreements, omissions that can lead to legal or financial challenges down the road. In this article, I've highlighted eight key clauses schools should consider adding to their contracts—two related to teacher employment and six to student enrollment. Each provision is designed to help schools protect their mission, maintain operational flexibility, and promote healthy partnerships with staff and families.

Teacher Contracts

- Cancellation of employment contract for low enrollment or financial hardship**
Without such a policy or grounds for letting a staff member go for low enrollment or financial hardship, you may find it more difficult to get out of an employment contract after it's signed. Work to create an internal policy that outlines how the decision of who is let go is determined. Is it based on years of service at the school or some other



metric? Is there a student count that must be met before the class or section will make sense? When would a financial hardship lead the school to begin letting some teachers and staff go? If you have an at-will working arrangement with your staff, then consider just the policy creation. If you have employment contracts, it is critical you have this as a clause in the contract allowing for separation of

[Continued on Page 2]

DOCKET

Main Story

Eight Contract Provisions to Consider

1

Press Release

The New Wave of Student Activism: Wisdom for Christian School Leaders

4

Choices

Uber for Students: HopSkipDrive Rideshare Service Looks to Expand Alongside School Choice

5

Parental Rights, School Choice ‘Hit a Tipping Point’

8

At Issue

The Responsibilities of a Christian School Board and the Perils of Overreach

9

Artificial Knowing: AI in Education Is About Far More Than “Not Cheating”

10

Beyond the Bank: Two New Funding Tools for Christian Schools

12

Faithfulness in the Little Things: The Vital Role of Pediatrician-Completed Emergency Care Plans

14

How AI Is Sparking Questions About the Purpose of Education

17

Different Gifts, One Mission

18

Anonymous Tips

Guidance from the Department of Education on Equitable Services for Private Schools and Implications of Federal Financial Aid

19

When Does FERPA Apply to Christian Schools?

20

National Notes

ACSI’s D.C. Summit: A Powerful Witness & Excellent PD

22

Closing Arguments

Sex Offenders as Parents?

24

ACSI Mission Statement

ACSI exists to strengthen Christian schools and equip Christian educators worldwide as they prepare students academically and inspire students to become devoted followers of Jesus Christ.

ACSI Vision Statement

ACSI will become a leading international organization that promotes Christian education and provides training and resources to Christian schools and Christian educators, resulting in:

- schools that contribute to the public good through effective teaching and learning and that are biblically sound, academically rigorous, socially engaged, and culturally relevant and
- educators who embody a biblical worldview, engage in transformational teaching and discipling, and embrace personal and professional growth.

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employment if these events are triggered; otherwise, you may be stuck paying the salary for the remainder of the year.

2. Noncompete policy for employee-driven separation mid year

Schools are always looking for ways to prevent teachers from walking away mid year. There are not a lot of options for keeping someone at the school for the remainder of the year if they change their mind. A noncompete clause could be one method of making a teacher second-guess their decision to leave mid year. A noncompete essentially says the former employee cannot work in the same industry or role, usually within a given geographic range, and usually for a limited duration of time. I would recommend looking to add such a policy for those who choose to leave before the end of their contract for that school year.

Factors to consider when making a noncompete clause enforceable include (the standards for each of these may slightly differ based on your state's interpretation of where the limits are):

- *Narrowly tailored.* The restriction must be no broader than necessary to protect legitimate business interests, such as going to work for a rival school.
- *Reasonable duration and scope.* The length of time and the geographic area covered by the agreement must be reasonable, not excessively long or broad. A good rule of thumb is that the duration should not be more than a year. You may want to consider the duration to last for the current school year. This would allow the former employee the ability to find a teaching job for the next year but not jump to a new school mid year. Geographic area probably makes sense to be limited to the school districts from which your student body is drawn from.
- *Not unduly burdensome.* The agreement cannot be so restrictive that it unreasonably prevents the teacher from earning a living in their field. This may mean they cannot teach the same thing they were teaching at your school but can teach different courses or another subject or another grade.
- *Public policy.* The agreement must not violate public policy, which may consider the public interest in having access to skilled teachers. In essence, it cannot be excessively punitive and prevent the former teacher from working; the goal is to protect the school from the damage of having this person shift to a new school in competition with yours.

Enrollment Contracts

3. Knowledge of and ongoing obligation to keep custody orders updated with the school

My recommendation is that your enrollment agreement expressly state that enrollment is not completed until all parenting plans or custody orders are provided to the school and the parental situation is made known to the administration. I would further recommend it's not just knowledge of the situation, but the parent(s) need to actually provide copies of the custody arrangement with the school. It does not have to be the entire judgment, but they should provide the section that deals with rights and obligations about the child(ren). Further, there is an affirmative obligation to update the school with new or modified custody arrangements within 24 hours of a change. No school wants to be surprised by a claim or demand it had no knowledge of.

4. Requiring parents to work in cooperation with the school and not actively undermine the school—this may look more like a code of conduct for parents

The goal is two fold. First, to address division and discontentment that

becomes a distraction to the work of the school. Second, to curb behaviors that do not represent the school well (for example, parents who are posting content that is adult-themed on OnlyFans). Language should be included that allows the school to deal with disruptive and bad behavior not just of students but of parents as well. This extends to negative social media postings and sowing discord within the school community. There should be an expectation that the parents will not undermine the decisions of the school or actively work against the school. Parents who negatively impact the school's educational efforts and community reputation are giving indications that there is not alignment between parents and the school. This provision is more than a Matthew 18 requirement on how to address offenses; it dictates behavioral expectations of parents in general. Such behavioral expectations may also extend to how the parents project themselves to the community as representatives of the school community (I realize this aspect may differ greatly if a school is covenantal vs. open enrollment).

5. 30-day financial arrears policy

The further in arrears tuition payments are, the greater the risk the family will not be able to catch up. If a family is truly in a dire situation, then a deeper conversation needs to take place that may include additional scholarships or support from the school. Short of this additional effort, chances are the school will likely be writing off bad debt in the future if a family is allowed to fall behind multiple months. Families need to make some reasonable payment each month, even if it is not the full amount due under their payment plan. Work to create a standard now before you have the difficult situation facing you. How will the school ensure they are as flexible as possible but still solvent and able to keep the school operational?

6. Giving parents notice they may be asked to seek a mental health evaluation for their child(ren)

The frequency of issues in school and the rising rates of mental fragility of students are leading to more use of mental health assessments or a general need to seek counseling for specific concerns. Let parents know the school reserves the right to require that they seek the services of a mental health professional when it is deemed necessary; parents need to agree to cooperate with such requests.

7. Cost shifting in subpoena request

Schools face an increased level of legal demands



from parents. Whether it is parents in a divorce situation seeking documents and testimony or parents seeking school records on issues relating to their child's treatment in class, there has been a noticeable increase over the years. The school may want to consider shifting the cost of providing such records to the party who subpoenas the school, and that includes attorney's fees and staff time related to responding to the subpoena. Note, this is different than simply responding to a standard student records request.

8. Program modification

Put parents on notice that enrollment does not guarantee a particular program the school currently offers. This should include programs beyond academics, extending to athletics and other activities the school offers. The school should reserve the right to modify its programs, curriculum, method of delivery, activities, and workforce at its discretion. This provision should help defeat claims of detrimental reliance by the parents that particular programs or particular offerings were the primary reason they are at the school. It should also give some leeway when unforeseen circumstances force the school to pivot to continue its work. [🔗](#)

The New Wave of Student Activism: Wisdom for Christian School Leaders

Following the assassination of Charlie Kirk, many young students have become newly energized about activism and are seeking ways to get involved. This presents Christian schools with a unique challenge and opportunity as leaders navigate whether to allow students to start a “Club America” (the high school chapter of Turning Point USA) on campus.

ACSI's legal team has provided initial guidance, but the question extends beyond compliance. What happens if you do—or do not—allow such a chapter? Inevitably, students who are passionate about civic engagement will seek outlets for their energy and convictions. If one avenue is closed, they may pursue others—perhaps creating their own debate organization or affiliating with another national group. School leaders are in a unique position to guide these students toward meaningful engagement that aligns with biblical principles.

If students are motivated to start a club, several national organizations offer free resources to help them do so responsibly. Many of the area representatives of these organizations will be more than happy to guide you on their resources. One to consider is Young Americans for Freedom (YAF), a conservative organization emphasizing the philosophical roots of conservatism. YAF provides a speaker bureau similar to TPUSA's, featuring many Christian voices who acknowledge the cultural significance of Christianity in shaping the conservative movement. Though not explicitly a Christian organization, YAF allows students as young as 13 to form or join high school chapters at no cost.

Another organization is Students for Life, which equips students to advocate for the unborn. The group offers apologetics training and helps students establish local campus chapters in coordination with regional representatives. Involvement often leads to participation in state or national March for Life events, creating opportunities for students to grow in both convictions and service to the mothers in their area.

However, it's also important to anticipate broader implications. As conservative activism grows among students, others with differing perspectives may seek equal recognition. For example, if a school allows a conservative chapter like TPUSA or YAF, it could face requests for groups such as Students for Justice in Palestine or Young Democratic Socialists of America, both of which have structured national networks.



Christian schools must therefore be clear on the *why*—the guiding philosophy behind approving or declining any student organization. Decisions should be rooted in a biblical worldview, not partisan alignment, and should aim to cultivate discernment, respectful dialogue, and moral courage among students.

Even if your school has not yet faced requests for clubs that challenge a Christian worldview, establishing clear criteria now is wise. The rise of student activism is likely to continue, and school leaders have the sacred opportunity to model thoughtful engagement, preparing students not just to lead movements but to lead well, grounded in truth and grace.

The New Federal Education Scholarship Tax Credit: What Parents Need to Know to Get Scholarships for Their Children

What Is It?

The One Big Beautiful Bill created a landmark new federal tax credit that helps families pay for private school, tutoring, homeschool expenses, and other education needs. The tax credit works through Scholarship Granting Organizations (SGOs)—nonprofits that award scholarships to eligible students.

Scholarship Uses

- Private school tuition and fees
- Tutoring and after-school programs

- Textbooks, supplies, and technology
- Special needs services
- Transportation assistance

How Do I Get a Scholarship?

Step 1: Confirm your state opts in.

- Each state must choose to participate. If your governor or legislature says “yes,” families in your state can benefit.
- Parents can check the governor’s website for updates.

Step 2: Apply through a Scholarship Granting Organization (SGO).

- SGOs are local nonprofits that distribute the scholarship funds.
- Consider applying through ACSI’s Children’s Tuition Fund.
- Once your state opts in, a list of approved SGOs will be posted by your state’s education department.

Step 3: Submit an application.

- Provide proof of income (tax return or pay stubs).
- Show your child’s school enrollment or eligibility for public school.

- List the expenses you plan to use the scholarship for (tuition, tutoring, supplies, etc.).

Step 4: Receive funds.

- If approved, the SGO will award you a scholarship that you can apply directly toward your child’s education expenses.

Key Dates

- Parents can begin to receive scholarships any time after January 1, 2027, but they are likely to be distributed in fall 2027.
- Applications will open once your state finalizes rules (check early in 2026).

How to Take Action Now

1. Call your governor and legislators and encourage them to opt in to the program.
2. Sign up for updates: Follow ACSI’s Advocacy Bi-weekly update at [ACSI.org/subscribe](https://www.acsi.org/subscribe).
3. Gather documents: Keep proof of income and education expenses handy for when applications open.
4. Consider donating to the Children’s Tuition Fund, for which you will receive a 100% tax credit, up to \$1,700. [👉](#)

CHOICES

Uber for Students: HopSkipDrive Rideshare Service Looks to Expand Alongside School Choice

By Norah Rami, Chalkbeat

When Melissa Zivicki’s local public school district offered a personalized ride service to transport her son to a private school for an individualized education program, she was initially skeptical.

“I thought it was really weird sending my kid with a stranger,” Zivicki said.

But if Zivicki drove her son to school, she said she would be late to work every day and have to leave her job early as well. It felt untenable. So she accepted the offer and before long began regularly sending her son to school through HopSkipDrive, a student-focused rideshare service.

Zivicki got more comfortable when she learned about



the company’s background checks, and she liked that she could follow her son using in-app mobile tracking. Plus, each morning, she’d get a text with a picture of her driver and the time that they would arrive.

Started in California in 2014, HopSkipDrive began as a

CHOICES

service to help busy parents get their children to soccer practice. The company now pitches itself as the solution for some of the biggest transportation problems in modern education.

The largest share of its business stems from students who have a federal right to school transportation but whose needs don't easily fit with the traditional yellow school bus transporting a lot of kids on a fixed route and schedule. These children include foster youth, homeless students, and students who have disabilities.

But HopSkipDrive also offers its routing software to school districts so they can [plot more efficient school bus routes](#) and sends drivers to far-flung neighborhoods to help schools boost their enrollment. In states across the country, it's lobbied to change laws so that it can contract with school districts—transporting some of the most vulnerable students—while being regulated more like Uber or Lyft.

And increasingly, HopSkipDrive is tying its business to the explosion of school choice. This year the company is expanding into Kansas, Florida, and Louisiana, where it's working on partnerships in Baton Rouge and New Orleans, which both operate districts that are nearly all charter schools. It's also adding service in Maryland, North Carolina, Oklahoma, and Texas.

"We're not going to figure out how to do choice equitably and at scale without making transportation part of the conversation," said Joanna McFarland, the founder and CEO of HopSkipDrive.

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Observers say HopSkipDrive and other companies like it fill a real need—school choice is only as good as students' ability to get to the school. But the expansion of HopSkipDrive also raises questions about cost, equity, student safety, and the growing privatization of school services.

The turn toward contracting with private rideshares coincides with a [decline in the number of bus drivers on the road](#). But experts are skeptical that the added cost of contracting with private rideshares represents a sustainable solution. School districts' transportation problems are driven in part by low wages related to ongoing budget challenges, which can be exacerbated when students leave neighborhood schools for other options.

"A lot of these solutions, although they might chip away at the problem, are not going to be as comprehensive," said Sebastian Hickey, an analyst at the Economic Policy Institute who has studied school transportation issues.

Personal Drivers for Vulnerable Students

Foster youth and homeless students protected under a federal law known as McKinney-Vento are guaranteed a federal right to continue at the same home school even after they move.

Schools are required to provide them transportation, but some foster students face a choice between an unsustainable commute and a stable education.

After just two weeks of driving her foster daughter to her home school around 20 minutes away from their house, Akira Bailey recalls feeling overwhelmed. Between gas prices, commute time, and driving another child to school, "I was like, 'Wait, I don't think that I can actually do this moving forward till the end of the year,'" said Bailey.

A co-worker recommended looking into HopSkipDrive. The school district covers the cost since her daughter is in foster care. Bailey now drops her daughter off at the nearby house of another foster student using the service so that they can ride to school together.

Kids who have to travel long distances to school often show up already tired, and they might miss out on extracurricular activities. For foster youth and homeless students there's an added stigma of taking specialized bus services, Bailey added.

Still, parents have understandable safety concerns about HopSkipDrive. And advocates for students with disabilities have raised questions about the lower level of training and regulation on HopSkipDrive when compared with school district bus drivers.

The company says the people they call CareDrivers all undergo comprehensive background checks and have at least five years of caregiving experience, which includes being a parent.

But HopSkipDrive's costs can add up, which limits which districts are able to contract with the service—and to what extent.

Despite using HopSkipDrive in the morning, Bailey's foster daughter takes the bus back home in the evening, which she doesn't like very much. But the district can't afford to offer a HopSkipDrive ride both there and back.

Transportation Can Make or Break School Choice

The expansion of school choice has complicated the transportation picture.

In some states, families are on their own if they want to enroll their children in charter or private schools.

CHOICES

In others, public schools are required to provide transportation for students attending private and charter schools. In Ohio, these mandates have [left many public school districts unable to transport their own students to school](#).

Partnering with public, charter, and private schools, HopSkipDrive is [one of many companies](#) building a new economy out of the growing movement for school choice and a broader fragmentation of education.

The company has lobbied in Missouri, Colorado, and Kansas to change state law to make it easier for school districts to use their services and worked with the Georgia State Board of Education to change transportation regulation. Louisiana just [passed a law](#) that allows the company to partner with school districts.

Students in New Orleans have lots of choices for their education, but no guaranteed enrollment at a neighborhood school. While in theory the system champions choice, transportation constrains families' realistic options, [a study from the Education Research Alliance for New Orleans found](#).

"If you can't get your kid to a school, that school isn't actually available to you," said Jon Valant, director of Brookings' Brown Center on Education Policy and a co-author of the study.

More choice also means more competition for students and the funding attached to them. HopSkipDrive pitches itself as a solution for families seeking more educational choices and as a solution to schools looking to increase enrollment in an increasingly competitive environment.

"Rather than cutting transportation as a cost issue, actually increasing transportation options can be a way of increasing enrollment," McFarland said.

In Arizona, HopSkipDrive helped Tolleson Union High School District, an open-enrollment district west of Phoenix, increase enrollment by transporting students who lived outside of their district boundaries. HopSkipDrive's private vehicles picked up around 200 students at their homes and dropped them off at the nearest school bus stop.

The district received a \$2 million private grant for the initiative. But after two years, the money ran out and the grant expired, forcing the district to end its partnership with HopSkipDrive.

In a statement, Tolleson Union said that while students and parents "loved" HopSkipDrive, "the price point was the only major hurdle." The district said the service would be a great program "if it was partially subsidized by the State with the parent opting in to cover the difference."

Hickey, the Economic Policy Institute analyst, worries that a loss of funding driven by school choice can make it harder for districts to solve their transportation problems by hiring more drivers or increasing pay.

HopSkipDrive says it has a solution: It offers an [AI-powered bus](#) routing software to deal with bus driver shortages and optimize district costs.

Students whose bus stops are cut can be shuttled to school in a private rideshare instead.

At One Charter School, Rideshares Remove Stigma

At KIPP Kansas City, nearly 6% of all students arrive in cars driven by HopSkipDrive drivers—some 60 students in kindergarten through 12th grade. Most of them are in foster care or homeless.

"It's been able to open doors for us to have a lot more diversity in the population we serve," said Shauna O'Brien Baska, director of student support services.

Though KIPP Kansas City also contracts with a traditional bus service for most students, it's considering expanding their HopSkipDrive offerings.

Since the cars are like any other, foster youth or students with housing instability aren't singled out in the carpool line. The flexibility of HopSkipDrive also allows these students to attend football practice, club meetings, and before-school activities.

KIPP Kansas City tried out a variety of other supplemental services prior to HopSkipDrive, including taxi cabs. But Baska said HopSkipDrive is far more reliable and cost-effective.

And since parents can track the whole ride from a mobile app on their phone, Baska can expect a call from parents asking why their child's rideshare hasn't moved if there's traffic in the carpool line. [U](#)

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Chalkbeat is a nonprofit news organization covering public education.



Parental Rights, School Choice ‘Hit a Tipping Point’

By Mary Mobley, [The Heritage Foundation](#)

More than half the nation’s students now live in states with [school choice](#), new data shows.

Over a dozen states made progress on school choice over the past year, including six that adopted [universal school choice](#) policies allowing all students to receive some form of funding to attend schools of their choice. Meanwhile, a full 25 states now incorporate a “parent bill of rights” affirming that parents, not the state, are the primary caregivers.

That’s according to [The Heritage Foundation’s 2025 Education Freedom Report Card](#), an annual report that ranks states based on how well they advance education freedom and school choice for families.

“Parents are properly the primary educators of children,” said Jason Bedrick, a research fellow at Heritage’s Center for Education Policy. “States should be implementing policies that empower parents to choose schools that align best with their values and work best for their children.”

That’s what Heritage’s scorecard seeks to encourage, according to its authors: evaluating states based on criteria like availability of school choice programs, academic transparency, and quality of civics education.

This year’s report card shows broad improvement across the board, with Texas and Idaho displaying the most growth. Texas, home to 11% of the nation’s children, just adopted a universal school choice policy this past year, helping the nation to reach what Bedrick called a “tipping point,” with half the students in the

country living in states with school choice.

Florida ranked the highest on the scorecard, outperforming all other states in all but one category.

Florida’s high score reflects its “staying true to a very simple principle: Education decisions belong to parents,” state [Department of Education](#) Commissioner Anastasios Kamoutsas told *The Daily Signal* Tuesday.

“Parents in Florida have been empowered, and they’ve been energized to get involved,” Kamoutsas said.

Over 1.4 million Florida students—out of 2.9 million total—now benefit from school choice. Over 155,000 are homeschooled—nearly double the number from a few years ago—400,000 use charter schools, and 500,000 benefit from private school scholarships, Kamoutsas told *The Daily Signal*.

But Florida and pro-school choice advocates don’t seem content to rest on their laurels.

Asked what changes he hopes to see next, [Jonathan Butcher](#), acting director of Heritage’s Center for Education Policy, said, “We’re at 25 states now that have a parent bill of rights. My hope is that would become 50.”

Kamoutsas says Florida’s next challenge will be tackling local pushback against school choice policies and passing legislation to provide accountability at traditional public schools. [WSL](#)

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The Responsibilities of a Christian School Board and the Perils of Overreach

By Jeff Mattner, Ed.D., ACSI Senior Director, U.S. Central Division

When I became the new regional/divisional director at ACSI some 15 years ago, my predecessor and his predecessor before him informed me that school board issues would occupy a disproportionate amount of my time. More specifically, the issues of board overreach and dysfunction would need to be addressed. I quickly learned the truth of what Dr. Ken Coley wrote, “The number one vulnerability in a Christian school community is the relationship between the head of school and the school board.”¹

In Christian schools, the school board plays a vital role in shaping the mission, vision, and long-term health of the institution. At the core of this responsibility lies a key principle: the board governs, and the Head of School leads. The head of school is the board’s only employee, entrusted with the implementation of policy, daily operations, and the leadership of staff and faculty. When a board oversteps this boundary—intervening in staff supervision or attempting to resolve interpersonal conflicts—it risks significant damage to school culture, leadership credibility, and organizational effectiveness.

Why do school boards comprised of wonderful people who love the Lord and are devoted to their school find themselves going down such a dangerous path? Often, it is due to ignorance; they haven’t been properly trained on their role. As policy governance guru John Carver stated, “The problem is that we are giving boards the wrong job ... we have watched intelligent people tied up in trivia so long that neither we nor they notice the discrepancy.”²

Properly delineating and adhering to the roles and responsibilities of the board and the Head frees the board from the minutiae of day-to-day operations and encourages them to fly at 30,000 feet, enjoying the benefits of thinking strategically, and it empowers the head to do her/his job without interference from the board.

The Proper Roles of the Christian School Board and Head of School

So, what is the appropriate role of the Christian school board and head? While some may add to this list, the board’s primary responsibilities include:

1. Protecting the school from mission drift
2. Hiring, supporting, and evaluating the Head of School
3. Establishing and promoting the strategic



- direction of the school
4. Ensuring financial health and policy governance
5. Praying for and spiritually covering the school community

The head of school reports to the board as a whole and not to individual board members, a crucial point to remember. Again, John Carver reminds us, “If the CEO (Chief Education Officer) must answer to one voice only, no individual board officer can have any authority over the CEO or other staff. Conversely, the CEO must answer to the board as a whole, not to individuals on the board... We will deliberate in many voices but govern in one.”³

The head of school is accountable to the board for educational leadership, spiritual guidance, administrative oversight, and setting the tone of the school’s culture. Specifically, the head’s responsibilities include:

1. Spiritual leadership
2. Vision and mission alignment
3. Academic oversight
4. Administration and operations
5. Financial and resource management
6. Community engagement

Adhering to this list of responsibilities, boards will avoid entanglement in the operational details of running the school, trusting the head of school to manage those responsibilities with competence and integrity.

The Dangers of Board Overreach

Despite the best of intentions, boards sometimes cross the line into operations, either by default, ignorance, or

because of emotionally charged interference by others. When board members bypass the head of school to deal directly with employees or intervene in conflicts, several negative consequences can follow:

1. Undermining the Head of School's Authority

When the board or individual members step into operational decisions, it sends a message that the head of school is not up to the task of running the school. This undermines the head's authority and creates confusion about leadership lines. No visionary leader will long endure a board's overreach.

2. Creating a Culture of Division and Distrust

Board interference in matters that should be relegated to the head often breeds division. Employees may feel caught between two authorities with competing agendas. When this happens, school personnel and/or others begin bypassing the head, creating disunity and confusion leading to an unhealthy culture. The resulting toxicity can damage morale, erode professional trust, and harm the school's witness to families and the broader community.

3. Encourages People to Act Unbiblically

Most schools have a Matthew 18 statement on biblical resolution that requires a concern to be addressed to those closest to the issue. But when boards begin entertaining complaints from staff, parents, and others without insisting on following this biblical principle, they are inadvertently encouraging people to act contrary to Scripture. In this case, the board often makes the situation worse by encouraging people to act without courage and integrity by avoiding difficult conversations to resolve interpersonal disputes. The Lord is not pleased when the governing body acts so recklessly.

Guardrails for Healthy Governance

To avoid these pitfalls, Christian school boards must

establish clear boundaries and healthy governance practices. Some of these include:

- **A board commitment (some call it a "covenant")** that defines the board's individual and collective roles, emphasizing the importance of speaking with one voice and respecting operational boundaries.
- **A clear policy manual** that outlines board and head responsibilities. Remember, while the board owns policy, administration is responsible for creating and updating procedural manuals that support board policies.
- **Regular board training** in governance principles and biblical leadership models. ACSI offers a variety of virtual and/or in-person board training opportunities that reinforce best practices in governance. Proper onboarding of new board members keeps the board consistently on track.

A Biblical Division of Leadership

The division of duties among leadership is nothing new and encouraged in Scripture. Exodus 18 gives a practical example of what I call the "Jethro Principle," where specific responsibilities were given to others to carry out effective and efficient leadership. Likewise, the apostle Paul teaches in 1 Corinthians 12 that the body of Christ works best when each part fulfills its unique function. Flourishing Christian schools are blessed with boards and heads who understand, respect, and adhere to their respective roles. When that happens, schools thrive, and our Lord is glorified. [🔗](#)

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- 2 John Carver, "Boards that Make a Difference," (1990)
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Artificial Knowing: AI in Education Is About Far More Than "Not Cheating"

By Emma Waters, Policy Analyst, Center for Technology and the Human Person at The Heritage Foundation

A middle schooler sits at her desk, tasked with writing a short story. She opens her school-issued Chromebook, types a single prompt into an AI chatbot, and within seconds, a decently written, creative story fills her screen. The teacher sees a completed assignment. The student learns nothing.

Yet, the greatest danger of AI in education is not that

it will help students cheat. It's that it will reshape how they think, learn, and even understand truth itself. My concern is that, when introduced too early or possibly even at all, AI will not *supplement* learning; it will *substitute* for it.

Just as we would never hand a teenager the keys to a car without driver's education, we should approach AI

with similar caution—especially for children and teens. There is an understandable excitement when it comes to AI in K–12 education. Some parents think it is necessary to equip their children for future jobs. Others, such as teachers, enjoy using it to supplement their content creation and create tests. Yet when AI comes up in education debates, the conversation often starts and ends with one concern: cheating. Some schools are shifting toward in-class handwritten assignments and even questioning the “busy work” model that often clutters K–12 education. While these adjustments address surface-level concerns, they don’t address the deeper question: How will AI shape how students think?

The problem is not merely that students may use AI to cheat on assignments—it’s that they may cheat themselves out of the very mental work that forms them into capable thinkers.

A recent *Nature Reviews Bioengineering* editorial, “Writing Is Thinking,” captures this danger well. Writing is not simply a way to display what we know—it is a way of *knowing*. The act of drafting, wrestling with ideas, revising, and refining forces the brain to process information, clarify thoughts, and form original positions.

A premature use of AI in education risks depriving students of that experience. As the editorial explores, writing helps us uncover “new thoughts and ideas,” think in a linear and structured way, increase brain connectivity, and improve overall learning and memory. These aren’t just academic skills—they are foundational to human intelligence.

Proponents of AI tools in education, like Google’s Gemini platform, often claim it will spark independent thought and creativity in children. At first glance, that sounds exciting. With free AI tools, we can write song lyrics and generate music that sounds real. We can design entire websites and graphics without ever opening Adobe. We can produce essays at any level—from middle school to postgraduate—tailored to any worldview or expertise. But are we really producing anything or simply delegating to AI?

While promising to foster creativity, AI actually risks hollowing it out. Matthew Crawford, a research fellow at the Institute for Advanced Studies in Culture at the University of Virginia, reminds us that true creativity requires mastery. You must *own* a subject before you can deviate from it.

A recent MIT study found that students using ChatGPT to write essays retained less information, felt less ownership over their work, and accumulated “cognitive debt” from over-reliance. Researchers even observed lower brain activity. For children’s developing minds, this doesn’t just



cut corners—it dulls the capacity for deep, sustained thought and critical thinking skills. In the study, students who relied on their brainpower to write essays had higher neural activity, felt more engaged and curious, and expressed higher satisfaction over their work.

One of the most revealing “telltale” signs of AI misuse is when scholars or experts publish unsubstantiated facts or cite claims with studies or legal codes that do not exist. These are AI-generated “hallucinations”—false or misleading claims delivered with complete confidence.

An adult might notice these mistakes and fact-check. A child usually won’t.

Moreover, the problem isn’t just what AI says—it’s what it leaves out. Unlike a physical library or a scholarly database, AI is not a neutral index of information. It curates, filters, and sometimes subtly rewrites. I’ve tested this myself: When I sent a paragraph praising a specific action by President Trump, ChatGPT lightly edited my text to remove his name, attributing the work to “Republicans in Congress.”

Such influence extends beyond politics. Large language models like ChatGPT have the power to narrow the range of thought available to a person—not just through errors, but by steering them toward certain interpretations and away from others. In this way, AI can quietly replace truth-seeking with narrative-shaping.

Real education isn’t about completing assignments, nor is it merely about the accumulation of knowledge but about maturing in wisdom. As the Psalmist says, “Teach me to number my days, that I may gain a heart of wisdom.”

While AI may have limited educational uses, such as generating practice exercises, offering examples, or helping brainstorm, it should remain a supplemental tool and not a substitute for the hard but necessary work of cultivating wisdom. [WU](#)

This piece originally appeared in World Magazine.

Beyond the Bank: Two New Funding Tools for Christian Schools

By Andy Andrews, Esq., Jesse Roberts, Esq., and James Forrest, Esq., Michael Best & Friedrich LLP (michaelbest.com)

Christian schools often rely on capital campaigns and bank loans to fund major projects. But two lesser-known tools—Real Estate Pooled Income Funds (REPIFs) and Tax-Exempt Bonds—offer new ways to raise capital, engage supporters, and align financial strategy with mission.

These tools:

- Access new pools of capital
- Reduce the need for large upfront fundraising
- Offer tax benefits to supporters
- Encourage long-term investment and engagement

The tradeoff? *Complexity*. But for the right school and project, these tools can make a “too big” vision achievable—and they can be used alongside traditional fundraising.

Understanding the Tools

1. What Is a REPIF?

A **Real Estate Pooled Income Fund (REPIF)** is a type of charitable trust that:

- Aggregates contributions from donors
- Invests in real estate (e.g., school buildings)
- Provides donors with a tax deduction and income stream over time
- Eventually transfers the property to a charity (the school or church)

How it works:

- The trust is managed by a public charity.
- Donors are also trust beneficiaries.
- The trust purchases and rents real estate to the school or church.
- The school/church pays for the project from operational funds.
- Rental income is distributed to donors for a set period.
- After that period, the property is donated to the school or church.

This model allows donors to **invest and receive income**, rather than simply donate.

2. What Are Christian School Bonds?

Christian school bonds are **tax-exempt municipal-style bonds** issued to benefit Christian schools or



groups of schools. They are:

- Issued through a conduit (e.g., a state authority)
- Sold to public or institutional investors, as well as school supporters
- Often offer lower interest rates than bank loans
- Avoid loan-to-value (LTV) limits (no large down payments needed)—in other words, up to 100% financing
- Are more liquid than a private loan or bank loan, and investors can sell them if needed

Why schools prefer bonds:

- Access to capital markets without restrictive bank terms
- Broader participation from supporters
- More flexible than private loans
- Tax-exempt interest for investors
- Greater flexibility and scalability

Why Are These Alternatives Needed?

Four key trends are driving interest in REPIFs and bonds:

- 1. Construction Costs** – New builds and renovations are increasingly expensive.
- 2. Interest Rates** – Traditional mortgage rates remain high.
- 3. LTV Requirements** – Banks often cap loans at ~65% of project value, requiring large upfront fundraising.
- 4. Commitment & Church Shopping** – Schools want to foster long-term commitment from families and congregations.

These tools offer a way to **fund projects without overburdening donors or leadership**, while

AT ISSUE

encouraging deeper engagement.

Legal Background: Can Christian Schools Issue Bonds?

Yes—and recent U.S. Supreme Court decisions have made that clearer than ever.

The Constitutional Framework

The First Amendment of the U.S. Constitution contains two religion clauses:

- **The Establishment Clause** – Prevents the government from establishing a religion.
- **The Free Exercise Clause** – Prevents the government from interfering with religious practice.

Additionally, many states have “Blaine Amendments” in their *state* constitutions, which go further than the *federal* establishment clause by prohibiting public funds from benefiting religious institutions. These have historically been used to exclude religious schools from some public benefit programs.

Three Important Cases

1. *Trinity Lutheran Church v. Comer* (2017)

Missouri denied a church-run preschool access to a public playground resurfacing grant solely because it was religious. The Court ruled this violated the Free Exercise Clause.

2. *Espinoza v. Montana Department of Revenue* (2020)

Montana created a tax credit scholarship program but excluded religious schools. The Court ruled that once a state offers a generally available benefit, it cannot exclude religious schools simply because of their religious *status*.

3. *Carson v. Makin* (2022)

Maine offered tuition assistance for students in rural areas without public schools—but excluded religious schools based on the proposed religious use of funds. The Court again ruled this exclusion unconstitutional.

What This Means for Bonds

These cases collectively affirm that religious organizations cannot be excluded from generally available public benefit programs, such as tax-exempt municipal bond programs.

As a result:

- Bond counsel, underwriters, and conduit issuers are now comfortable including religious schools.
- Christian schools can access the same capital markets as secular nonprofits.
- Legal precedent supports equal treatment under the

Free Exercise Clause.

Advantages of REPIFs and Bonds

Financial Flexibility

- **No LTV Limits** – Avoids the need for a 35%+ upfront fundraiser.
- **Aligns Cost with Asset Life** – Spreads cost over time, paid through operating budget. Very important for schools. High attention and engagement come from families of current students. Major drop-off after graduation. Building projects are long term. REPIFs and Bonds help address that timing misalignment.

Supporter Engagement

- **Timely Participation** – Families benefit during their child’s enrollment, not after.
- **Investment vs. Donation** – Supporters can contribute to capital projects from their “invest” budget and to operations from their “donation” budget.

Example: Timelines are important. Key supporters are families of *current* students and families *currently* attending a church. The PTA president’s star football player son will graduate in ~2 years. That new football complex won’t be completed for three years. The REPIF changes that conversation. Now, that new football complex will grow the program and the increased revenue will benefit that family for years to come. Also, you avoid asking for a big donation when college tuition is on the horizon for many families.

Reduced Risk of Excess Influence

- **Layer of Separation** – REPIFs are managed by a charity, bonds by a trustee.
- **Liquidity** – Bonds can be sold; REPIFs offer income over time.

In contrast, a private loan from one or two key families gives them outsized influence on school or church decision-making.

Congregational Investment

- Encourages families to invest time, talent, and treasure
- Builds long-term commitment and reduces volatility from minor disagreements
- Fosters generational loyalty to the school and church

Capital Campaigns: A New Perspective

Traditional campaigns ask families to stretch their “giving” budget. Realistically, that giving budget can

AT ISSUE

only stretch so far, especially since a building campaign will be for assets enjoyed long after current students graduate.

REPIFs and Bonds Offer a New Option

Supporters can contribute from their “invest” budget, receiving a return while supporting the mission.

This model:

- Broadens the base of contributors
- Encourages sustained engagement
- Reflects a more biblical model of stewardship and shared responsibility

Is This Right for Your School?

These tools invite families and church members to **invest in the mission**, not just donate. They offer a sustainable, mission-aligned model of support.

Key Questions:

- Do we have a strong base of mission-aligned supporters?
- Can we manage the legal and financial complexity to get these benefits?
- Would a pooled investment model reflect our community’s values?
- Are we in a state where legal precedents apply clearly?

Christian schools are entering a new era of financial strategy. Thanks to legal clarity and innovative models like REPIFs and bonds, schools can pursue bold visions without relying solely on traditional fundraising.

These tools align **mission, stewardship, and financial prudence**—and they may be the key to unlocking your next big project earlier than you might expect. [UU](#)

Faithfulness in the Little Things: The Vital Role of Pediatrician-Completed Emergency Care Plans

By Althea Penn, PDS, NAC, ODP, ACSI Director of Early Education

Kevin’s* mom attached an Emergency Care Plan (ECP) and a four-page list of trigger foods to his enrollment application, noting his severe allergies. This began a daily quest involving reading labels of anything he or his classmates brought into the school. Any slip meant he would be admitted to the hospital for observation for at least 24 hours, putting his life at risk.

The minute each child steps onto your property, you become responsible for their welfare, and the landscape of education has shifted dramatically, requiring school leaders and educators to elevate their competency in numerous health and safety protocols. Gone are the days when chronic medical conditions were rare in the classroom. Today, we must demonstrate mastery in addressing the needs of students with special healthcare needs as a core component of the Kingdom education mission. Upholding this standard is not just a legal duty but a sacred trust and a calling to care for the “least of these” (Matthew 25:40). A proactive, not reactive, approach is essential for every child, especially those with special healthcare needs.

This imperative is driven by the reality of rising diagnoses, such as:

- **Food Allergies:** Approximately 5.8% to 8% of



children have a food allergy, roughly two students per classroom (Zablotsky et al., 2023). Over 40% of these children have experienced a severe allergic reaction (anaphylaxis) (Food Allergy Research & Education, 2023). Food allergy is the most common cause of anaphylaxis in schools, and tragically, about 25% of severe reactions occur in children with no prior diagnosis (American Academy of Pediatrics, 2025).

- **Asthma:** About 1 in every 10 school-aged children has asthma, contributing to millions of missed school days annually (Centers for Disease Control and Prevention, 2023).
- **Special Healthcare Needs:** Nearly 1 in 5 children (approximately 14.1 million) have special healthcare

needs, encompassing conditions like diabetes, developmental delays, and mental health issues (Maternal and Child Health Bureau, 2022).

- **Diabetes:** The incidence of Type 2 diabetes among children has nearly doubled in recent years, alongside the persistent concern of Type 1 diabetes (National Institute of Diabetes and Digestive and Kidney Diseases & MedlinePlus, 2025).

The Unlicensed Practice of Medicine and the Biblical Duty of Care

Our calling demands *watchful oversight*, defined as the prudent, intentional, and constant supervision of the environment, curriculum, and students to actively prevent foreseeable harm. This readiness mirrors the biblical call to be prepared for the Lord's return, finding our integrity in the details, even when no one is watching. A fundamental principle for all non-medical school staff is: Do not practice medicine without a license. Staff implement *written medical orders*; they do not diagnose, adjust dosages, or decide treatment. Failing to follow medical orders places the child, staff, and school at severe legal and ethical risk. This principle aligns with the biblical duty of care: "The prudent sees danger and hides himself, but the simple go on and suffer for it" (Proverbs 22:3).

Our duty is to follow the expert instructions of licensed physicians. Emergency Care Plans (ECPs) should be on file for any exceptional need and must be completed and signed by a licensed physician, not a parent. Due to the ever-changing nature of children's development and health, ECPs should be formally reviewed and updated at least every 90 days, or immediately following any medication or diagnosis change. This crucial documentation can be obtained via fax or email from the physician's office with parental consent.

It is best practice and often a regulatory requirement to obtain physical exam results and immunization records upon enrollment. National Health and Safety Performance Standards (*Caring for Our Children*) and the U.S. Department of Education (USDOE) summaries of state regulations for private and home schools endorse this baseline health data as essential for identifying chronic conditions and ensuring a healthy environment (American Academy of Pediatrics et al., 2019; U.S. Department of Education, 2025).

The Cost of Absence: Case Studies in Policy Failure

The absence of a physician-signed ECP or a failure in protocol can have tragic consequences, underscoring

the legal necessity of preparedness.

Tragedy Due to Lack of Protocol and Administration

The death of two-year-old Elijah Silvera in New York City serves as a harrowing example of protocol failure. Elijah, who had a severe dairy allergy, suffered a fatal anaphylactic reaction at his preschool. The ensuing legal action highlighted allegations that staff failed to recognize the severity of the reaction and, critically, failed to administer his prescribed epinephrine auto-injector (EpiPen) in a timely manner (Leibel, 2018). This tragedy proves that medication alone is meaningless without clear, physician-signed orders that mandate immediate treatment.

Policy Gap on Medication and Responsibility

Systemic vulnerability also arises from unclear policies regarding parental responsibility. In the case involving a student named Benedict, whose mother provided an EpiPen, policy gaps often centered on staff training and administration clarity (The Allergy Team, 2025). Lawsuits demonstrate that policies often fail to clearly mandate *which staff* are trained and authorized to administer medication. A clear policy must explicitly state the parent's responsibility to provide the pediatrician's contact information, the up-to-date ECP, and the medication, making attendance conditional on that provision.

Refusal to Administer Medication and Religious Exemptions

The Cumberland Academy settlement is a cautionary tale. The U.S. Department of Justice (DOJ) alleged that the facility discriminated against a child with asthma by refusing to allow the child to keep an inhaler or permit staff to administer emergency treatment, violating Title III of the Americans with Disabilities Act (ADA). The center was required to change its policy to accommodate the child's medical needs and obtain a care plan and medical authorization form (U.S. Department of Justice, 2025).

Title III of the ADA prohibits discrimination by places of "public accommodation," including most private schools and childcare centers. While the ADA exempts religious organizations, ACSI schools are strongly encouraged to adhere to ADA principles as a matter of Christ-like compassion and prudence. A policy of exclusion based on disability breaches the biblical duty of care and still invites legal challenge.

Training Requirements and Resources

To ensure that staff can faithfully execute ECPs and comply with national best practices, rigorous training is essential. Training must align with the National Health and Safety Performance Standards (*Caring for Our Children*) and typically includes the following:

- Techniques for recognizing symptoms of anaphylaxis, asthma, and other conditions
- Standards and procedures for the emergency use and storage of all medications (e.g., Epinephrine, Glucagon)
- Emergency follow-up procedures (i.e., calling 911 immediately after administering epinephrine)
- Instruction and certification in pediatric and child cardiopulmonary resuscitation (CPR) and basic first aid

ACSI members have access to numerous Professional Development (PD) opportunities, including the required four-hour Health and Safety training, available on the ACSI accreditation and PD on-demand websites.

Emergency Care Plans

Structured, physician-backed care plans exist for various chronic conditions:

Condition	Care Plan Type	Model Resource (Physician Signature Required)
Food Allergy	Allergy & Anaphylaxis Emergency Plan	https://www.foodallergy.org/sites/default/files/2021-08/FARE-allergy-action-plan-form-2021-english.pdf
Asthma	Asthma Action Plan	https://www.lung.org/getmedia/aa8ce6f5-667e-4726-b4ab-8ac8d5d448e4/fy20-ala-asthma-action-plan_home_school.pdf
Diabetes	Diabetes Medical Management Plan (DMMP)	https://www.diabetes.org/sites/default/files/2020-03/2020%20DMMP.pdf
Other	Special Health Care Plan	https://static.virtuallabschool.org/activities/healthy/PS_Hea_7.SpecialHealthNeeds_A1.CarePlanTemplate.pdf (General Template)

Obtaining an emergency care plan and implementing these best practices is not about avoiding litigation; it is about honoring the commitment to God's children. We are to shepherd the flock of God by adopting rigorous, evidence-based guidelines for serving students with exceptional needs, not turn them away (1 Peter 5:2; Matthew 10:14). If we are to hear "well done, my

good and faithful servant" at the Lord's return, faithful stewardship entails this critical competency (Matthew 25:21). This divine mandate compels us to treat the students entrusted to us and all details of our service as acts of worship. We commend you for striving for this high standard every day. [🙏](#)

**Student's name changed for confidentiality purposes.*

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How AI Is Sparking Questions About the Purpose of Education

By Tom Griffin

Artificial intelligence and advancing technologies are on the rise. No new news there.

However, the type of technology we are seeing and the capabilities it has are ever new. Large language models like ChatGPT, Grok, and DeepSeek are replacing the need for search engines and [making life more manageable](#) for countless people around the globe. From aid with email responses to writing cover letters for resumes to one-on-one tutors and brainstorming assistants, these tools are revolutionizing the human experience—for many.

Increased technological power ought to cause the human person to reflect on life in a different way. The rise and influence of AI is causing many to consider deeper philosophical questions. What does it mean to be human? If a machine has more knowledge than I do, is it better than me? What jobs will AI replace? What is the purpose of education if machines can relay any fact we need and accomplish any intellectual task much quicker than human beings?

Dissecting the true foundation of things is critical for the human person. For this reason, St. Thomas Aquinas opened his “Summa Contra Gentiles, Book One” with this quote from [Scripture](#): “My mouth shall meditate truth, and my lips shall hate impiety” (Prov. 8:7). The closer we approach the reason for the existence of reality and the more we understand what it means to be a human person, the more fulfilled we will become.

As a department chairperson at a high school on Long Island, this is where AI hits home. My school is consistently investigating how to utilize artificial intelligence in the context of education. Ultimately, these technologies are presenting a healthy challenge for educators. It is forcing us to consider what our purpose is in relation to students and what a successful education is all about.

Great teachers are not merely funnels of information. What students remember about their teachers is the way they paid attention to them. Our favorite teachers from our childhood were [compassionate, patient, and challenging](#). They were fully human. There was a way they looked at us when we were not on task and a way they returned our work to us when we received an “A” for a challenging assignment or test.



Artificial intelligence can relay information. These large language models are mimic machines; they are not conscious thinkers. They are the shiniest technology known to man, but they are still tools of our creation. These machines can regurgitate massive amounts of details and facts. There can be a place for its use in small pockets of guided instruction in the classroom, but the main portion of student-to-teacher interaction ought to be human because education is not just about learning.

Education is not about a piece of paper (a diploma) that enables a student to arrive at a distinguished university so that this student can receive a high-paying job upon graduation from that university. Unfortunately, this is the mainstream concept of education. This flawed conception of education is the purpose for which parents send their children to school.

The foundation of education, however, is much richer. Education is not a robotic enterprise. It is not concerned with a step-by-step mechanical process that arrives at the achievement of simply completing the grade levels required. It is not about gaining a career with an abundant salary either. True education is formation. True education is concerned with obtaining the good and reaching the truth. Goodness and truth are what the human person is made for. Possessing them is the goal of education.

School is only impactful and only breeds inspiration for its students if it captivates the learner through their [entire](#)

human ethos. No advanced technology can accomplish that encounter between persons. That is why Merriam-Webster Dictionary defines technology as “a manner of accomplishing a task, especially using technical processes, methods, or knowledge.” The “task” that AI accomplishes in a mechanical way is education. However, true learning is never artificial, nor is it a system of mechanics.

So, as the school year carries on around the country, we ought to reflect on how we desire our children to utilize AI. Due to the known negative impacts of screen use

and the isolating temptation of using technology over interacting with other living and breathing human beings, there must be continuous discernment on how to best use AI to form the next generation of Americans.

Education is the avenue for forming the minds and hearts of the future. So, let's remain rooted in true education and go back to forming, because there are young people waiting to be changed forever by the human interaction of teacher and student. [W](#)

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Different Gifts, One Mission

By Autumn Faulkner, MPA, ACSI Director for State Policy Engagement

As followers of Christ, we affirm that the body of Christ is made up of believers with different talents and abilities, each given specifically for God's glory. 1 Corinthians 12 reminds us that every believer has a role to play, functioning as different parts of one body, each part essential to the whole.

We affirm this truth in our classrooms, too. We know that some students learn best through visuals, others through practice, and others by reading. If we recognize these different forms of learning and serving—two areas central to us as believers and educators—why wouldn't we apply that same understanding to every part of our lives?

When it comes to activism, we often treat it as a one-size-fits-all model, but that simply isn't true. Some are gifted at speaking boldly with legislators, while others shiver at the thought of talking to a legislative aide. Some thrive on combing through every “and,” “or,” and “if” in a piece of legislation, while others come alive when communicating a message or organizing people toward a goal.

Recent cultural events have shown this more clearly than ever. When one major activist steps away, the work doesn't stop, because others step up with different gifts. Some reach new audiences, some organize quietly behind the scenes, and others communicate the mission in creative, bold ways.

If we truly believe that each of us is created with divine purpose and unique talents to advance God's Kingdom, then advocacy should reflect that, too. Activism is not a scale where one part matters more than another. Just as in 1 Corinthians 12, no part of the church body is of greater worth; all work together for God's glory. From the fearless sign-holder to the faithful letter writer, there is a place for everyone.

Here are a few ways you might get involved in advocacy.



Chances are there are people with one or more of these gifts for advocacy at your school:

- **Host a lawmaker.** Invite a legislator to your school or visit their office—perfect for those gifted with hospitality.
- **Track policy.** Monitor legislation and alert your coalition—ideal for those who love research and details.
- **Join a coalition.** Build alliances with other groups—great for those who excel at making connections.
- **Write or speak up.** Share letters, op-eds, testimonies, or personal stories—best for those who can use words to persuade and inspire.

Showing up at the Capitol, rallying with like-minded believers, writing, connecting, researching—all are acts of obedience and stewardship of the gifts God has given. When we work together, using our gifts in unity, it's a beautiful reflection of the body of Christ, each part doing its work for His glory. [W](#)

ANONYMOUS TIPS

Guidance from the Department of Education on Equitable Services for Private Schools and Implications of Federal Financial Aid

Q: If eligible private schoolchildren or educators receive equitable services under a covered ESEA program, is the private school subject to federal requirements under the applicable program?

A: No. The equitable services requirements apply to the LEA providing the services. In fact, the Department may not permit, allow, encourage, or authorize any federal control over any aspect of any private, religious, or home school. (ESEA section 8506(c))

Q: Does receiving equitable services under a covered ESEA program make a private school a “recipient of federal financial assistance”?

A: No. A private school is not a recipient of federal financial assistance by virtue of its children or educators receiving equitable services under a covered ESEA program. Typically, an LEA or other eligible

entity is the recipient of federal financial assistance under a covered ESEA program and is responsible for implementing the respective program in accordance with applicable laws and regulations. A public agency must control and administer the funds and keep title to materials, equipment, and property purchased with them; in other words, no funds may go directly to a private school. (ESEA section 8501(d)(1)) As a result, certain Federal requirements that apply to a recipient of Federal financial assistance are not directly applicable to a private school whose children or educators receive equitable services under the program, unless the school receives Federal financial assistance for other purposes.

See the full guidance doc at <https://www.ed.gov/media/document/title-viii-part-f-of-elementary-and-secondary-education-act-of-1965-equitable-services-eligible-private-school-children-teachers-and-other-educational>

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When Does FERPA Apply to Christian Schools?

By Rebecca A. VanDeMark, Public Policy & Legal Affairs Specialist, ACSI

The Family Educational Rights and Privacy Act (FERPA) is a federal law that protects the privacy of student education records. It is often referenced in both public and private school settings, but confusion remains about when, if ever, FERPA applies to private Christian schools. Understanding this distinction is vital for school leaders who seek to honor their legal obligations in protecting student privacy and maintaining parental trust.

The Scope of FERPA

FERPA applies to all educational agencies and institutions that receive funds from programs administered by the U.S. Department of Education. This includes nearly all public schools and most institutions of higher education. The law grants parents (and students once they turn 18 years old) the right to inspect and review education records, request corrections, and control, to some degree, the disclosure of personally identifiable information.

However, because Christian schools are privately funded, FERPA's reach is not as overarching as it is for public schools. FERPA's reach stops where federal funding does not go. Christian schools that do not receive direct or indirect funds from the U.S. Department of Education are not legally required to comply with FERPA. This distinction is explicitly recognized in 34 C.F.R. § 99.1, which states that the regulations apply only to institutions receiving Department of Education funds under any applicable program.

When a Christian School Might Fall Under FERPA

There are a few limited circumstances in which a Christian school may be subject to FERPA:

- 1. Receipt of Federal Education Grants:** If a Christian school participates in a federal grant program, the school does become subject to FERPA for the duration of that funding.
- 2. Indirect Federal Funding:** Occasionally, a Christian school may receive federal funds indirectly—through state or local education agencies—for specific programs. In such cases, careful legal review is needed to determine whether those funds trigger FERPA compliance obligations.
- 3. Affiliated Programs:** Some Christian schools operate affiliated entities, such as early college

partnerships or dual-enrollment programs with public institutions. When these programs involve the exchange of student records with a FERPA-covered entity, FERPA compliance standards may apply in that specific context.

Privacy Beyond Compliance

Even when FERPA does not apply, Christian schools should still maintain best practices that mirror FERPA's intent. Protecting student privacy is both a matter of legal prudence and biblical stewardship. Scripture reminds us that "it is required of stewards that they be found faithful" (1 Corinthians 4:2). Upholding confidentiality and protecting student records are tangible ways schools demonstrate integrity and respect for the families they serve.

Policies should clearly define who has access to student records, how records are stored and shared, and under what conditions information may be released. Many ACSI schools choose to voluntarily align certain procedures with FERPA standards—not because they are legally obligated to do so, but because it supports their mission and maintains the confidence of their school community.

Practical Steps for School Leaders

To strengthen your school's privacy practices and ensure clarity regarding FERPA's reach:

- **Verify Funding Sources:** Confirm whether your school receives any direct or indirect federal funds that could trigger FERPA applicability.
- **Review Record Policies:** Establish clear written policies that define access, retention, and disclosure of student records.
- **Train Staff and Faculty:** Conduct annual training on confidentiality standards, including handling of sensitive student information.
- **Align with Best Practices:** Even if FERPA does not apply, consider adopting portions of FERPA's structure—such as parental access rights and secure storage procedures—to reinforce trust and professionalism.
- **Consult Legal Counsel:** When in doubt, seek legal guidance to determine whether specific grants or partnerships create a FERPA obligation. [🔗](#)

ANONYMOUS TIPS



The **2025 Public Policy & Advocacy Summit** brought together more than 150 Christian educators to learn how to advocate for Christ-centered schools, network with other leaders, and hear important legal updates. Many attendees were also able to schedule meetings with members of Congress or their staff while on Capitol Hill, including students from Christian high schools who participated in the student track at the Summit. The keynote speeches from Dr. Os Guinness and Rebecca McLaughlin also highlighted what has become a cornerstone annual event for the Public Policy & Legal Affairs Team and ACSI as a whole. You can learn more about the 2026 Summit here: acsi.org/summit26. [W](#)

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NATIONAL NOTES

ACSI's D.C. Summit: A Powerful Witness & Excellent PD

ACSI's annual Public Policy & Advocacy Summit in Washington, D.C., Sept. 15–17, 2025, was a great success. It was our largest attendance, with over 200 attendees, stellar speakers, and more practical meetings with Congress than ever to press ahead on policy. The gala opening banquet featured Dr. Os Guinness and Dr. Rebecca McLaughlin.

Guinness drove home the importance to modern civilization of standing for the truth—an objective reality reflecting the love of God Himself. He keyed off points that he eloquently makes in a powerful new video co-sponsored by Focus on the Family and the Colson Center called “Truth Rising.” (See it at www.truthrising.com.) McLaughlin challenged leaders with Bible-based insights on helping the rising generations impact culture. She was featured as a speaker in the Summit's first-ever student track. The student track was small and experimental; it was also such a success that ACSI will repeat it—bigger and better!—in 2026.

The Summit's first full day, always a Tuesday, is a

workday of briefings by experts on the issues of the day, instruction regarding how to have meetings with elected officials, and presentations of other inspiring content. We spent the morning in the Capitol hearing from policy experts on school choice, religious freedom, and a special greeting from Hannah Earl, director of the U.S. Department of Education's Faith Office. We celebrated the passage of the new federal tax credit scholarship law and learned how to approach Congress to make needed improvements. We also discussed the possible abolition of the Department of Education and the needed legislative priorities to ensure private schools aren't “accidentally” defunded in the most talked about process of creating federal grants to the states.

The afternoon briefing also featured greetings from five members of Congress, who included the sponsor of the original tax credit scholarship legislation, Rep. Adrian Smith (R-NE), and the chairman of the House Values Action Team (VAT), Rep. Robert Aderholt (R-AL). Senator Marsha Blackburn (R-TN) gave a warm

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NATIONAL NOTES

welcome to the Summit and even made a point of inviting her constituents up so the Tennesseans could all get photos! Sen. Rick Scott (R-FL) offered inspiring remarks and got a loud welcome from the sizable Florida contingent. Rep. Tracey Mann (R-KS) was a special feature given his close connection with ACSI's own Dr. John Walker, superintendent of Central Christian School in Hutchinson, Kansas. Walker earned ACSI's Advocacy Award at this year's Summit for his Christian school policy leadership in Kansas. ACSI gave special recognition in a second award at the Monday banquet to American Christian Tours (ACT), which has been faithfully serving the Summit for over 12 years, back when it was a curated invitation-only event. Now when we're big and public, ACTS has provided valuable, expert service in transporting attendees to Capitol Hill and back to the hotel. Amazing.

Afternoon sessions back at the hotel included "how to" have a meeting with your congressman, ACSI's focus on state-level advocacy, and a special word from Phil Hills, ACSI of Western Canada's retiring director. Hills' presentation was another taste of ACSI's global reality; he discussed how Christian education principles work in Canada and helped the mostly American audience both to dream big and be ready for challenges. He wasn't our

only global participant: our keynote speaker at Tuesday's dinner was none other than Steve Beegoo, Head of Education at Christian Concern, UK. Beegoo brought a powerful message on the importance and impact of policy engagement: he described successes and challenges that Christian Concern has achieved through the power of God simply by showing up, standing up, and salt-and-light-ing up.

The next morning, Wednesday, everyone went to the Hill for meetings with Members of Congress and/or their staff to talk about our legislative priorities. This year, we had record participation, a real victory in many ways since, of course, putting into practice what we've learned is key. The purpose of the Summit is to dispel the fear of the unknown and to advance policy beneficial to Christian education. This professional development opportunity is one that every school leader should engage in. We look forward to seeing you at next year's Summit 2026 in Washington, D.C. Mark your calendar now for September 14–16, 2026! We're looking forward to the good counsel we'll receive from Kristen Waggoner, president, CEO and general counsel of Alliance Defending Freedom.

See this excellent [short video summary](#) of the Public Policy & Advocacy Summit 2025 for inspiration! [UUU](#)

[Continued from Page 24]

4. Have an additional "agreement" between the school and the parents that includes a number of the specific requirements outlined below.
 - Both parents are to sign the agreement, and both are to uphold it.
 - Advise the parents that the goal of the school is to provide a safe and secure environment for all students, and therefore, the school's requirements are designed to do this. There are no negotiated terms; it is this or nothing.
 - The school will not permit the parent who is listed on the registry to volunteer under any circumstances.
 - The registered parent may not attend activities or functions without other adults present, and the school must be notified in advance if the registered parent is to attend so appropriate supervision for the registered parent can be provided. Supervision shall include an adult of the same sex and extend to reasonable supervision of bathroom facility use when such facilities are open for student use.
 - The students' teachers will be apprised of the listing

on the registry and will maintain a "lookout" for any breach of the agreement.

- No students of XYZ school or said students' siblings may stay overnight at the parent's home. No students or siblings may spend any time at the parent's home without the continual presence of another adult.
- Advise the parents that while the school will not publicize the listing on the registry, the school may, in its sole discretion, depending on the circumstances and possible harm to other students, publicize or announce that the parent is listed on the registry and advise the other school parents and community of the requirements and restrictions.

Schools should take note that they cannot require a volunteer or a staff member to supervise the registered parent and that when supervision takes place there is a greater threat of direct liability if something happens while the registered parent is being supervised by a representative of the school.

Ultimately, the school must weigh the opportunity to minister to the family with the risk of harm. [UUU](#)



CLOSING ARGUMENTS

Sex Offenders as Parents?

Q: Parents recently came to the school wanting to enroll their children. There was nothing in the application or later in the personal interview that raised any concerns. However, another parent reported that the father was on the state's sex offender registry. Do you have any suggestions on how the school can or should address this?

A: Your question is very timely. It seems that over the last few years, more and more member schools have had to deal with this issue. There are several aspects to consider in addressing the question. First, in the current environment, Christian schools must consider the legal and public relations effect of having a student in the school whose parent is listed on the registry. For example, should the parent commit any act toward another student, even outside school hours, it is very likely that the school would face liability. Thus, the safest course legally to reduce any risk is to not accept the student. In addition, when parents of other students learn of the presence of the parent in the school community, the results could be significant adverse publicity and student enrollment withdrawals. As a result, the school may conclude that the risk is not worth the benefit. *We would suggest that schools have a total exclusion against enrollment if the parent's conviction is against a minor or if the parent is still on probation.*

However, should the school decide to enroll the

students regardless, there are a number of actions the school should take. Our suggestions are as follows:

1. Check state laws regarding registered offenders and prohibited proximity to schools. Additionally, there may be further restrictions as a condition of the registered parent's release if there is still a probation order.
2. Obtain and review any relevant court orders or public records, including a full background check, before enrolling the student.
3. Consult with the school's insurance provider to see what, if any, consequences enrolling this student will have on the school's coverage and premiums.

[Continued on Page 23]



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