

RELIGIOUS SCHOOLS AND EDUCATORS FILE BRIEF IN SUPREME COURT CASE INVOLVING TITLE IX RULEMAKING ON TRANSGENDER ISSUES

Washington, DC – First Liberty Institute filed an *amicus* brief with the U.S. Supreme Court today in the case of *Gloucester County School Board v. G.G.*. The brief was filed on behalf of 22 religious educational institutions and educators, including multiple highly respected Catholic schools and the Association of Christian Schools International, which is the largest Protestant educational organization in the world. The religious educators asked the Court to protect the schools’ right to operate according to their beliefs.

[Read the brief](#)

The case of *Gloucester v. G.G.* centers around an informal, private letter sent to a transgender high school student in the Gloucester County School District. The letter said that because Title IX requires schools to offer equal-quality facilities to both sexes, schools must allow students to use the bathrooms and locker rooms of whichever sex they identify with, or else the school could lose its federal education dollars.

“The public has paid a lot of attention to how this case affects public schools, but one very important category of educational institutions has been overlooked – private, religious schools,” Kelly Shackelford, President and CEO of First Liberty Institute, says.

In the brief, First Liberty Institute argues that the First Amendment requires faith-based schools and educators to be able to voice their concerns about policies before the government enacts them. That process was not followed with the policy in question in the *Gloucester* case, prompting the schools to ask the court to reverse the lower court’s opinion.

“Do we really want to legalize a policy that could cause faith-based schools to be stripped of their Title IX federal funding, without giving them any voice in the matter?” Shackelford asks.

“The Cardinal Newman Society seeks to promote and defend faithful Catholic education,” Patrick Reilly, President of the Cardinal Newman Society, explains. “We are simply asking the Supreme Court to respect religious educators’ First Amendment rights to allow them to teach and live out their deeply held beliefs without punishment or penalty.”

The signatories on the brief include:

- **Religious Organizations**
 - Association of Christian Schools International (ACSI)
 - The Cardinal Newman Society (CNS)
 - Ignatius Angelicum Liberal Studies Program

- **Colleges**
 - Aquinas College
 - Benedictine College
 - John Paul the Great Catholic University
 - The Thomas More College of Liberal Arts
 - Thomas Aquinas College
 - Wyoming Catholic College

- **Schools**
 - Catholic Memorial High School, *Waukesha, Wisconsin*
 - Holy Rosary Academy, *Anchorage, Alaska*
 - Notre Dame Academy, *Toledo, Ohio*
 - Notre Dame Regional High School, *Cape Girardeau, Missouri*
 - Pius X Catholic High School, *Lincoln, Nebraska*
 - St. Joseph Academy, *San Marcos, California*
 - Seton School, *Arlington, Virginia*
 - St. Theodore Guerin High School, *Noblesville, Indiana*

- **Educators**
 - Francis J. Beckwith, Ph.D., *Baylor University*, Vice President, American Catholic Philosophical Association
 - Thomas Farr, Ph.D., *Georgetown University*, Director, Religious Freedom Project
 - David Lyle Jeffrey, Ph.D., *Baylor University*, Distinguished Professor of Literature and Humanities, Professor Emeritus, University of Ottawa
 - Byron R. Johnson, Ph.D., *Baylor University*, Director, Institute for Studies of Religion
 - Edward A. Morse, J.D., *Creighton University School of Law*, Senior Affiliated Scholar, Institute for Economic Inquiry

“There is one important question the Supreme Court must answer – will they protect the rights of religious schools and colleges to have a voice in a critical rulemaking process that will affect their ability to operate according to the teachings of their faith?” Shackelford asks. “Their answer to this question will determine the future of religious freedom for faith-based schools and colleges nationwide.”

[Read the brief](#)

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About First Liberty Institute

[First Liberty Institute](#) is the largest legal organization in the nation dedicated exclusively to defending religious freedom for all Americans.

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