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The Supreme Court said December 18 it will consider expanding protections for churches against job-discrimination claims.

The justices agreed to review two cases in which a federal appeals court allowed discrimination lawsuits by teachers against two Catholic schools in California to proceed.

The court has previously ruled that religious employees of a church cannot sue for employment discrimination. But it did not make clear the distinction between a secular employee, who can take advantage of the government's protection from discrimination and retaliation, and a religious employee, who cannot.

The question for the justices in the new cases is whether religious institutions can invoke a "ministerial exception" to anti-discrimination laws more broadly, even when the employees do not have special religious training or titles. This doctrine says the First Amendment's guarantee of freedom of religion shields churches and their operations from the government's reach.

In one case, a former fifth-grade teacher at the St. James School in Torrance says her contract was not renewed after she informed the school she was being treated for breast cancer. In the other, a non-Catholic fifth-grade teacher at the Our Lady of

Guadaloupe School in Hermosa Beach filed an age discrimination claim after she was demoted.

Both schools invoked the ministerial exception to try to end the suits, arguing that the teachers had important religious functions. But the 9th U.S. Circuit Court of Appeals said the teachers could not be considered ministers for this purpose.

The cases will be argued together in the spring.

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