

10-553 HOSANNA-TABOR CHURCH V. EEOC

DECISION BELOW: 597 F.3d 769

LOWER COURT CASE NUMBER: 09-1134, 09-1135

QUESTION PRESENTED:

The federal courts of appeals have long recognized the "ministerial exception," a First Amendment doctrine that bars most employment-related lawsuits brought against religious organizations by employees performing religious functions. The circuits are in complete agreement about the core applications of this doctrine to pastors, priests, and rabbis. But they are evenly divided over the boundaries of the ministerial exception when applied to other employees.

The question presented is:

Whether the ministerial exception applies to a teacher at a religious elementary school who teaches the full secular curriculum, but also teaches daily religion classes, is a commissioned minister, and regularly leads students in prayer and worship.

CERT. GRANTED 3/28/2011