

Diverse groups rally to support IN music teacher forced out of job for his religious beliefs

17 states, numerous groups tell 7th Circuit John Kluge shouldn't have been forced to resign over convictions about biological sex

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Related Case: [Kluge v. Brownsburg Community School Corporation](#)





CHICAGO – Seventeen states, multiple medical experts, children’s advocates, and a feminist group have joined together to file [friend-of-the-court briefs](#) with the U.S. Court of Appeals for the 7th Circuit in support of former Indiana high school music teacher John Kluge. Alliance Defending Freedom attorneys representing Kluge [filed](#) their opening brief at the 7th Circuit last week.

Brownsburg Community School Corporation terminated Kluge’s employment because of his sincerely held religious beliefs. After he lost in the lower court and appealed, the 7th Circuit [sent](#) the case back to the district court in light of the U.S. Supreme Court’s decision in [Groff v. DeJoy](#). In *Groff*, the Supreme Court reminded lower courts that federal law obligates employers to offer religious accommodations to their employees unless the employer demonstrates the accommodation causes an “undue hardship” on the employer. Yet the district court once again denied Kluge’s request to protect his religious freedom, holding that because a few students and teachers complained about Kluge’s beliefs, that was enough to deny him an accommodation.

“Government employees should know they have the freedom to live and work according to their religious beliefs,” said ADF Senior Counsel Rory Gray. “Yet the Brownsburg school district ignored this right, deciding instead that John’s religious views couldn’t be tolerated. It

revoked his religious accommodation based on the grumblings of a few, forcing him to resign or be fired. The school district's actions violate Title VII, a federal law prohibiting discrimination against employees on the basis of religion. We are urging the 7th Circuit to recognize this wrong, especially since the outcome of this case could affect more people than just John, as is evident from the diverse beliefs represented in these briefs supporting Kluge."

Kluge taught at Brownsburg High School for four years. In 2017, the school district mandated that teachers refer to transgender-identifying students using pronouns and names inconsistent with their sex. Kluge requested a religious accommodation under Title VII of the Civil Rights Act to call all his students by their last names—like a coach—instead of referring to female students with male names and pronouns and vice versa. The school district initially granted Kluge this accommodation, and he successfully continued teaching under it for an entire school year. But in response to the grumblings of a few students and teachers, the district revoked the accommodation and forced Kluge to resign, ending his teaching career.

"Pushing out teachers who follow their consciences threatens to deprive schools of talented, dedicated, and experienced teachers at a time when teachers are in short supply," the multi-state [brief](#), led by Indiana, explains. "And far from helping students, schools send all the wrong messages to students about our Nation's heritage of respect for religion. Granting religious accommodations is not only legally required but good policy."

"Courts have long recognized that the sexes are 'not similarly situated in certain circumstances,' due to innate and enduring physical differences between male and female physiology," adds the [brief](#) from Women's Liberation Front. "Government decision makers that ignore necessary and appropriate distinctions between men and women (when relevant) build unworkable public policy which tends to disproportionately harm women and girls."

Michael Cork, one of nearly 5,000 attorneys in the ADF Attorney Network, is serving as local counsel on behalf of Kluge.

The ADF Center for Academic Freedom is dedicated to protecting First Amendment and related freedoms for students and faculty so

that everyone can freely participate in the marketplace of ideas without fear of government censorship.

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