



## The *Mid Vermont* Case

**Case Name:** *Mid Vermont Christian School v. Bouchey*

**Case Status:** Complaint filed on November 21, 2023, in the U.S. District Court for the District of Vermont

**Significance:** Whether Vermont may discriminate against a Christian school and its families based on their religious beliefs.

**Background:** Mid Vermont Christian School (MVCS) has been serving its community for the past 28 years. However, the State of Vermont has penalized the School because of its biblical beliefs about sexuality and gender. In fact, the State has prohibited Mid Vermont Christian from participating in Vermont’s public tuition program and middle and high school athletics. First, despite a favorable Second Circuit ruling two years ago and the Supreme Court’s decision in *Carson v. Makin*, the Vermont Agency of Education has denied Mid Vermont Christian as an approved independent school because of its religious views and policies, meaning the School cannot participate in the State’s town tuitioning program. And second, the State—through the Vermont Principals’ Association—has kicked MVCS out of Vermont’s sports association based on those same religious views. When MVCS declined to force its girls’ basketball team to play against a biological male in a playoff game, the VPA responded by kicking MVCS out of the association entirely, claiming that MVCS violated its policies on gender identity. As a result, MVCS and its students cannot participate in any VPA sports or activities, not just girls’ basketball. Alliance Defending Freedom filed a lawsuit against to protect Mid Vermont Christian and its families’ rights to live out their religious beliefs without fear of punishment.

### Key Points

- Vermont has repeatedly discriminated against Christian schools, including Mid Vermont Christian.
- Mid Vermont Christian should not have to change its religious beliefs and policies to compete in sports or to receive public tuition funds.
- The government can’t discriminate against religious students and their families by refusing to give them the same benefit that their neighbors receive.
  - The federal appeals court overseeing Vermont, and more importantly, the United States Supreme Court in *Carson v. Makin*, has held that religious schools cannot be denied public benefits because they are religious and do religious things.
- No girl should be forced to choose between competing against a male athlete and not competing at all.

### Key Facts

- Vermont has a history of discriminating based on religion—it recently had to pay thousands of dollars in settlement after discriminating against families who choose to send their children to religious schools. The state is doing everything it can to avoid allowing religious people access to public benefit programs.
- The policy to allow males to compete in female sports forces Mid Vermont Christian and its families to choose between their religious beliefs and participating in sports in Vermont.
- When the differences between men and women are ignored, real people get hurt. Especially women and girls.
- Vermont is taking away tuition money from MVCS because the school is religious.

**The Bottom Line:** Vermont cannot discriminate against a Christian school and its families based on their religious beliefs.