



Memo to Christian Schools International Member Schools

May 2016

On May 13, 2016, the US Department of Education (USDE Office of Civil Rights (OCR)) released an announcement about the joint guidance on transgender students by USDE and the Department of Justice (DOJ). President Obama issued a letter to the states that suggested non-compliance could result in a loss of funds for federal programs.

Christian Schools International is working to assemble accurate information for our member schools in the US. We are seeking information from the US Department of Education, Office of Non-Public Schools to inform us. We are in communication with partners who have legal expertise.

What was actually announced on May 13, 2016?

The announcement was not legislation. It was a statement of guidance. It is not law; it is a recommendation. The difference is not intended to suggest that the announcement does not have significant implications both immediately and for the future.

What is the immediate impact on CSI schools?

There is no immediate impact. Christian schools in the US receive no direct federal funds. Christian schools must continue to operate in accordance with their missions and biblical standards. Christian schools may do so without fear of being forced to alter either their mission or standards.

What about title funds and other indirect funding?

Title funds are not direct funds to the Christian school. They are administered indirectly through the local educational agency (LEA).

In general, Christian schools in the US do not receive direct federal funds, and where they do, it is *de minimis*. Certain federal education programs under the Every Student Succeed Act and the Individuals with Disabilities Education Act provide services and benefits to private school students, teachers, and, in some programs, parents (as distinct from schools) and require that such services be provided equitably compared to services provided to students and teachers in public schools. LEAs are responsible for implementing these programs on behalf of private school students and teachers. Under these programs, control of funds remains with the LEA.

Other federal programs that some of our Christian schools utilize, such as the national school lunch program, the e-Rate program, and the Child Care and Development Block Grant program, are not affected at this time.

It is important to distinguish between indirect, federally funded programs and state programs that may include some funding. State programs are not affected by the letter of guidance, but could become affected as states and local public schools write policy in response to the recommended guidelines.



Are there any school programs that might be affected immediately by the guidance letter?

The most likely immediate impact might be for CSI member schools that participate in interscholastic competitions with public schools. As public schools adopt new transgender or other policies related to LGBTQ (lesbian, gay, bisexual, transgender, questioning) students, there will likely be implications for member schools.

Should CSI schools take any immediate action?

Christian schools should be at the forefront of loving every child, because each child is created in the image of God. We are called to love God and each other. We are believers who desire for every child to know God's love, experience our love, be treated with dignity, and feel safe in the school environment.

Schools should consider a review of their policies to insure that our schools are true to their mission and to biblical standards and to insure that our desires for each child are clearly reflected in policies.

Christian schools should consider reasonable accommodations for individual privacy. Designations of private, unisex restrooms and private changing areas are reasonable accommodations within understandable limits of the space available in current buildings.

Christian schools should be hospitable places. Our Christian schools will likely face issues around policy differences at interscholastic events with public schools that may have different policies than the Christian school. While it is reasonable to hope that the public school community would respect the standards of the Christian school, it is more likely that the Christian school will be expected to accept the public school policies. Christian schools will more likely be viewed as Christlike if we are hospitable hosts.

What's next?

This is an appropriate time for our Christian schools to intentionally affirm their commitment to mission and biblical standards and to insure that policies and practices are clear and not simply assumed.

We do not know what is next. But those who serve God know that he is Lord and that we are called to follow obediently and serve faithfully. We are kingdom-building, kingdom-advancing believers. As Jesus taught us in Matthew 6:33-34, "But seek first his kingdom and his righteousness, and all these things will be given to you as well. Therefore do not worry about tomorrow, for tomorrow will worry about itself. Each day has enough trouble of its own."

Christian Schools International will continue to monitor further developments related to the May 13, 2016, letter of guidance and subsequent letters or directives. CSI will continue to work with our partners, legal advisors, and resources in Washington and will advise our member schools as more information becomes available.

Jeff Blamer, Vice President of Member Services