

August 2021

Dear Friends and Supporters,

By the end of June of each year, the U.S. Supreme Court has released all of its opinions from its annual term. We always want to call to your attention those cases which impact the work of SLI.

This term, the Court was carefully watched because it would be the first full term of the Court with the Trump appointees, Justices Neil Gorsuch, Brett Kavanaugh and Amy Coney Barrett, all participating. Democrats had been wringing their hands in horror that the Court might be too conservative. Of course, conservatives had been wringing their hands in horror since the 1940s as we have seen SCOTUS be an instrument of the left legalizing such things as abortion and same-sex marriage, while minimizing religious freedom protection, i.e., removing prayer from public schools. These are some of the primary issues with which SLI is concerned and for which you provide support of our efforts.

The Democrats parade of horrors did not exactly work out. The Court has not veered significantly to the right. Chief Justice John Roberts has tried to steer the Court on a middle course, trying to make coalitions and sometimes sitting on the fence, much of which is disappointing to us. Nevertheless, in this term there were no outrageous decisions.

The Court had an opportunity this term to revisit a case that set back religious freedom for many many years. It did not do so. This month's Educational Update addresses that case and those concerns.

Another case, *Mahanoy Area School District v. BL*, 141 S.Ct. 2038 (2021), deals with the free speech rights of students in public schools. The finding is that the student was free to engage in crude language away from school premises. The school punished her. The school's authority did not extend that far. There can be many nuances regarding our right to freely speak. The case gives some guidance to public school officials. The Court also recognized the important principle of *in loco parentis*, which means, school authority is based on the idea that parents give the school authority to act in their stead at school. However, away from school, parents control their children. The case is a good affirmation of parental rights. This case does not affect the rights of private schools, particularly church schools, to regulate student speech both on and off campus. If you need further information on this opinion, let us know.

Thank you very much for your continuing support of our efforts. With personal regards, I am,

Yours very truly,

A. Eric Johnston