

# **6th Circuit Appeals Court Panel: Banning Religious Schools Not a ‘Substantial Burden’ on Religious Liberty**

According to a three-judge panel of the U.S. Sixth Circuit Court of Appeals, if a jurisdiction decides to ban religious schools from locating within them, that’s not a “substantial burden” on the free exercise of religion.

The panel released its decision Friday afternoon, telling Genoa Township, Michigan, it was allowed to forbid Livingston Christian School from locating within its jurisdiction. Attorneys for First Liberty Institute had argued on the school’s behalf that the ban put a substantial burden on its right to exist as a Christian ministry, in violation of the Religious Land Use and Institutionalized Persons Act.

In the opinion, written by Circuit Judge Ronald Lee Gilman, the panel determined that the township was allowed to reject the school at the proposed location because two other suitable locations nearby were readily available as alternative sites. You can read the entire opinion by [clicking here](#).

“This precedent is very dangerous. It states that it is not a burden on religious exercise for a city to ban religious schools, churches, synagogues or mosques from moving into town. In fact, if a city wanted to ban a specific synagogue or mosque from moving into its city limits, the court held such a ban would not be a substantial burden on religious exercise. This is shocking and cannot be allowed to stand,” First Liberty Deputy Chief Counsel Hiram Sasser said in response to the decision. “Towns who use their zoning laws to keep religious schools and organizations out of their backyard

violate federal law and the First Amendment.” {eoa}