

## Ministerial Status Under the Ministerial Exception

Factors Enumerated by the US Supreme Court

*Key facts from two important cases involving teachers.*

<p><i>Hosanna-Tabor Evangelical Lutheran School v. E.E.O.C. (2012)</i> <i>Opinion involved one teacher</i></p>	<p><i>Our Lady of Guadalupe School v. Morrissey-Berru (2020)</i> <i>Opinion merged cases involving two different teachers</i></p>	
<ul style="list-style-type: none"> <li>• possessed the title “Minister of Religion”</li> <li>• received religious educational training involving eight college-level courses in subjects, including biblical interpretation, church doctrine, and the ministry of a Lutheran teacher</li> <li>• participated in a formal process of commissioning as a minister</li> <li>• needed to obtain endorsement of her local Synod district</li> <li>• passed an oral examination by the faculty committee at a Lutheran college</li> <li>• became a minister only after election by the congregation, which recognized God’s call to her to teach</li> <li>• held herself out as a minister</li> <li>• carried out the church’s mission by “leading students toward Christian maturity,” teaching religion four days a week, leading students in prayer three times a day, accompanying students to weekly chapel, and leading chapel twice a year</li> </ul>	<p><b>Morrissey-Berru:</b></p> <ul style="list-style-type: none"> <li>• took religious education courses at the school’s request</li> <li>• was expected to attend faculty prayer services</li> <li>• entered into employment agreements at the beginning of each year that clearly stated the school’s Catholic mission and her role in advancing it</li> <li>• participated in school liturgical activities</li> <li>• was considered a catechist by the archdiocese</li> <li>• taught religion in her classroom and tested students on that curriculum</li> <li>• directed and produced an annual passion play</li> <li>• prepared and accompanied students to weekly Mass and other religious services</li> <li>• prayed with her students, including a daily “Hail Mary”</li> </ul>	<p><b>Biel:</b></p> <ul style="list-style-type: none"> <li>• attended a conference that taught ways to incorporate God into the classroom</li> <li>• entered an employment contract</li> <li>• was required to teach religion for 200 minutes each week</li> <li>• administered a test on religion each week</li> <li>• used a religious textbook in her classroom</li> <li>• worshiped with her students</li> <li>• prepared students to be active in the Mass by teaching them about the Eucharist and confession</li> <li>• prayed with her students at monthly Masses</li> <li>• was required to pray with her students every day</li> </ul>