The FAMILY FOUNDATION

The Kentucky

CITIZEN

STANDING FOR FAMILIES & THE BIBLICAL VALUES THAT STRENGTHEN THEM

Vol. XXXVI No. 3 **3rd Quarter 2025**

Tide turning? What recent pro-family wins reveal.

Recent legal and policy victories should embolden Christians to unapologetically proclaim truth in this cultural moment.

It's amazing to see all the Lord has done so far this year! I truly believe we are at a tipping point with the tide finally turning. As I look across Kentucky and the nation, I'm encouraged to see woke DEI policies and harmful LGBT ideology on the retreat, signs of the restoration of religious liberty with Ten Commandments monuments being restored in schools and in the public square, and several transformative legal and policy wins. With your support, The Family Foundation has been able to play its part in several wins, including four recent victories at the U.S. Supreme Court that each represent a huge answer to prayer:

- **Victory** in favor of state laws protecting kids from receiving life-altering gender "transitions."
- **Victory** in favor of state laws protecting kids from online pornography.
- **Victory** for religious freedom and the right of parents to protect their children from LGBT indoctrination in government schools.
- **Victory** for the ability of states to defund Planned Parenthood via Medicaid.

These rulings are incredibly important (*see next page for details*). They are also major wins for the policy and legal work of The Family Foundation and our state family policy allies as we joined amicus briefs in each case and helped lead the charge to pass state laws that were upheld or reinforced by the rulings.

Recent victories at U.S. Supreme Court and in Frankfort should embolden Christians across Kentucky to keep proclaiming the truth.

These decisions, along with several policy victories in the General Assembly, have opened a window of opportunity from the Lord to move boldly forward. The major battles taking place across our nation transcend politics—these legal and policy battles are ultimately spiritual battles that will have long-term consequences for generations to come.

But even with the recent victories, we are at a critical moment in the fight to protect the hearts and minds of the next generation from dark and dangerous cultural tides and ideologies. We must urge more state and federal government actions to align themselves with science, morality, and reality by passing laws to protect every American child from harmful and evil gender ideology. And we certainly have more to do here in Kentucky!

But the key to protecting our children isn't just legal and policy victories, ultimately it is transforming lives through the Gospel and an entire culture by the unchanging truth of God's Word. Your renewed support and engagement will help ensure that The Family Foundation remains a steadfast and uncompromising voice for Biblical truth—not just in the legislature and courtroom but in communities and churches across our great Commonwealth.

One great way you can engage with us is to attend our 2025 KY Family Forum on September 27 (*see back page*)! You will hear from Coach Joe Kennedy and learn how one man's faithful stand has paved the way for the restoration of religious freedom.

Thank you for partnering with us to fight for Kentucky families and the Biblical values that make them strong!

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IN THIS ISSUE

Four major victories at the U.S. Supreme Court!

The past year has been filed with major legal battles surrounding pro-family policies, and thankfully the Lord has given us several huge wins in the recent U.S. Supreme Court term that ended in June. In cases dealing with protecting kids from gender "transitions" and online pornography, parental rights in government schools, and defunding Planned Parenthood, we saw major victories for families and children.

1 UNITED STATES V. SKRMETTI

In *U.S. v Skrmetti*, the Supreme Court decided if laws that protect children from harmful and experimental gender "transitions" violate the Fourteenth Amendment of the U.S. Constitution. 25 states, including Kentucky, currently have Help Not Harm laws that protect kids from such procedures. However, the ACLU and other radical LGBT advocates, including the Biden Justice Department, couldn't accept their policy defeats in those states and sought to invent a right to mutilate kids in the U.S. Constitution. They sued to stop Help Not Harm laws in several states, including Kentucky, and Tennessee's law ended up before the Supreme Court.

In a 6-3 decision written by Chief Justice John Roberts, the Supreme Court ruled that Help Not Harms laws do not violate the Fourteenth Amendment's Equal Protection Clause. Therefore, the laws only need to pass the rational basis test, the lowest level of scrutiny that courts apply to laws. And the majority concluded that states have a legitimate interest in protecting kids from gender "transitions," allowing the laws to go into effect. Now that the Supreme Court has definitively spoken on this issue, we encourage the rest of the 25 states to protect kids from harmful gender ideology by passing their own versions of Help Not Harm!

2 FREE SPEECH COALITION V. PAXTON

In *Free Speech Coalition v Paxton*, the Supreme Court decided if laws that protect children from online pornography through age verification requirements violate the First Amendment to the U.S. Constitution. 24 states, including Kentucky, currently have laws on the books that require pornographic websites to age verify before users may access their content. In response to these laws, allies of the pornography industry, under the false guise of protecting free speech, sued to stop these laws from going into effect. Texas's law ended up before the Supreme Court.

In a 6-3 decision written by Justice Clarence Thomas, the Supreme Court ruled that age verification laws do not violate the First Amendment and that states may fully enforce their laws. The majority applied intermediate scrutiny, which is a mid-tier level of scrutiny, and concluded that protecting kids from pornography is an important government interest and age verification laws are substantially related to protecting kids. Now that this issue is settled, we encourage the 26 other states to pass age verification laws, so that every American child is protected from online pornography.

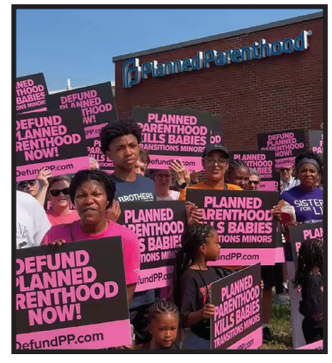
3 MAHMOUD V. TAYLOR

In *Mahmoud v Taylor*, the Supreme Court decided if government schools must give religious parents notice and/or an opportunity to opt out of mandatory LGBT curriculums. The Montgomery County, Maryland School Board adopted a policy requiring certain LGBT books in English classes, starting as young as kindergarten. The school board also attempted to eliminate religious opt outs from the books, forcing religious parents to expose their kids to radical gender ideology against their will and beliefs. In response to this policy, a coalition of Christian, Muslim, and Jewish parents sued, arguing that the policy violates the First Amendment.

In a 6-3 decision written by Justice Samuel Alito, the Supreme Court ruled that government schools must give parents notice and an opportunity to opt out when they seek to require a curriculum that would violate a core tenant of a parent's faith. The majority concluded that teachings about sexuality are deeply engrained within the faiths of the parents involved in the case and the school's policies would encroach upon those beliefs. In Kentucky, schools must receive a parental opt-in before speaking to students about issues related to sexuality.

4 MEDINA V. PLANNED PARENTHOOD SOUTH ATLANTIC

In *Medina v Planned Parenthood South Atlantic*, the Supreme Court decided if states violated federal law when they defunded Planned Parenthood from state Medicaid programs. A few years ago, South Carolina attempted to remove Planned Parenthood from Medicaid, but abortion advocates successfully sued to block the plan. In a 6-3 decision by Justice Neil Gorsuch, the Supreme Court ruled in favor of South Carolina, opening the door for them and other states to defund Planned Parenthood. The Family Foundation supports removing all abortion providers from government programs and will advocate for a total ban next legislative session. We also had a victory in state court. At the end of last year, the ACLU and abortion advocates sued in state court to try and block Kentucky's pro-life laws, attempting to invent a right to murder the preborn in the state constitution. However, the ACLU recently announced that they were dropping that lawsuit, ensuring that Kentucky pro-life laws remain in effect for the time being. Please continue to pray that our righteous laws will withstand any further attacks from the advocates for the culture of death.



What the *Skrmetti* decision means for Kentucky.

Supreme Court victory vindicates Kentucky's efforts to end the mutilation of children in the name of transgender ideology.

In the late hours of the night at the end of the 2023 legislative session, pro-family leaders, including members of TFF's team, Sen. Gex Williams, and Rep. Jennifer Decker, huddled together to craft a strategy to revive the ban on gender "transitions" on minors. Hours earlier, moderate Republicans and Democrats successfully sabotaged a strong bill on the subject by passing an amendment from Sen. Danny Carroll, which would have actually legalized "transition" hormones for minors. Thankfully, Sen. Gex Williams was able to table the amended bill, preventing the disastrous amendment from proceeding any further.

TFF's executive director, David Walls, speaks at a rally The Family Foundation hosted in support of SB 150 in 2023.

The product of this overnight strategy session was SB 150, a bill that started as a small parental rights bill that transformed into a vehicle for major pro-family policy wins. The next day, a House committee added provisions to the original SB 150 to produce the bill that ended up becoming law. This revised bill then passed the House, and the Senate concurred with the changes the House made. Ultimately, Gov. Beshear vetoed the bill, but the Republican supermajorities overrode that veto. However, SB 150's story did not end there.

Shortly after the General Assembly overrode Beshear's veto of SB 150, the ACLU and radical LGBT advocates sued to block the law, arguing that it violates the U.S. Constitution. An activist Obama-appointed judge at the district court agreed and blocked the law. However, the Sixth Circuit reversed and allowed Kentucky to fully implement SB 150. The Sixth Circuit also allowed Tennessee to implement its ban on gender "transitions" on minors, and this law is what the U.S. Supreme Court considered in the *Skrmetti* case.

In his majority opinion upholding Tennessee's ban on gender "transitions" on minors, Chief Justice John Roberts wrote that policy decision surrounding this topic should be left "to the people, their elected representatives, and the democratic process." To put it simply, the Constitution is silent on this area of policy, and judges have no role in interfering with the policy decisions of duly elected officials. Justice Thomas wrote a concurring opinion chastising those who sought to make supposed experts the arbiter of law, stating, "experts and elites have been wrong before—and they may prove to be wrong again."

The Supreme Court's opinion ensures that kids remain protected in Kentucky from gender "transitions." And it also vindicates those who worked so hard to ensure that this law passed, including our faithful supporters who made thousands of phone calls and messages in support of SB 150.

What the *Paxton* decision means for protecting kids.

Supreme Court victory opens the door in Kentucky for further online protections for children that empower parents.

In 2024, the General Assembly passed HB 278 by Rep. Matt Lockett. Thanks to the efforts of Sen. Gex Williams in the Senate, the bill included language creating age verification requirements for pornographic websites. When pornographic content consists of 33% or more of a website's content, the website must verify the age of the user before allowing access. This law helps ensure that kids do not have easy access to pornographic content. Because of HB 278, Pornhub, the world's largest distributor of pornographic content announced that they were blocking access in Kentucky.

Allies of the porn industry filled lawsuits against several age verification laws, including Texas's. The Supreme Court accepted the Texas case in what became known as *Free Speech Coalition v Paxton*. While Kentucky's law was not directly at issue in the case, the ability of Kentucky to enforce its age verification requirements was at stake. If the Supreme Court ruled against Texas, it would have opened the door for a successful lawsuit against HB 278. Thankfully, the majority opinion in *FSC v Paxton* was in favor of age verification laws, allowing states like Kentucky to protect kids from vile online content.

One of the arguments from the porn lawyers was that age verification violates the right to view pornography privately. However, Justice Thomas countered by writing, "the use of pornography has always been the subject of social stigma. This social reality has never been a reason to exempt the pornography industry from otherwise valid regulation." Justice Thomas concluded his opinion by stating, "The [Texas law] advances the State's important interest in shielding children from sexually explicit content. And, it is appropriately tailored because it permits users to verify their ages through the established methods of providing government-issued identification and sharing transactional data."

While this legal victory is a huge win for Kentucky children, the battle to protect kids online does not stop with the porn industry. Ultimately, we must protect kids from the harmful business practices of big tech and social media companies. In future legislative sessions, The Family Foundation will continue to advocate for laws that put parents in charge of their kids' online activities by requiring parental consent. Importantly, *FSC v Paxton* gives us a legal framework to build upon in legal challenges to those future laws.

Obergefell and the true threat to democracy.

OPINION: Martin Cothran on a decade of the Obergefell decision that invented a "right" to same-sex "marriage."

Martin Cothran
Sr. Policy Analyst

If we wanted to give an example of a court decision that brazenly ignored precedent, contorted the written law, and that opposed common sense, we might easily cite the *Obergefell* decision—the decision that "legalized" same-sex marriage nationwide. It was decided ten years ago on June 26, 2015.

The decision invalidated the marriage laws passed by 38 states, including a constitutional amendment passed by 75% of Kentucky voters several years earlier, which defined marriage as an exclusive union between one man and one woman.

These state laws, which simply codified the truth of marriage understood by everyone, male and female, child and adult, whites and people of color, upper and lower classes, straight and gay, for all of recorded history until about 25 or 30 years ago, was effectively invalidated by one unelected judge: U.S. Supreme Court Justice Anthony Kennedy, who wrote the majority opinion.

Kennedy was the swing vote, but, of course, four others voted with him. One of the justices who did not vote to redefine the most foundational institutional of human society was Antonin Scalia. As was his practice before his death in 2016, he was able to beautifully capture the absurdity of liberal jurisprudence as applied, this time, to marriage:

> *"The five Justices who compose today's majority are entirely comfortable concluding that every State violated the Constitution for all of the 135 years between the Fourteenth Amendment's ratification and Massachusetts' permitting of same-sex marriages in 2003. They have discovered in the Fourteenth Amendment a "fundamental right" overlooked by every person alive at the time of ratification, and almost everyone else in the time since. They see what lesser legal minds—minds like Thomas Cooley, John Marshall Harlan, Oliver Wendell Holmes, Jr., Learned Hand, Louis Brandeis, William Howard Taft, Benjamin Cardozo, Hugo Black, Felix Frankfurter, Robert Jackson, and Henry Friendly—could not."*

***Obergefell* invalidated the marriage laws passed by 38 states and millions of voters, including a constitutional amendment passed by 75% of Kentuckians.**

To say that *Obergefell* was an assault on common sense and the democratic process is an understatement. And it wasn't only conservative minds that were taken aback by the faulty reasoning in the decision. "Outside of academic specialties," said Brian Beutler, shortly after the decision in the liberal New Republic, "historic Supreme Court decisions aren't generally taught as logical treatises, but as watershed moments, which is great news for Kennedy because his opinion in *Obergefell* is, logically speaking, kind of a disaster."

Disaster indeed. The *Obergefell* decision was one of a number of decisions made during the era of liberal activist Court majorities in which democratically-decided laws were overturned. In many of them some law, stated clearly and definitively and passed by a democratically elected-legislature, was overruled by unelected judges on the basis of some unwritten and vague principle which we all were somehow expected to acknowledge, even though it's only warrant was that some other unelected judge had said it.

In many ways, *Obergefell* was like the lawless Roe v. Wade decision: it defied reality and precedent, it invoked esoteric judicial principles no one could actually justify, and it conveniently comported with the majority judges' own political predilections.

The ultimate solution to the *Obergefell* decision is the same as that for *Roe v. Wade*: A Court willing to revisit and reverse its own deeply-flawed and anti-democratic rulings. That would, of course, require someone to challenge the decision. But with an increasingly conservative electorate recoiling from the insanity of the gender revolutionaries, such an effort is not unimaginable.

The same-sex marriage issue, like the abortion issue, should not be decided by judicial oracles whose reasoning is more akin to some kind of magical incantation than it is to truth and logic—those whom Scalia once called "the Black-Robed Supremacy." Justice Clarence Thomas also eloquently noted in his dissent how *Obergefell* "distorted" the Constitution:

> *"The Court's decision today is at odds not only with the Constitution, but with the principles upon which our Nation was built. Since well before 1787, liberty has been understood as freedom from government action, not entitlement to government benefits. The Framers created our Constitution to preserve that understanding of liberty. Yet the majority invokes our Constitution in the name of a "liberty" that the Framers would not have recognized, to the detriment of the liberty they sought to protect. Along the way, it rejects the idea—captured in our Declaration of Independence—that human dignity is innate and suggests instead that it comes from the Government. This distortion of our Constitution not only ignores the text, it inverts the relationship between the individual and the state in our Republic."*

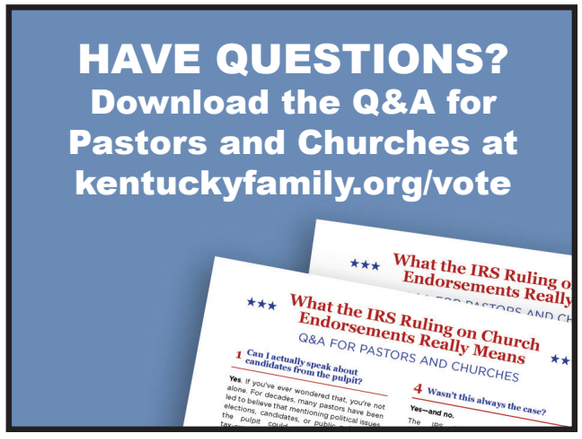
The U. S. Constitution says nothing about a right to same-sex marriage, but it does say that the people have the right to rule themselves through their representative institutions, the institutions through which the laws the Court overturned in *Obergefell* were made. Judges have their place, a place alongside, not in opposition, to the people.

IRS clarifies church endorsements: what pastors and churches need to know.

The Family Foundation shares new resource to equip churches & pastors on recent IRS ruling.

In a landmark development that's bringing clarity and confidence to faith leaders nationwide, the Internal Revenue Service has confirmed that pastors and churches are free to speak on political matters and even endorse candidates within their own congregations—without risking their tax-exempt status.

This ruling comes after a July 2025 lawsuit settlement involving two Texas churches and the National Religious Broadcasters. The IRS agreed, via a consent decree, that pastors' internal communications with their congregations—including political endorsements—are protected. This means the government cannot interfere in the relationship between a pastor and their church family, reinforcing the First Amendment's shield around religious speech.



David Walls, executive director of The Family Foundation, expressed gratitude for this legal clarification. "For too long, pastors believed the Johnson Amendment blocked them from discussing political issues or candidates," Walls said. "But this rule has never truly applied to internal church communication. The IRS settlement makes it clear: pastors are free to preach the whole counsel of God, including topics that impact civic life."

This development comes at a crucial moment, as the country enters another heated election season. The Family Foundation, founded by Kent Ostrander, has long supported pastors and church leaders by providing resources to address political topics from a Biblical perspective. Their new guidance equips Kentucky pastors to address issues like life, marriage, and religious freedom, ensuring that Christian voices are present and active in public discourse.

Walls encourages faith leaders to make use of the Family Foundation's latest resource and reach out for advice on best practices. "Scripture calls Christians to be salt and light in the world, and now, more than ever, the church must rise to the occasion—educating and empowering believers to honor God with their votes."

As election cycles draw near, this IRS clarification ensures churches can confidently navigate political conversations and equip their congregations to engage faithfully and freely in the democratic process.

The Family Foundation, in partnership with its allied family policy councils, has released a new resource and Q&A for Pastors and Churches on the IRS ruling on church endorsements. **Download the new resource at kentuckyfamily.org/vote**.

FPC allies gather for SoCon Conference with focus on safeguarding children.

The Family Foundation and its state FPC allies gathered to strategize and discuss the future of social conservative policy.

In July, our team at The Family Foundation had the privilege of attending the annual Social Conservative Conference (SoConCon) in Indianapolis. This event gathers state Family Policy Councils (FPC) and allied organizations from across the country to share victories, strategize on future initiatives, and discuss ways to better protect children and families in our communities.

Among the attendees were three Kentucky lawmakers who participated in the Family Policy Alliance's Statesmen Academy: Sen. Robby Mills, Sen. Lindsey Tichenor, and Rep. Bill Wesley. Their leadership and insights, alongside those of other policy experts, provided invaluable direction for future legislative efforts.

TFF's David Walls and Jesse Green with Sen. Lindsey Tichenor and Sen. Robby Mills, who participated in the Statesman Academy.

A central focus of the conference was safeguarding children in several key areas. We explored the growing importance of protecting kids online—a subject increasingly urgent in our digital age. Presenters discussed efforts to strengthen parental involvement in children's digital lives and implement safeguards to counteract the addictive tactics of social media and big tech companies. A significant legal win in *Free Speech Coalition v Paxton*, which upheld age verification laws for pornographic websites, was highlighted as a step forward in this mission.

The issue of inappropriate materials in libraries was also addressed. Currently, parents in many states lack legal recourse if their children are exposed to unsuitable content at school or public libraries. Idaho's recent legislation, which allows parents to take action against non-compliant libraries, was presented as a model that Kentucky could build on, strengthening protections already established under SB 150.

Protecting children from sexualized drag performances was another subject of discussion. Drawing upon standards upheld by the U.S. Supreme Court, policy advocates emphasized legislative approaches to ensure children are not exposed to inappropriate performances, without running afoul of constitutional concerns—an issue recently spotlighted by events at Western Kentucky University.

Armed with new strategies and insights, The Family Foundation is committed to advancing pro-family policy when the Kentucky General Assembly reconvenes in 2026. We are grateful for the opportunity to connect, learn, and stand together for families across our state and nation.

Four new education laws every family should know.

How several important new laws will shape Kentucky's classrooms in the years to come.

Jesse Green
Legal Counsel & Policy Advisor

As the school bells ring in the start of a new academic year, students, parents, and educators across Kentucky will be greeted not only by fresh notebooks and sharpened pencils, but also by a set of newly enacted laws poised to reshape the state's educational landscape. Passed during the 2025 legislative session and championed by The Family Foundation, these laws aim to address critical concerns around technology in schools, communication between staff and students, moral instruction options, and the direction of harmful diversity, equity, and inclusion (DEI) programs in higher education.

HB 208: Keeping Phones Out of the Classroom

One of the most significant changes for the upcoming school year is the implementation of HB 208, which targets the growing concern over distractions in the classroom caused by personal technology. Under this law, every local school district is required to establish a policy that prohibits students from using phones and similar devices during instructional time, with a few exceptions.

The rationale is simple: phones can divert students' attention from learning, expose them to online risks, and undermine the classroom environment. By giving teachers the authority to determine when technology is necessary for educational purposes, the law strikes a careful balance between innovation and discipline. If a lesson plan specifically calls for device use, teachers can permit it—but outside of those moments, phones should remain out of reach.

Parents are encouraged to check with their local school boards for details on specific district policies. This measure is designed to foster a more focused, safer atmosphere for learning, aligning school environments with best practices for healthy childhood development in a digital age.

SB 181: Safeguarding Student Communication

Modern technology has not only transformed how students learn but also how they communicate with teachers, staff, and volunteers. SB 181 was passed to address concerns about inappropriate or unsupervised communications between school employees and students, especially outside of school hours.

According to SB 181, all school staff and volunteers must obtain parental consent before contacting students outside of school-sanctioned, traceable communication platforms. Each school district is responsible for naming at least one approved platform for traceable messaging—ensuring that all interactions are documented and accessible for review if necessary.

This law responds to alarming reports in recent years of improper relationships and attempts by some employees to "socially transition" students without parental knowledge. By requiring transparency and parental oversight for any communication beyond school platforms, SB 181 gives families greater control and peace of mind. If parents suspect a violation, they should immediately notify the relevant school and school district.

SB 19: A Moment of Silence and Moral Instruction

Another notable update is SB 19, which introduces a mandatory moment of silence to begin each school day. Schools must provide at least one minute—and up to two minutes—of quiet reflection where students are asked to remain seated and silent. The moment offers students an opportunity to collect their thoughts and pray as they choose. We encourage parents to discuss with their children the best ways to use this time before classes begin.

SB 19 doesn't stop at moments of silence; it also opens the door for moral instruction during the school day. The law allows organizations to petition local school boards to provide off-campus Bible classes for up to one hour per week, with students receiving full credit for school attendance during that time. The U.S. Supreme Court, in *Zorach v. Clauson*, has affirmed that such programs are constitutional, provided they are voluntary and held off school grounds.

SB 19 has opened the door for more bible education programs in public schools, including LifeWise Academy. Learn more at lifewise.org.

The Family Foundation has partnered with LifeWise Academy to expand these Bible classes to counties throughout Kentucky. Parents and community members interested in supporting these offerings should contact The Family Foundation, LifeWise Academy, and local school boards for more information.

HB 4: Reshaping Higher Education DEI Programs

While the previous laws focus on primary and secondary education, HB 4 brings sweeping changes to Kentucky's public colleges and universities. Effective this school year, the bill bans and defunds discriminatory diversity, equity, and inclusion (DEI) programs. It also mandates institutional neutrality, protecting the rights of students and faculty to express their political, social, and religious views freely, without fear of retaliation.

The bill's intent is to ensure that government-funded institutions do not discriminate or promote ideological conformity. Although these changes do not yet apply to K-12 schools, The Family Foundation has plans to advocate for extending similar DEI restrictions to all grade levels in the future.

Looking Forward: What These Laws Mean for Families

The passage of these four laws marks a pivotal moment for Kentucky's education system. By restricting phone use and limiting communications, the state hopes to nurture safer, more focused learning environments. The introduction of a moment of silence and off-campus moral instruction strengthens opportunities for student growth—both academically and spiritually. Meanwhile, the overhaul of DEI programs in higher education signals a broader commitment to fairness and free expression. As these new regulations are put into effect, parents, teachers, and students must stay informed and engaged. Understanding the nuances of each law will help ensure a smooth transition and empower families to make the most of the opportunities—and protections—these legislative changes provide.

Whether you are a parent preparing your child for another year in Kentucky's schools or an educator adapting to new rules, take time to review your district's policies, communicate with your local board, and advocate for the values that matter most in your community.

What the battle over bible instruction reveals.

OPINION: Martin Cothran on the debate over LifeWise's Bible instruction that has sparked controversy in Oldham County.

Martin Cothran
Sr. Policy Analyst

Every year or two, there is a dust-up in some local school district involving the relationship between church and state. When this happens, we are all treated to a few weeks of apocalyptic rhetoric warning that religious people are taking over the schools.

Our schools have lots of problems (mostly self-inflicted), but the takeover of schools by anyone's religion is not one of them.

The latest case involves an Oldham County, Kentucky school in which a large group of local parents got together to start a release-time moral instruction program offered by an organization that offers Bible education, LifeWise Academy, which would take place off campus and would be completely voluntary. No one was required to attend.

The program is allowable under SB 19, a bill passed by Kentucky's General Assembly earlier this year, which provides for schools to provide moral instruction programs one hour each week.

Critics have focused on the fact that the group doing the instruction is a Christian group and seeks to teach the Bible. But the legal integrity of what this group is doing is not even controversial. Such programs have repeatedly been ruled constitutional.

In fact, the U.S. Supreme Court, in the 1952 case *Zorach v. Clauson*, directly upheld the constitutionality of "release time" programs for religious instruction, allowing public schools to permit students to leave campus for off-campus religious education. This is likely why they have not and will not file a legal suit: because they know they can't win.

Jesse Green, TFF's Legal Counsel, recently spoke to the Oldham County School Board in favor of a proposal to bring LifeWise Academy to the county. Thanks to SB 19, parents in numerous school districts across Kentucky are organizing to bring LifeWise Academy's Bible education program to their schools.

So instead of taking the issue to court, they have satisfied themselves with making specious arguments about the relation of church and state and trying to scare people by insinuating that the program is some devious attempt by religious people to take over schools.

Opponents of programs like this one always invoke the First Amendment, even though the First Amendment says nothing about issues like the one now being argued about in Oldham County schools.

The First Amendment is not hostile to religion. Rather, it expressly recognizes religious liberty as the foundation of our system of governance. And there was a good reason for this. The establishment clause of the First Amendment simply says that the federal Congress "shall make no law respecting [i.e., having to do with, or concerning] an establishment of religion."

This meant two things: that it couldn't establish a national church and that it couldn't disestablish the existing state churches in New Hampshire, Connecticut, Massachusetts, and Virginia, all of which continued decades after the First Amendment was ratified. It is at least questionable whether some of these states would have even joined the union had the Constitution been written to require them to close their state churches.

Fortunately, it was not written this way, despite attempts to effectively rewrite in retrospect by some judges and anti-religious groups, it still says what it says and not what it doesn't say.

The Constitution is clear on this, as is the current case law. So what about the salacious plot these people think they have detected to force schools to be religious?

It would be nice if we could assess the evidence of such a conspiracy, but the problem is that there isn't any. Without such evidence, all we can do is speculate on the psychological state of those who see the religion monster lurking behind every tree.

They need either to produce evidence or seek full-time care.

Alex LeBlanc, a member of the site-based decision-making committee for the school, took to the pages of the Courier-Journal to condemn the district allowing the program. But his arguments did not include any compelling rational argument against the school's decision to allow the program. He instead spent most of his time casting aspersions on LifeWise's program, one of which was, horror of horrors, that it had supported school choice in other states.

Not surprisingly, he didn't address LifeWise's profound impact, which includes improved student attendance and behavior, educators recognizing the benefits for students and their own schools, and parents overwhelming recommending LifeWise to others.

The critics of the program have no problem with schools requiring children to attend them involuntarily, but a lot of problems with allowing them to attend programs parents want of their own volition.

And if your best argument against someone is that they were in favor of allowing parents to choose which schools to send their kids to, then you're having a bad day.

Maybe the critics of the program, instead of opposing a program of moral instruction, could propose its own program. Better yet, maybe our schools could do a little soul searching and ask whether their dereliction of duty when it comes to the moral teaching of children has brought about the problem that LifeWise is now trying to solve.

The FAMILY FOUNDATION

2025

SATURDAY, SEPTEMBER 27, 2025

KENTUCKY FAMILY FORUM

EMBASSY SUITES LEXINGTON/UK COLDSTREAM, LEXINGTON, KY

CONFIRMED SPEAKERS

COACH JOE KENNEDY

Keynote Speaker

Coach Joe Kennedy, an eighteen-year Marine veteran, was a football coach for Bremerton High School in Washington. Coach Kennedy was suspended—and later fired—because he prayed after football games, leading to a seven-year legal battle. Coach Kennedy's faithful stand for the right to pray secured a monumental U.S. Supreme Court victory in 2022 that has paved the way for the restoration of religious freedom in America. His powerful story has been told in the recent book (and movie) *Average Joe: One Man's Faith and the Fight to Change a Nation*.

DR. ALLAN JOSEPHSON
Former UofL Professor

MATT SHARP
Alliance Defending Freedom

LORI KUYKENDALL
Beacon Health Education Resources

ANGELA MINTER
Sisters for Life

JOSH WOOD
Them Before Us

T.J. ROBERTS
Kentucky State Representative

ADDIA WUCHNER
KY Right to Life

DAVID WALLS
The Family Foundation

JOHN STEIN
LifeWise Academy

GREG WILLIAMS
Love & Lordship

RSVP | **Reserve your tickets at kentuckyfamily.org/events or call our office at 859.255.5400**

Help us keep turning the tide.

For over 35 years, The Family Foundation has worked to protect Kentucky families and help shape God-honoring laws in the Commonwealth. Your financial support, prayers, and engagement has been instrumental in key legal and legislative victories that are helping turn the tide of our nation back towards God.

Right now, we need your financial support to expand our ministry efforts supporting policies that defend families, protect children, and encourage the Body of Christ to be salt and light. **Please prayerfully consider giving today!** Even if you have not been able to financially support us before – **a gift of any amount would be greatly appreciated. *Every* gift makes an impact!** Thank you for in advance for your faithful partnership with us that is helping turn the tide!

The *Kentucky Citizen* is a publication of The Family Foundation

The leading Christian public policy organization in Kentucky that stands for Kentucky families and the Biblical values that make them strong.

The FAMILY FOUNDATION

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