

TALKING ABOUT



Religious Exemptions & Adoption Discrimination



movement advancement project ▶

INTRODUCTION

Some states have introduced legislation to create broad religious exemptions allowing discrimination in taxpayer-funded adoption and foster care services. Such laws would allow adoption agencies and child services workers to make decisions for children in their care based on their religious beliefs, rather than the best interests of the child. And it would open the door to agencies requiring that all prospective parents meet their religious standards or be rejected, with children being denied loving homes and left in government care as a result.

Talking About Religious Exemptions & Adoption Discrimination is a guide to effective conversations about these harmful laws, expanding on content from *Talking About Religious Exemptions Laws* (see www.lgbtmap.org/messaging-guides).

Note: when speaking publicly about a particular proposal, contact state or national experts for specific guidance.

APPROACH #1: EMPHASIZE SHARED VALUES

Start by establishing a values-focused overarching theme that ties together our shared belief in freedom of religion, the fact that it's already protected, and that it doesn't mean a right to harm children in need of loving homes.

- Freedom of religion is important; that's why it's already protected by the First Amendment to the Constitution. But freedom of religion does not give people the right to impose their beliefs on others or to deny loving homes to children in foster or government care just because the prospective parents have different religious beliefs than the adoption agency.

Next, we emphasize why adoption, parents and loving homes matter to kids, keeping the focus on the best interests of children and how adoption decisions should be made:

- Adoption and parenting should focus on creating loving, stable, forever homes for kids, and making sure children have the nurturing environment that allows them to thrive and succeed. Adoption decisions should be made based on the best interests of the child, not based on religious beliefs of child services workers and placement agencies.

Finally, we can talk about how such bills create a taxpayer-funded license to discriminate that encourages agencies to impose religious tests on parents, harming kids and depriving them of forever homes:

- This license to discriminate bill would let taxpayer-funded adoption agencies keep kids in foster care or a government group home rather than allowing them to be adopted by loving parents who don't pass the agency's religious test. This hurts children and deprives them of the forever homes they so desperately need.

APPROACH #2: ILLUSTRATE HOW CHILDREN ARE HARMED

Next we focus on how children are harmed by these laws. Please note that the harms below don't use "rights" language or focus on how this discrimination hurts adults or parents, LGBT or otherwise. Instead, we emphasize how these laws harm kids by preventing their adoption by qualified parents.

- This bill would give adoption agencies and workers a broad license to discriminate while providing government services with taxpayer money. Agencies could prevent adoption by any prospective parents who don't meet their religious test—from same-sex couples, to parents where one spouse was previously married, to parents who simply have different religious beliefs.
- This bill opens a can of worms. If child services workers are encouraged to make placement and child care decisions based on their personal religious views as opposed to the best interests of the child, where will it end? Could qualified parents be rejected because they don't share a placement worker's belief that the Bible supports spanking?
- Taxpayer money shouldn't be used to fund adoption agencies that reject prospective parents based on factors that have nothing to do with good parenting. This bill allows discrimination contrary to the best interests of children in desperate need of loving, caring homes.

Finally, illustrate the specific harmful scenarios—though check with legal experts or state leaders to ensure accuracy given the specific legislation being discussed:

- Under this law, an adoption agency could decide to keep a child in a government group home rather than place them with a loving, qualified couple who don't share the agency's religious beliefs.
- A child welfare worker could decide to keep a child in foster care rather than place her with a loving, qualified lesbian couple.
- A Christian agency could deny adoption by Jewish parents, and a Jewish agency could deny adoption by Christian parents.
- Agencies could refuse to allow an orphaned child to be adopted by an extended family member like a gay uncle or a lesbian grandparent.
- Agencies could refuse to place LGBT youth with accepting parents, but could instead place them with parents who intend to force them into harmful conversion therapy.
- An agency could refuse to take a seriously ill child to the doctor if they believe in faith healing rather than modern medical care.
- An agency could refuse to place a child with serious medical needs with a nurse who has the skills to care for her, just because that nurse is gay or of a different faith than the agency.

