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Firing Queer Teachers from Catholic Schools: Ethical and Theological Considerations

Ish Ruiz

Graduate Theological Union, ishruiz11@gmail.com

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Going Against the Grain

University of Dayton Human Rights Center
Social Practice of Human Rights Conference, Oct. 1-4, 2019

Firing Queer Teachers from Catholic Schools: Ethical and Theological Considerations

Presented by:

Ish Ruiz, *Graduate Theological Union*

Session: Centering Queer Rights

Abstract:

Since 2007, there have been over 90 cases of queer employees fired from Catholic institutions – many of which include dismissals of queer educators from Catholic schools. As religious institutions, Catholic schools are constitutionally protected by a *ministerial exception* that offers legal immunity to Catholic educational institutions that fire queer employees (which are sometimes considered “ministers” by the courts). The ministerial exception is an extension of the institution’s right to religious freedom to promote its doctrine through its schools. Although this right to discriminate is legally protected, from a moral standpoint, one may argue that the exercise of one human right in a way that violates another’s human rights might be morally inconsistent with Catholic doctrine. Since the purpose of safeguarding human rights is to protect human dignity, the exercise of a human right in a way that violates another person’s dignity is ultimately self-defeating and must be corrected. In a thorough analysis of this conflict between queer educators and Catholic schools, this paper explores (1) the potential reasons for firing queer educators, and (2) possible ways to adjudicate human rights conflicts in a way that helps safeguard human dignity to the greatest extent possible, and (3) pertinent theological considerations that might help Catholic institutions navigate this conflict in a way that is consistent with Catholic doctrine.

Presenter information:

A graduate of the University of Dayton’s class of 2011, Ish Ruiz is currently a doctoral student at the Graduate Theological Union in Berkeley, California, and a Religious Studies instructor at a Catholic high school in San Francisco. His research interests explore the intersections of religion, sexuality, justice, and education.

Ruiz is the co-founder of a group of Bay Area queer educators in religious schools and has offered several workshops to Catholic high school faculty and staff on care for LGBTQ+ students. He is a co-chair of the Marianist LGBT Initiative Team, which published a resource titled “Addressing LGBT Issues with Youth: A Resource for Educators.” Ruiz has presented in conferences and has made several contributions through the media and his ministries regarding the protection of LGBTQ+ church workers, the Catholic Church’s response to the Supreme

Court's ruling on marriage equality, and the contributions of LGBTQ+ teachers in Catholic schools. He hopes to see a world where Catholicism and LGBTQ+ people embrace each other with love and gratitude for the gifts everyone brings to society and the Church.