

## **Enhancements for ACSI's Legal Defense Reimbursement Program**

For years, the ACSI Legal Defense Reimbursement Program (LDRP) has been a valuable benefit to many ACSI member schools, covering mostly employment related lawsuits as well as some parent/student lawsuits. It also included a pre-dismissal of employee counseling that help schools get dismissal or nonrenewal of contracts done right.

Beginning with the 2017–18 school year, the LDRP will expand to include *belief-based legal challenges*.

Belief-based challenges include:

- **Targeted Actions**

A targeted action includes any governmental action, agency hearing, criminal proceeding, or other similar action, summons, or proceeding that targets a Christian school as a direct result of the school's belief-based decision or belief-based discriminatory act.

- **Financing/Accreditation/Scholarship Challenge**

This includes an action against a Christian school that challenges the accreditation status of the school or the school's right to receive state or federal scholarship funds or other financing due to the belief-based decision, practice, or discriminatory act of the school.

*Belief-based decision or practice* means any decision on behalf of the school to pursue a particular course of action or to implement a particular practice or policy if such action is undertaken in furtherance of the religious beliefs of the school. *Belief-based discriminatory act* means any act that is undertaken in furtherance of belief-based decision or practice and that would be considered discrimination under any applicable federal, state, or local law.

### **Examples of What the LDRP Will Cover**

- The school dismisses a student for an immoral lifestyle that violates the school's biblical beliefs, and then the parents sue the school.
- An accrediting body decides to take away the school's accreditation because of a biblical belief and stance.
- The school decides not to admit a student from a family that is living a lifestyle that is not biblical and the family sues.

The **key** is to protect our Christian schools from lawsuits that come from decisions based on our biblical beliefs.

Previously, this coverage reimbursed legal fees up to \$30,000. It will now reimburse **up to \$35,000**.

### **Pre-Dismissal Counseling**

Pre-dismissal counseling of an employee has been an important piece of the LDRP program, allowing schools to get legal counseling before the dismissal of an employee. LDRP will now cover legal counseling in advance of disciplining, expelling, or refusing to enroll or admit a student if such action is instituted as a belief-based decision or practice.

For example, if the school decides to expel a student based on a violation of a biblical belief or practice of the school, the school can get legal counsel before

expelling the student; the cost will be covered by LDRP. If the school decides not to admit a family based on a biblical belief, the school can get legal counsel before notifying the family of nonacceptance, and the cost will be covered by LDRP.

Previously, this benefit covered legal counseling up to \$500; that will be raised to **\$750 per year**.

ACSI believes that the expansion of the LDRP will greatly benefit our member schools by helping to prevent and mitigate the damage of lawsuits.

As a member of the Legal Defense Reimbursement Program, a member school will now receive up to **\$35,000** in legal fee reimbursement and up to **\$750** in pre-dismissal counseling all for a small fee of \$300.

Schools can enroll by checking the box on their membership renewal labeled LDRP or by filling out the application at [www.acsi.org/ldrp](http://www.acsi.org/ldrp). [/SET off text]

### **LLU 27.3**

Association of Christian Schools International  
731 Chapel Hills Drive  
Colorado Springs, CO 80920  
Phone: 719.528.6906  
[ACSI.org](http://www.acsi.org)

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