



Court Rules Accommodating Religious Request is Undue Hardship

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By: [Tashayla “Shay” Billington](#)

While diversity enriches the workplace, it can also present challenges for employers striving to create inclusive environments that accommodate everyone’s perspectives. In [Kluge v. Brownsburg Community School Corp.](#), a federal court weighed in on one employer’s decision not to continue a requested religious accommodation.

In that case, the Brownsburg Community School Corporation (BCSC) defended its decision to revoke the “Last Names Only Accommodation” provided to a teacher who argued that requiring him to call transgender students by their preferred first names violated his religious beliefs.

Kluge taught Music and Orchestra at BCSC. In 2017, Kluge requested a religious accommodation that allowed him to “address all students by their last names only, similar to a sports coach.” The request was granted.

Later the same year, when teachers and transgender students voiced concerns that the accommodation was causing harm to students, BCSC discussed the issue with Kluge and informed him BCSC could no longer offer the Last Names Only Accommodation. Kluge ultimately resigned and sued, alleging that BCSC failed to accommodate his religious beliefs.

On BCSC's motion for summary judgment, the court assumed for purposes of the motion that Kluge's religious beliefs were sincere and focused on whether there was a genuine dispute over whether continuing the Last Names Only Accommodation created an undue hardship for BCSC.

Under the Supreme Court standard articulated in *Groff v. DeJoy* (2023) 143 S. Ct. 2279, the court determined that continuing the Last Names Only Accommodation would be an undue hardship to BCSC. The court considered "all relevant factors," including whether the accommodation at issue had a practical impact in light of the nature, size, and operating costs of BCSC. The court found that the Last Names Only Accommodation created an unreasonable risk of substantial disruptive litigation, citing discrimination cases filed by other transgender students and imposing substantially increased costs as a matter of law. Simply put, the court found that BCSC was not required to make an accommodation that would put it on the "razor's edge" of liability. The court granted summary judgment for BCSC.

This case is a good reminder that accommodations can always be reassessed and that new facts or circumstances may render a prior accommodation an undue hardship or undue burden to the employer. If you have questions about accommodations in your workplace, whether based on religion or disability, reach out to your favorite [CDF attorney](#).