

## Positive Outcome for Laurelbrook

GREAT NEWS! A 100% positive outcome for Laurelbrook has just been received from the United States District Court, Eastern District of Tennessee, in the Federal Labor Department suit against Laurelbrook! The U. S. Secretary of Labor ("Plaintiff") had alleged that Laurelbrook School ("Defendant") had violated federal labor statutes and regulations of the Fair Labor Standards Act and Child Labor Regulations. The Court held a bench trial that lasted several days (on various dates) between August 19, 2008 and April 6, 2009. The CONCLUSION, filed on July 15, 2009, states: "The Court will enter judgment for the Defendant." So Laurelbrook won!

The 14-page MEMORANDUM lays out 55 "Findings of Fact". These include references to beliefs of the Seventh-day Adventist Church and the educational philosophy found in the teachings of Ellen G. White, a detailed description of the facilities and program of the Laurelbrook School, and a description of EASEA as the Tennessee state-approved accrediting agency for self-supporting Adventist schools since 2002. Other enlightening statements are: #37. "Although students provide services . . . , this is in relation to their training and in line with the guiding philosophy of defendant." #48. "Defendant provides important tangible and intangible training to its students and the students reap great benefits from the training and education provided by Defendant." #49. "Any benefits derived by Defendant from the students' work is secondary to its religious mission and therefore any such benefits are much less than those received by the students." #50. "Because Defendant is a religious institution conducting a bona fide school, it is not engaged in the competitive open labor market." #54. "Defendant's vocational program is a bona fide program and it compares

favorably with vocational programs operated by public high schools in the area." #55 "Because Defendant operates a boarding school it cannot compare perfectly with a public school where students are only in school for part of the day and under the supervision of their parents the remainder of the time. Defendant is in charge of boarding students 24 hours a day and its efforts to keep students gainfully occupied is in keeping with its religious charter to teach students moral character."

More to the point, perhaps, are the 14 "Conclusions of Law" citing a number of pertinent legal cases, and ending with the following statement from "Conclusion of Law" item #14: "The vocational program [of Laurelbrook] is guided by Defendant's religious philosophy. The work performed by students . . . is a legitimate part of this vocational program. The students are not displacing workers. They are working for their own broad educational benefit, and thus are not performing work within the meaning of the Fair Labor Standards Act."

The understanding is that unless there is appeal by the Labor Department, the pending fine of \$50,000 imposed at the time the injunction was implemented will be dropped (and indeed the injunction is lifted!), and perhaps some or all of Laurelbrook's legal fees will be reimbursed by the Labor Department.

By Henry Farr, Liaison for Self-supporting schools for the Georgia-Cumberland Conference.