



Written by [Michael Tennant](#) on June 7, 2024

In Vermont, Christians Need Not Apply to Be Foster Parents

Two Christian families are suing Vermont officials for revoking their foster-care licenses after they refused to swear allegiance to the LGBTQ creed.

Alliance Defending Freedom (ADF) attorneys filed a [federal lawsuit](#) Tuesday on behalf of Brian and Katy Wuoti and Bryan and Rebecca Gantt, accusing Green Mountain State officials of violating the couples' constitutional rights by denying them the opportunity to foster further children because of their religious beliefs.

"Vermont's foster-care system is in crisis: There aren't enough families to care for vulnerable kids and children born with drug dependencies have nowhere to call home. Yet Vermont is putting its ideological agenda ahead of the needs of these suffering kids," ADF Legal Counsel Johannes Widmalm-Delphonse said in a [press release](#). "The Wuoti and Gantt families have adopted five beautiful children between them, including children with special needs. Now Vermont says they're unfit to parent any child because of their traditional religious beliefs about human sexuality. Vermont seems to care little about the needs of vulnerable children, much less the constitutional rights of its citizens. That's why we're suing them in federal court."

The Wuotis became foster parents in 2014, ultimately adopting two brothers they fostered. The Gantts joined the foster-parent ranks two years later, believing that God had called them to take in babies born with drug dependencies or fetal alcohol syndrome. They have since adopted three children.

According to their lawsuit, both families "never had any issues working with the [Vermont] Department [for Children and Families] and the Department never raised any concern about [them] until the Department put them to a choice between serving children in need or staying true to their faith."

The moment of truth occurred when the families' foster-care licenses came up for renewal in 2022. In the years since they had last renewed their licenses, the department had instituted new policies regarding LGBTQ children.



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First came internal guidance for staff to follow when placing such children. It recommended encouraging foster families to “support children’s identities even if it feels uncomfortable,” “bring young people to LGBTQ organizations and events in the community,” “support young people’s gender expression,” and “believe that youth can have a happy future as an LGBTQ adult.” It further stated that caregivers should use “appropriate pronouns” and a “preferred name” when referring to transgender kids.

Later, the department decided to enforce these rules on all foster families, declaring that “under no circumstances will the state licensing authority grant a variance” from them.

Previously, both the state and prospective foster parents had a great deal of latitude in deciding which children should be placed in which families. But now, observed the complaint, “every foster family must ‘fully embrac[e] and holistically affirm[]’ a child’s ideas about their sexual orientation and gender identity to receive a foster-care license regardless of the foster family’s fit for a particular child under other critiera [sic].” In short, Christians — and others who object to the LGBTQ agenda — need not apply.

Thus, when the Wuotis and Gantts tried to renew their licenses, they discovered that the rules had changed dramatically. They were asked to rate how “accepting and supportive of an LGBTQ foster child” they were on a scale from one to five. The Wuotis rated themselves a three, while Bryan and Rebecca Gantt rated themselves a four and a five, respectively.

Although the Wuotis were among the department’s star parents — according to the lawsuit, “One Department supervisor said the Wuotis were ‘AMAZING’ and she ‘could not hand pick a more wonderful foster family’” — their self-ratings doomed their chances of taking in any more foster kids. Their license was revoked.

The Gantts’ self-ratings didn’t raise any red flags, but when they brought up the matter of the LGBTQ policy with their resource coordinator and indicated that they could not abide by it, they, too, were kicked out of the program. That they had been so beloved by the department that officials asked them to appear on the *Today* show to discuss the effects of the 2022 baby-formula shortage on foster families meant nothing when their faith conflicted with that of the wokesters in charge.

Thus, the two couples are now taking state officials to court “for only one reason: because they seek to help children in need, whether through foster care or adoption,” their complaint reads.

They are asking the court to strike down the department’s sexual orientation and gender identity policy on the grounds that it violates the First and 14th Amendments.

They argue that it violates the First Amendment’s guarantees of freedom of religion and association. The policy requires them to affirm certain beliefs and to attend certain gatherings, such as Pride parades, that conflict with their faith while simultaneously forbidding them from expressing their own beliefs or attending other gatherings, such as church services. It thus “substantially burdens [their] religious exercise by forcing them to choose between the opportunity to become foster and adoptive parents and staying true to their religious convictions.”

They further contend that the policy contravenes the 14th Amendment’s guarantees of due process and equal protection because it is “unconstitutionally vague” and “encourages discriminatory enforcement against religious viewpoints.” In fact, it “categorically excludes applicants with religious beliefs the Department disfavors.”



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The plaintiffs have a seemingly watertight case. However, with the three judges of the U.S. District Court for Vermont having been appointed by President Barack Obama, it can hardly be considered a slam dunk.



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