



Written by [Dave Bohon](#) on February 22, 2012

Despite Court Victory, NYC Churches Still Banned From Schools

A day after a U.S. district court ruled that scores of churches could temporarily continue meeting in New York City schools, an appeals court ruled that the restraining order against the city applied only to the Bronx Household of Faith, the primary church named in the lawsuit.

As reported by [The New American](#), on February 17 Judge Loretta Preska (left) of the U.S. District Court for the Southern District of New York had granted a stay on behalf of the churches affected by an earlier ban implemented by the board of education, ruling that the congregations “demonstrated irreparable harm and a likelihood of success on the merits of their Free Exercise and Establishment Clause claims.”



But late on February 18, the 2nd U.S. Circuit Court of Appeals issued a ruling that narrowed the applicability of Preska’s restraining order to the single congregation, leaving dozens of churches scrambling for meeting places.

Jane Gordon, an attorney for the city, said she was “pleased that the Circuit has narrowed the TRO [temporary restraining order] to the Bronx Household only,” adding that the city’s department of education “is legitimately concerned about public schools being affiliated with a particular religious belief or practice.”

Jordan Lorence of the [Alliance Defense Fund](#), which is defending the churches against the city ban, said that he was optimistic Judge Preska would counter the appeals court ruling by broadening her decision to apply to all churches impacted by the ban. “We expect Judge Preska to issue a preliminary injunction within the next week, and it should apply to all religious groups desiring to hold worship services in the NYC public schools,” he said.

As noted by [The New American](#), in an attempt to circumvent the ban, the New York State Senate passed a measure that would require the city to allow churches to use schools on weekends. That bill is now awaiting action in the state assembly.

For the churches, however, the process has been stressful to say the least. “It’s been a real roller coaster ride,” the Rev. Jon Storck, pastor of Grace Fellowship in Queens, one of the affected congregations, told the [Associated Press](#).

“We can’t just move churches one week and then move them again the next week,” said another minister, the Rev. James Park of New Frontier Church, which quickly moved its services from the school where it had been meeting to a pair of Manhattan synagogues. “I think we would need a couple of weeks’ notice.”



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Ray Parascando, pastor of Crossroads Church in Staten Island, told [Baptist Press News](#) that on the Sunday following the new ruling, he planned to stand outside the school where his church has met the past four years and tell worshipers for the service that they could not go in. "There are numerous people who ... are just going to show up because they think it's church as usual — because that's what we were communicating because we had a permit," Parascando said.

He explained that many of his parishioners "are people who budget their money just right to go to work and to church [on public transportation], and there are people who actually look forward to going to church for encouragement. So I felt like it was a total disregard for the things of God."

Lorence said that despite the twist in the ruling, many of the churches ADF is representing "really want to ride this roller coaster to the end so they can meet in the schools as they should."

Pastor Storck said that his church is "looking at this as a time to reconsider our goal as a church and to realize we're not tied to a specific building, but to the community."

Lorence said that regardless of the court maneuvering, he would continue to fight for the right of churches to meet in the schools. "We'll litigate this case as long as we have to," he said.

Meanwhile, some congregations said they will continue to worship and trust God to provide the appropriate venue. "We will continue to worship God in the streets if we must," the Rev. Salvador Sabino, pastor of Heavenly Vision Christian Center, told [Focus on the Family](#).

On February 19, locked out of the school where they had been meeting, 350 of that church's worshipers gathered on the sidewalk outside the school for their Sunday service. Noted Pastor Sabino: "Some 40 former gang members have come to Jesus through our church, and two of them are now assistant principals in the Bronx."



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