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Reply to: Florida

May 11, 2017

**VIA EMAIL ONLY**

Dr. Alberto Vazquez,  
Chief of Staff, Superintendent's Office  
Hillsborough County Public Schools  
901 E. Kennedy Blvd.  
Tampa, FL 33601  
alberto.vazquez@sdhc.k12.fl.us

Re: Teacher banning cross necklaces and engaging in classroom political activism

Dear Dr. Vazquez:

Liberty Counsel is in receipt of your letter of May 8, 2017. Parents report that on Friday, April 28, 2017, Hillsborough County Schools, for its "investigation" into the behavior of teacher Lorajane Riedas, called children to the office, forbade them from contacting their parents, required them to answer questions in recorded interviews, and, after the fact, claimed "the investigation happened too fast to inform parents," even though students waited for over an hour to be interviewed. To what extent this coercive environment affected the quality of the District's investigation, or elicited the answers the District wanted to hear, is unknown at this time.

**Deficiencies in District Response**

While we have read the District's admonition to Ms. Riedas to be present in a supervisory, and not activist, capacity during her interactions with Riverview Gay-Straight Alliance ("RGSA") club, your response on behalf of the District is otherwise unsatisfactory for several reasons:

1. Ms. Riedas' tweets and social media use were clearly during contracted instructional hours (10:12 AM on Wednesday, April 5, and 8:55 AM on Friday, April 7, 2017), and advocated political viewpoints. Moreover, she specifically promoted the Gay, Lesbian, Straight Education Network's ("GLSEN") publicly coercive "Teacher's Guide" to pro-LGBT classroom activism on "Day of Silence," without any caveats, urging other teachers to implement its classroom coercion. The District's response fails to address the impropriety of her urging other teachers *to use their position as teachers* to implement the unconstitutional, coercive "guidelines" during instructional time.

2. Ms. Riedas' (and Hillsborough Schools') claim that RGSA's activities are exclusively "student led" is belied by her above social media use during contracted instructional hours, as well as by her GLSEN PTSA statement – "I had the idea for our [GSA] chapter to be at this event today..." – and thus cannot be taken at face value. Her activism *as a teacher*, not self-serving, hand-selected email claims once under investigation, should be considered here.
3. Ms. Riedas did not just ban "rosaries" as she apparently said to the investigator (even if that were permissible, which it is not); she also banned cross necklaces and small crucifixes. In fact, we provided the District a picture of one of the cross necklaces she banned. A picture of another is attached. Neither necklace was a rosary. One had Jesus on a small cross; the other is a plain gold cross; but neither can in any way be considered a so-called "gang symbol." Moreover, the student who had worn the rosary had done so after receiving it for confirmation, as a symbol of faith.

The [Riverview Student Handbook](#)<sup>1</sup> does not support a ban on religious jewelry or rosaries as purported "gang symbols," nor does any other District policy. The Handbook permits "headdress" and "head coverings" for religious observance; it cannot discriminate against cross necklaces worn for religious reasons, and other jewelry. Such discriminatory action violates constitutional guarantees and the nondiscrimination principals set forth in the 2003 U.S. Department of Education's Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools. See [https://www2.ed.gov/policy/gen/guid/religionandschools/prayer\\_guidance.html](https://www2.ed.gov/policy/gen/guid/religionandschools/prayer_guidance.html).

4. Liberty Counsel's three minor clients independently confirm that **they were told by Ms. Riedas to "take it off" or "take it off or cover it up"** regarding simple, small, cross necklaces. Some of those same students wore substantially similar secular necklaces, and were not so instructed. One of our clients' cross necklace was banned after the student removed the LGBT rainbow sticker from that student's notebook. [Policy 5517](#) bans "harassment" by teachers "where conduct is directed at the characteristics of a person's religious tradition [or] clothing," except, apparently, if the teacher claims it is a "gang symbol." The District cannot simply dismiss these incidents.
5. "Promoting LGBT issues in class" does not just encompass verbal promotion, but nonverbal as well: Ms. Riedas has the word "ALLY" on the wall in giant block letters; she has buttons stating "PROUD public employee" and "I LOVE MY LGBT STUDENTS" (and no buttons stating "I love my XYZ students"); she has GLSEN rainbow "Safe Space" materials on the wall of her classroom (despite all teachers being inherently "safe spaces" for the reporting of bullying for any reason); and she put LGBT rainbow stickers on the notebooks. She has now added a poster (attached) to her wall, as a means of very publicly showing complaining students who is the boss, and how many student "allies" she has. If this is not "promoting," then nothing is.
6. Ms. Riedas could have chosen any other sticker, but she chose a rainbow sticker. The only reasonable interpretation of Ms. Riedas' rainbow notebook stickers, in the context of

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<sup>1</sup> "Garments and/or jewelry that display or suggest sexual, vulgar, drug, gang, weapons, or alcohol-related wording or graphics, or that provoke or may tend to provoke violence or disruption in the school, shall not be worn."

a classroom decorated with pro-LGBT political ideology, which were placed by a trained GLSEN activist with photographic evidence on her social media profiles, is that the stickers are pro-LGBT. In the classroom context of all her LGBT propaganda, it is obvious that the rainbow reflects her bullying of the students by forcing them to display her LGBT political message.

The fact that the letters “LGBT” are not in the stickers does not mask their purpose. A rainbow sticker under these circumstances is equivalent to a Christian teacher affixing a Christian flag sticker to the students’ class notebooks and booklets, or to a pro-Republican teacher with Republican placards all over the classroom placing elephant stickers on every single notebook, and then claiming the stickers “have nothing to do with” Republican politics.

Students who remove the rainbow sticker risk Ms. Riedas’ retaliation; and so she must be required to remove them, all at once, or get new notebooks, so as not to “out” objecting students. The stickers have nothing to do with math class.

7. Our further investigation reveals that Ms. Riedas and Ms. Chuchman both confiscated a Trump “Make America Great Again” (MAGA) hat from our 4th student client, each on separate occasions. On both occasions, the hat was in the student’s hands, and not on his head. The Riedas confiscation occurred after the election in November, the exact same day the student received his hat back from the office, where it had been for over a month following the first confiscation by Ms. Chuchman. At both times the hat was confiscated while he was holding it, not while wearing it.

### **Supplemental Trump “Make America Great Again” Hat Confiscation Details**

Liberty Counsel provides these additional facts from its own investigation, given the District’s dismissive and deficient response.

**First Incident - Confiscation by Ms. Chuchman:** Student 4 had taken the red MAGA Trump hat to school sometime in early October. This incident is corroborated (though misrepresented) by Ms. Riedas’ October 16 radio interview recording, discussed below. A Hispanic female friend said to the student “What is that?” in reference to the MAGA hat he was holding in his hand. He held it out to her, so she could see it. She looked at it, laughed and said “Attaboy!” Ms. Chuchman saw this from a second floor balcony across the courtyard, 75 to a 100 feet away. She saw Student 4 hand his friend the hat, and began approaching him, walking “with purpose.” Student 4 had reached the front of his next class, and Ms. Chuchman came in behind him a few seconds later. In compliance with school rules, Student 4 had removed his hat from his head as he was walking in. Ms. Chuchman said, “Excuse me,” and snatched the hat out of his hand. Ms. Chuchman said, **“by you bringing the hat to school, you are bullying every black and Hispanic person, and everyone who is not white.”** Student 4 was surprised, and did not say anything in response. This occurred in front of a number of classmates, and he was embarrassed. Ms. Chuchman asked to talk to Ms. Paffaman (biology teacher), and then Ms. Chuchman took the hat, and gave it to the front office; and the front office said he had to wait to get it back: “We’ll give it back when the time is right.” “The time was not right” until after the election.

**Second Incident - Confiscation attempt by Ms. Riedas.** On or about November 19, Student 4 had just received the red MAGA hat back from the office, and had it in his hand, because he could not wear it in the classroom. He had removed it as he was walking in the door. Ms. Riedas came up to him to take it away. She took the hat, and said “go outside.” He went outside. She followed, and said, “I don’t accept political views in this classroom.” **“You’re offending people; you should not be able to have this hat at school; it should be put away so no one can see it.”** Ms. Riedas called the office, but the office said that because President Trump had won the election, Student 4 could wear the MAGA hat. Ms. Riedas double checked to be sure, and then grudgingly gave it back by thrusting it toward him while looking away, not making eye contact.

### **Ms. Riedas’ Public Misrepresentation of Trump Hat Incidents**

Ms. Riedas referenced Student 4’s Trump hat in a radio interview as evidence of “‘Trump Effect’ harassment at school” in Hillsborough County, in the lead up to the November 2016 presidential election. The October 16, 2016 radio interview with local PBS affiliate, 88.5 WMNF, is available at <http://www.wmnf.org/new-study-says-hillsborough-county-one-juvenile-arrests-florida-local-hs-teacher-says-trump-effect-harassment-school/> .

Ms. Riedas speaks from 25:04 to 31:35, discussing what the host calls the “non-scientific” Southern Poverty Law Center “report” entitled “The Trump Effect.” The radio host describes her as the “co-chair of the” Tampa “Gay Lesbian and Straight Education Network” at 25:39.

In the remainder of the interview, Ms. Riedas makes various allegations about students and Donald Trump, including that she has heard Riverview students use Mr. Trump’s last name as a slur to taunt other students (**“in my own classroom . . . because a student is yelling out ‘Trump’ for no reason, or some of the kids are intimidated in general”**) at 26:09 (repeating the identical SPLC talking point and claim contained in the SPLC “report” quoted by the host at 28:57-29:06). However, remarkably, Ms. Riedas then admits at 27:01 that she “has heard of [bullying] incidents at our school, **but not ones that I’ve witnessed**.” (Emphasis added).

The interview culminates in the following colloquy, in reference to Liberty Counsel’s student client, Student 4, above:

Riedas at 27:11-34: **“There was an incident just a couple weeks ago of a student that was kind of out in our breezeway during passing period, and with his red hat, he’s, he’s waving his red hat, and pointing at you know, Hispanic kids, and kids are just kind of looking at him, scared, and you know, a teacher had to intervene,** and then it involves administration, and it takes up time for stuff like that, but it is, it scares the other kids who are just trying to get to class.”

Host: “How do you balance a student’s ability to have free speech,” “and the desire of other kids not to be bullied?”

Riedas at 27:50: “That’s even something I’m dealing with on a daily basis in just my own classroom.” “We’re supposed to remain non-partisan as teachers, and we’re not supposed to show one side or the other with our students.”

This claim of being “non-partisan” is hypocritical, in light of Ms. Riedas telling three students to “take off” or “take off or cover up” cross necklaces, as well as attempting to confiscate a Trump hat from a fourth student and forcing him to leave her class—not for wearing the hat in violation of school rules, but for having worn it outside the classroom or even possessing it on the property. In confiscating Trump hats, Ms. Riedas and Ms. Chuchman have elevated their own partisan political beliefs over those of students, in violation of District policies previously detailed. For the record, some of the students who contacted Liberty Counsel are “not white” and are Donald Trump supporters, thus giving the lie to these teachers’ false claims of “racial bullying” by the mere wearing of a Trump MAGA hat, or showing it to other students.

## **Conclusion**

The bottom line is that teachers like Ms. Riedas are politicizing their classrooms and the school. Ms. Riedas uses mischaracterized classroom examples for outside political activism like her radio interviews; and she also imports outside political activism into her classroom. In other media, she has publicly accused the above students of “lying” about her actions.<sup>2</sup> Students whom Ms. Riedas likes and agrees with are favored, while students whom she dislikes or disagrees with have their cross necklaces banned, their Trump hats taken, or are kicked out of class. Her activities are alienating students of faith or with conservative viewpoints, and are contributing to a substantial disruption of the learning environment.

Therefore, within 14 days of this correspondence, please provide the following confirmations:

1. Confirm that teachers may not and will not utilize any of the activities contained in GLSEN’s “Teacher’s Guide” during instructional time in their official capacities.
2. Confirm that students may wear cross necklaces or other symbols of faith without fear of punishment, to the same extent any secular jewelry or other articles of clothing may be worn.
3. Confirm that hats or shirts displaying political speech, such as a Trump MAGA hat (or ones supporting Democrat candidates), may not be confiscated from students on the grounds that their mere presence is “bullying” to others, or because a teacher disagrees with the political message expressed.
4. Require Ms. Riedas to remove the LGBT rainbow stickers from her classroom notebooks.

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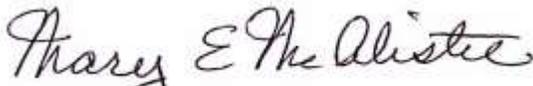
<sup>2</sup> “They’re getting kids as teenagers to lie for their agenda.”

<http://www.tampabay.com/news/education/k12/at-riverview-high-a-teacher-who-supports-lgbt-students-is-accused-of/2321964>

5. Require Ms. Riedas to remove the buttons "PROUD public employee" and "I LOVE MY LGBT STUDENTS," and any remaining Hillary Clinton decals (such as those which have been displayed on her classroom clipboard), or alternatively, confirm that all teachers may display identity-based slogans of groups to which they belong, e.g., "PRO-LIFE public employee" or "I LOVE MY CHRISTIAN STUDENTS."

If we do not receive the requested response, Liberty Counsel will take further action to prevent irreparable harm to the rights of our clients.

Sincerely,

  
Mary E. McAlister†

  
Richard L. Mast, Jr.††

Attachments  
CC

**Via Email**

Hillsborough Schools Board of Education:

Cindy Stuart, Chair (via Secretary)

Sally Harris, Vice Chair (via Secretary)

Susan L. Valdes (via Secretary)

Melisa Snively (via Secretary)

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Lorajane Riedas

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† Licensed in California, Florida and Virginia

†† Licensed in Virginia

May 11, 2017 Exhibits

Exhibit A – Banned Cross Necklace



Exhibit B – Banned Cross Necklace Pendant

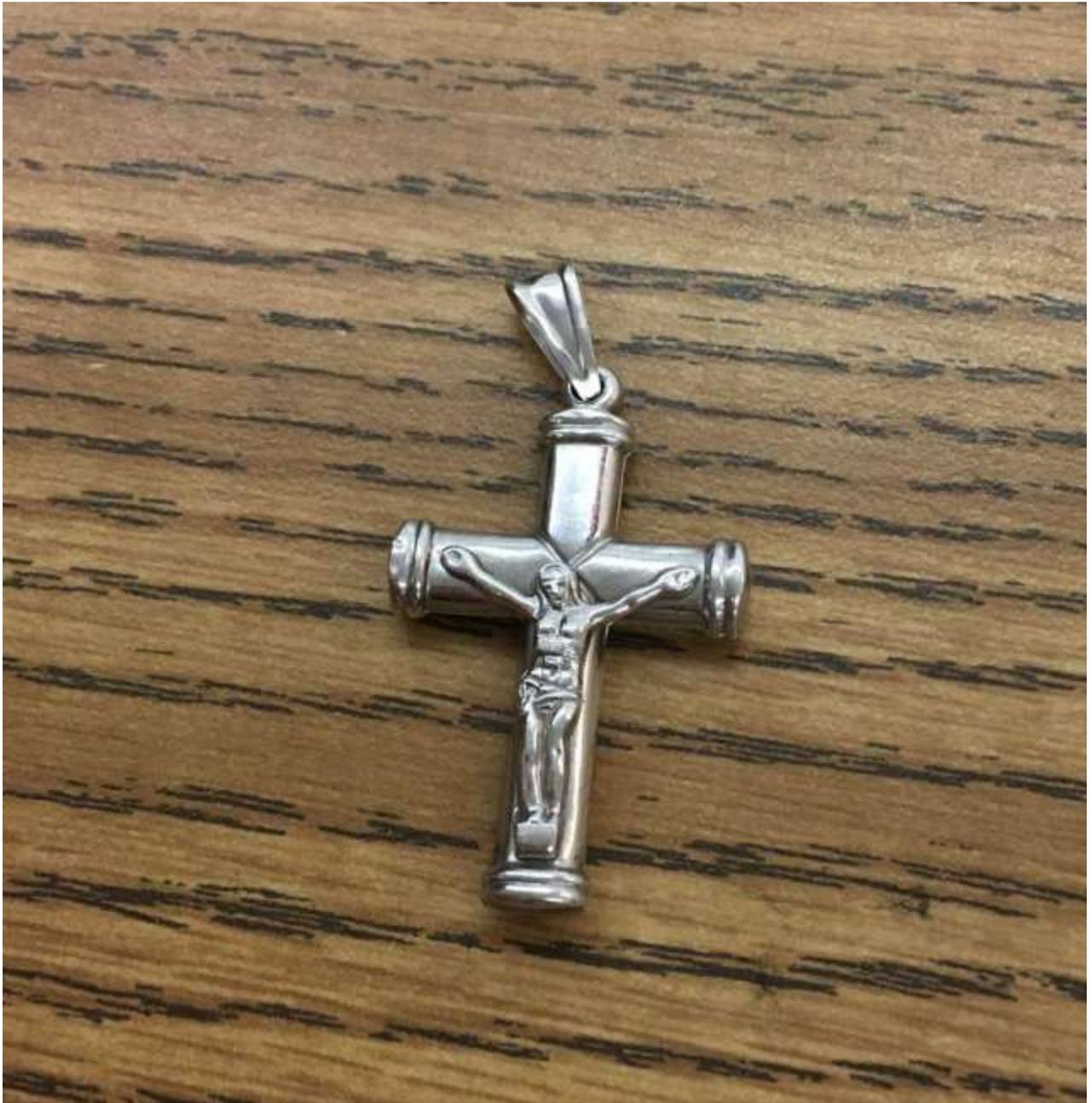


Exhibit C – Riedas Notebook LGBT Rainbow Stickers



Exhibit D – Riedas Poster



Exhibit E – GLSEN Tweet – Riedas ReTweet – April 5, 2017 – 10:12 AM

LoraJane Riedas retweeted

 **huffpostqueer** @huffpostqueer Apr 5

Whoo hoo! Attempt to oust pro-transgender equality school board members fails in Illinois [huff.to/2oJbxFI](http://huff.to/2oJbxFI)

View summary ·   

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LoraJane Riedas retweeted

 **GLSEN TampaBay** @GLSEN\_TampaBay Apr 5

Are you an Educator? Here is a Guide for you about GLSEN's National DoS! [glsen.org.../fi.../NEW%20DOS%20Educator%20Guide.pdf](http://glsen.org.../fi.../NEW%20DOS%20Educator%20Guide.pdf)

View details ·   

Exhibit F – GLSEN PTSA – “I had the idea to get our chapter to be at this event”



 **lorajaneriedaschuchman** Gaither High School [Follow](#)

lorajaneriedaschuchman Representing #glsentampabay at the Hillsborough District #PTSA workshop. Parent/Teacher Association are Allies too! Thanks for supporting #GSA 's in your schools. #glsen @glsentampabay

lorajaneriedaschuchman Dear @rvhs\_ptsa , thanks for being so supportive of #RGSA . It's because of that I had the idea to get our chapter to be at this event today. You guys rock!

outlaws\_of\_love\_88, mr.medling, rvhs\_ptsa, gailstew24, thestyledancer and sydneyspaige like this

JUNE 4, 2016

Log in to like or comment. 

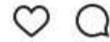
Exhibit F – GLSEN Leadership Credentials



lorajaneriedaschuchman  
Baltimore, Maryland

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lorajaneriedaschuchman Excited to be part of the Chapter Leadership Institute. #GLSEN Representing for #glsentampabay #glsencli #RGSA #GSA #conference #summer2016



14 likes

JULY 16, 2016