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REPLY TO FLORIDA

May 12, 2026

VIA E-MAIL ONLY

Superintendent of Schools

RE: Disciplining teacher for accommodating Christian student religious exercise

Dear Superintendent [REDACTED]:

Liberty Counsel is a national non-profit litigation, education, and public policy organization, with an emphasis on First Amendment liberties. We write regarding [REDACTED] Middle School teacher **Teacher**, and the students whose religious exercise she accommodated.

We hereby request that [REDACTED] (“[REDACTED]” or “District”) reverse recent discipline imposed on **Teacher**, for alleged “lack of professional judgment” relating to her accommodation of student religious free exercise requests, and that **District** reverse its prohibition on accommodating Christian students’ religious exercise (consisting of prayer, Bible reading and religious discussion) in a quiet room during lunchtime, simply because the religious exercise is Christian and religious.

The District has accommodated significant numbers of Muslim students in their religious expression and practices – including during Ramadan – during lunchtime – with hall passes – and has not disciplined teachers who have assisted in that accommodation, nor has the District opined that Muslim students can only engage in religious exercise after school as a “club,” rather than at lunch in a quiet space.

The First Amendment requires equal treatment of student religious exercise and prohibits the District from retaliating against **Teacher** for accommodating the students. Connecticut’s Religious Freedom Restoration Act, Conn. Gen. Stat. § 52-571b — “Protection of exercise of religion” also protects both the students and **Teacher**. Teacher accommodation of nondisruptive student religious free exercise requests is not “lack of judgment,” especially in the absence of District policy.

Please respond to Liberty Counsel in writing confirming by May 22, 2026, that 1) the discipline has been reversed, including a) the suspension of [REDACTED] for two days without pay; and

b) that no letter of discipline has been placed in her file. Please further confirm 2) that the students in question have been informed that they may return to gathering for their religious exercise during lunchtime in **Teacher's** room. **If we do not receive this confirmation, Liberty Counsel intends to take further action to prevent irreparable harm to the rights of the students and **Teacher**.**

FACTS

We understand the following facts to be true: The Teacher Handbook contains no guidance forbidding teachers from permitting students to meet in their rooms under teacher supervision during their lunch period. It is common practice for teachers to have small groups of students in their rooms (often 2-3, but sometimes larger groups of 6-10), depending on the teacher and the purpose for which the students gather.

Students are allowed to leave the lunchroom and eat lunch at other locations at **Middle School**. For example, students are routinely permitted to go to a teacher's room during lunch, for various reasons, including for nonreligious reasons, such as a simple desire to be around a smaller group of people or in a quieter place when eating.

The District has accommodated the religious free exercise of multiple Muslim students at **Middle School** during Ramadan. These students have been permitted to use hall passes to go to the Library to engage in group religious exercise (including fasting, prayer and discussion). On information and belief, the numbers have been comparable to the number of Christian students meeting in **Teacher's** classroom.

In the past, **Teacher** accommodated the religious free exercise of a single Muslim student during her lunch block, in her classroom. The Muslim student requested and was allowed to pray during the school day, including during **Teacher's** lunch block. **Teacher** assisted and accommodated the student in his religious exercise by allowing the student to keep his prayer mat in her room. **Teacher** was glad she could accommodate this student's religious practice.

Beginning approximately in February 2026, several 7th Grade students approached **Teacher**, informing her that they had been talking about God, reading and discussing the Bible, and praying during their lunch time in the cafeteria, but that the environment was very noisy and not conducive to these religious activities.

The students asked **Teacher** if she would make her classroom available to them during lunch for these religious exercises. Having in the past personally accommodated a Muslim student's request to use the quiet of her room for that student's religious exercises, **Teacher** agreed to accommodate these Christian students' request to likewise use her quiet room.

The students thanked **Teacher** and requested hall passes to allow them to go from the cafeteria to her room. Aware that hall passes had been issued upon request to Muslim students during Ramadan, **Teacher** agreed. The Christian students were grateful that **Teacher** accommodated their request. At no time did the students tell her they wanted to form a "club" or "Bible club."

Since February 2026, the 2 original students and additional students from their lunch table continued coming to **Teacher's** room, when she had availability. On average, the group ranged in size from about 7- 9 students at the time the religious activities of the students came to the attention of **District** administrators.

Administration learned that **Teacher** was accommodating a student religious free exercise request after a parent complained that “**Teacher** gave a Bible to my son” or words to that effect. This complaint lacked context and was thus not fully accurate. Some students - at least 3 (who had requested and received hall passes, and who had been engaging in their lunch-time religious exercise) did not have Bibles. These students asked **Teacher** if she could assist each in obtaining a copy of the Bible.

Teacher responded that she was willing to assist, but only if their parents gave permission for her to do so. One student reported back that his parents declined to give their permission, and **Tea** did not purchase a Bible for him.

Two students reported back to **Teacher** that their parents approved. **Teacher** subsequently obtained two Bibles for the students who reported that their parents had approved and gave them to the students. (**Teacher** - like many public-school teachers - routinely contributes items for the use of students with her own money - typically in the form of classroom supplies, or small motivational gifts).

Administration learned of the Bible “incident” from the parents of one of the boys, who appears to have been incorrect in his assessment that he had parental permission. Administration met briefly with **Teacher** on April 10 and 20, and interviewed students thereafter.

APRIL 27, 2026 PRE-DISCIPLINARY AND DISCIPLINARY MEETINGS

On April 27, 2026, Superintendent [REDACTED], Assistant Superintendent [REDACTED], Principal [REDACTED] met (“April 27 Meetings”) with **Teacher** for a pre-disciplinary meeting (the “Pre-Disciplinary Meeting”), briefly adjourned to consider what, if any, discipline should be imposed, and then met immediately thereafter with **Teacher** to announce the disciplinary decision (the “Disciplinary Meeting”). The meetings were recorded. [REDACTED], FEA President, attended.

The decision announced by **District** was that **Teacher** demonstrated “lack of professional judgment” in large part by not recognizing a “club” when she was approached by the students, and because this “bad judgment” was supposedly a pattern, a two-day suspension without pay would be imposed, and this offense would go into her file, and if any other instances of “bad judgment” arose, **Teacher** would be subject to termination.

The recorded April 27 Meetings statements reflect several faults in **District** analysis and understanding, including 1) the requirements of the Establishment Clause and 2) the rights of students to engage in religious exercise; 3) the comparable treatment by **District** of Muslim student religious exercise in general; 4) and the comparable treatment by **Teacher** of a particular Muslim student’s religious exercise. Because of these faulty premises, **District** administrators came to the faulty conclusion that 5) **Teacher** had demonstrated “bad judgment.” Relevant statements by **District** administrators from the April 27 Meetings are included for ease of reference. Pains appear to have been taken by administrators to avoid calling “Christian religious exercise” exactly that, instead using euphemisms like “a shared focus of discussion,” “this purpose” and “this...focus;” “their focus;” and instead of “Christian students,” a “consistent group.”

Other troubling **District** administrator statements included “**keeping...religious conversations with students out of the classroom;**” “**there are certain ways students can (and can’t, right?) read the Bible, talk about religion;**” the supposedly troubling fact that **Teacher’s** colleagues “**had no reaction to...hearing that a colleague was making their room available to students to read and**

discuss the Bible...because if your colleagues ‘didn’t’ have any kind of reaction, it’s just something that we have to be mindful of as administrators.”

A. PRE-DISCIPLINARY MEETING

1. Initial Summary

- a. **Assistant Superintendent [REDACTED]**: What we found based, on what you’ve said and what the students have said and parents have said, although not so much parents right now, but mostly the students, is that at some point a group of students started meeting in your room through a pass system. They would get passes, they would come to your room. And then they would function in your room with a **shared focus of discussion**. And it was a relatively **consistent group** that was coming down and meeting in your room. We found that although most times you stayed out of the discussion, I think that there was maybe one student who reported that, you know, you jumped in one time or whatever, but mostly that was not a big thing, but we did find through what you said and what the students said that you did provide Bibles to students. We also found that there was a lack of communication with your administration and also with the families of the students who were participating in this group. And so those were some of the, you know, sort of sort of our major findings of what were problematic.

2. Initial questioning by Superintendent [REDACTED]

- a. **Superintendent [REDACTED]**: How many years of experience do you have, **Teacher**, in education?
- b. **Teacher [REDACTED]**: 18 in **District [REDACTED]**, six in **District [REDACTED]** and a year in **District [REDACTED]**.
- c. **Superintendent [REDACTED]**: Okay. So you’re a pretty experienced teacher. In, in all those years, **the separation of church and state, or keeping you know, religious conversations with students out of the classroom** like that, never, that never came up prior to this situation when **Principal [REDACTED]** approached you?
- d. **Teacher [REDACTED]**: If you mean never came up, I am aware of my responsibilities as a teacher not to impose my values, my beliefs on my students. I’m aware also of their right to express themselves and assemble. So I am aware... I’m not sure exactly what your question...
- e. **Superintendent [REDACTED]**: I guess I’m just a little curious the way, like when, **when these students asked to come to your room to read and eventually discuss the Bible, right?** Because that’s what we’re talking about here. Eventually this group grew to nine students **who were sitting together reading and discussing the Bible**. Just curious that, how it didn’t occur to you or to think to approach **Principal [REDACTED]** or **Assistant Principal [REDACTED]** to talk through like, **“is this something that I should be doing?”**
- f. **Teacher [REDACTED]**: Because I know that I wasn’t proselytizing or trying to persuade anybody, it was student-initiated and student-led, I did not see a problem with it. I was providing a space, and, in the case of the Bible, a resource that they asked for. And I requested them to talk to their parents. And one student did come back and say his parents would not allow him. And I said, “that’s fine.” So I did not see it as anything crossing a district line. If a district policy, if that’s the case, you know, I am open to your instruction, but it did not occur to me.
[...]

- g. **Superintendent [REDACTED]**: ...and you would know, like, the dynamics on your team, but when this group grew to “nine” students meeting and they’re all together in your classroom, did any of your teammates ever walk in and say, “wow, **Teacher**, big group today,” or “what’s going on in here? This looks like ahh...” (trail off original).
- h. **Teacher [REDACTED]**: I don’t remember anybody walking in my room and being surprised. [...]
- i. **Superintendent [REDACTED]**: So you mentioned, so you talked to a colleague about this, and you said that there were, students studying the Bible in your classroom at lunch, and that colleague had *no* reaction to that?
- j. **Teacher [REDACTED]**: I think all of us have worked with these students who are... there are many behavioral issues among these students. So we’re, we’re happy that they are doing something that is bringing them peace... [...]
- k. **Superintendent [REDACTED]**: Well, I just want to give you one last chance to, to respond to this, because what I want to be clear about is something you said earlier, which is **there are certain ways students can (and can’t, right?) read the Bible, talk about religion. And it’s important for us not only as a school, but also as a district that our staff understands where those boundaries are.**
- l. **Teacher [REDACTED]**: Yes.
- m. **Superintendent Giannini**: And so in telling us that you had some staff members that you had conversations about this with, and **you’re telling me they had “no reaction,” that’s something that we have to be mindful of as a as a school and as a district as well.**
- n. **Teacher [REDACTED]**: In the sense of “no reaction,” I, do you mean, like they were, thinking it was thinking it was wrong, or?
- o. **Superintendent [REDACTED]**: Well, I guess a, just give you some guidance, maybe like, “are you sure that’s okay?” “Have you talked to **Principal [REDACTED]** about that?” “Have you talked to **Assistant Principal [REDACTED]** about that?” “Oh, I didn’t know we could do that.” **I’m just hearing you say they had no reaction to, you know, hearing that a colleague was making their room available to students to read and discuss the Bible. That’s something... that’s why I just want to make sure that we’re really clear, because if your colleagues ‘didn’t’ have any kind of reaction, it’s just something that we have to be mindful of as administrators when we think about.**

3. Questioning by Assistant Superintendent [REDACTED]

- a. **Assistant Superintendent [REDACTED]**: I mean, I guess what we’re, you know, still wondering about is that, this was a **kind of a larger group** that you’re having, and they’re meeting for **this particular** [i.e. Christian religious] **focus**. Something that you said if they had approached you, you know, and they had formed a club that would be after school, then you would have asked permission.
- b. **Assistant Superintendent [REDACTED]**: But for all intents and purposes, even if that wasn’t your intention, they are meeting **for this [Christian religious] purpose** now during school, right? **I mean, that [Christianity] was their; this was their focus. And you knew that this [Christian religious purpose] was their focus.**
- c. **Assistant Superintendent [REDACTED]**: And so, you know, I just, I’m just wondering about your understanding of then, like as a school public school teacher and knowing that **there is a right for students to have, you know, freedom of**

religious expression, but also knowing that there's an Establishment Clause where we can't look like we're endorsing or promoting a particular religious viewpoint.

- d. **Assistant Superintendent [REDACTED]**: I'm just curious how you reconcile those two, sort of when **this [religious] group** is meeting in the middle of the day in your classroom and **you're providing access to it** and materials to it, I'm just, just curious about your decision making about that.
- e. **Teacher [REDACTED]**: I guess I'm, I am a little confused about the difference between... are you saying if it were a club, that was approved, it would be okay to meet in my room, or?
- f. **Assistant Superintendent [REDACTED]**: Yeah. So what I'm saying is that IF it were a club, and all of our clubs meet after school, and it went through all of the guidelines which includes, you know, whatever we do for other clubs, absolutely. They could meet after school. In fact, we would say, that, **that would be the appropriate place for a student group like this** [i.e. religious group] to meet. Yes.
[...]
- g. **Assistant Superintendent [REDACTED]**: From our perspective, **this could really, if you think about it, look like we have a teacher who's promoting or sponsoring religious activity during the school day**, right? I mean, **providing the space, providing passes, that whole thing. And that's definitely clearly, you know, when you think about the Establishment Clause of the Constitution...so that's what we're sort of trying to work out the, you know, what's the parameter of that? So that's what we're worried about in terms of that because it certainly looks like a club that's meeting now during the day.**

4. Final Questioning by Superintendent [REDACTED]

- a. **Superintendent [REDACTED]**: So some of the tenets that you're mentioning, **Teacher**, about being student led, student organized, are some of the initial pieces for putting a club together. But what's also important is that there's a standard practice for club. **So either you let all clubs meet during the school day, or no clubs meet during the school day...**
[...]
- b. **Superintendent [REDACTED]**: You still have to apply to put one [a club] together. You wouldn't, as a staff member form your own club, you know, unbeknownst to the school.
[...]
- c. **Teacher [REDACTED]**: Yeah, that was never my intention to form a club. They didn't come to me and say, "can we have a club?" I would have directed them to **[REDACTED]** **Principal [REDACTED]**. So. I understand your perspective and you know, want your guidance.

B. DISCIPLINARY MEETING

- 1. Announcement by Superintendent [REDACTED]
 - a. **Superintendent [REDACTED]**: Alright, so, **Teacher**, we just had a good discussion about this situation, and here's where we're at, and here's where I'm at. This is not the first time that you've sat at this table, right, for a lack of judgment. And that's really where our conversation was rooted in, right? And I want to be crystal clear, we're not here today because students do not have the right to read religious materials, discuss it with their peers, right? **So long as us [sic]**

as a staff and an organization aren't supervising that activity in the absence of an established club, right, that was organized through the proper channels, right, which we understand did not happen.

[...]

- b. **Superintendent [REDACTED]**: You know, this situation grew from a student coming to read to a larger group of nine students coming to read and discuss, and also included you providing materials to them. And so, you know, when we consider all of that, right, **we just think that a teacher should be aware, right, of how they can support their students with non-curricular interests and when they should check with administration, right?** Um, which leads us to, you know, how we're going to address this with you. So first, we want to take your request into consideration, and so we're going to have you return to class tomorrow, right? Um, and we want to allow you to attend the field trip on Thursday with your students... the second piece of that is you talked about needing some additional training or understanding of these things... so that way we can make sure that you're really 100% clear on what to do should a situation like this or even others really come across your plate in the coming years as a teacher here with us that you know what to do and how to respond. Okay? Um, and then finally, uh, **we are gonna issue you a two-day unpaid suspension, uh, and that is going to be described for the reason of an ongoing lack of professional judgment and part of progressive discipline from your previous occurrence.** Okay, I think you're familiar with how that letter was written, and so, you know, again, want to be really clear that we're trying to continue to work with you, but we can't be back at this table again for a **lack of professional judgment.**
- c. **Superintendent [REDACTED]**: We really need you, something happens in the future, and we need that warning bell to sound for you, right, that this is at least something I might want to check. And, you know, we talked with **Principal [REDACTED]**, and whether it's **Principal [REDACTED]** or **Assistant Principal [REDACTED]**, someone in leadership in the building there, overcheck, you know, moving forward, right? That's, I think, going to be the MO that will be helpful to you. Okay?
- d. **Superintendent Giannini**: Um, so after today, you'll receive the written letter documentation of this, which outlines the disciplinary action, uh, and you'll get a copy of that, and then there'll be a copy placed in your personnel file here in the district. Okay. Um, any questions for me, **Assistant Superintendent [REDACTED]** or **Principal [REDACTED]**?
- e. **Teacher [REDACTED]**: Um, do you have a recommendation of what I say to my students when they say, "**Teacher [REDACTED]**, where have you been?" Or, or the students in the Bible study group, or?
- f. **Superintendent [REDACTED]**: Yeah, that's a great question... Um, I think, I think if the students ask you or approach you, I think you just say, you know, um, "I thought about this and," um, you know, "we have to," some of the same things that we said. "You're certainly welcome to read and study the Bible," right? "**We just have to make sure you're doing that on your time.**"
- g. **Superintendent [REDACTED]**: And I think you could explain to them, and that might be something to kind of work through with **Principal [REDACTED]**, um, too, about maybe a conversation with them about, um, you know, how clubs act in a school, **and they'll probably say, we weren't a club,** and, you know, you could give them some of that same information that we've talked about, um, **simply saying that your room can't be used for a student gathering during the day like that.**

- h. **Teacher** [REDACTED]: So I think I would just direct them to **Principal** [REDACTED], who can explain it better than me. Have, have they talked to?
 - i. **Principal** [REDACTED]: Yeah, so I've, yeah, I've met with all of them, um, and **so they understand what they can and cannot do**. Um, so currently, um, I think, you know, **they've decided to, you know, try and carry on conversation in the lunchroom in a way that is not preaching or disturbing or making anyone uncomfortable, and I do think they're thinking about forming a club**.
 - j. **Teacher** [REDACTED]: Okay. So I probably won't get a question in that regards.
 - k. **Superintendent** [REDACTED]: Yeah. But you certainly could say, you know, "[REDACTED] **Principal** spoke with you, so you understand what you can and cannot do"... and "thank you for sharing that..."
 - l. **Teacher** [REDACTED]: Um, regarding parents, uh, do you have any advice to me if somebody reaches out to me or, um, I'm not obviously gonna reach out to anybody, but. Yeah.
- [...]
- m. **Superintendent** [REDACTED]: That's, I appreciate your question. I just want to thank you...but again, we just can't be back at this table with you again, right? We need you focused on the important work you do as a teacher for us here in the district, right? We want you in your classroom with your students, um, but again, we need that warning to sound for you that if something feels like it's stepping out of your regular roles and responsibilities with the curriculum and instruction, just ask. I mean, and sometimes the answer will be like, that's perfectly fine, and sometimes it will be that that's not okay and they'll be happy that you did ask...

APPLICABLE LAW

Under the First Amendment, students have the right to engage in voluntary, non-disruptive religious free exercise during non-instructional time and need not form a "club" in order to do so. The District may not prefer the religious exercise of Muslim students over Christian students, including in how it treats teachers accommodating the exercise of the Christian students.

A law that differentiates between religions along theological lines is textbook denominational discrimination. Take, for instance, a law that treats "a religious service of Jehovah's Witnesses ... differently than a religious service of other sects" because the former is "less ritualistic, more unorthodox, [and] less formal." *Fowler v. Rhode Island*, 345 U.S. 67, 69...(1953). Or consider an exemption that applies only to religious organizations that perform baptisms, engage in monotheistic worship, or hold services on Sunday. **Such laws establish a preference for certain religions based on the content of their religious doctrine, namely, how they worship, hold services, or initiate members and whether they engage in those practices at all. Such official differentiation on theological lines is fundamentally foreign to our constitutional order,** for "[t]he law knows no heresy, and is committed to the support of no dogma." *Watson v. Jones*, 80 U.S. 679, 13 Wall. 679, 728...(1872).

Cath. Charities Bureau, Inc. v. Wisconsin Lab. & Indus. Rev. Comm'n, 605 U.S. 238, 248–49, (2025). (Emphasis added).

To be clear, public secondary school students have the right to meet on public school campuses during noninstructional time for religious purposes under both the First Amendment and the Equal Access Act (“EAA” or “Act”) 20 U.S.C. §§ 4071 *et seq.* The Act requires the District to permit religious clubs to meet on *at least* the same terms and conditions as non-religious clubs. *See e.g., Bd. of Educ. of Westside Cmty. v. Mergens*, 496 U.S. 226 (1990); *Prince v. Jacoby*, 303 F.3d 1074, 1094-94 (9th Cir. 2002); *Pope by Pope v. E. Brunswick Bd. of Educ.*, 12 F.3d 1244, 1254-56 (3d Cir. 1993).

Moreover, under the Act, religious clubs or meetings are not limited to “after school only.” While “after school” is “noninstructional time,” the Act’s “Fair opportunity criteria” does not specify that religious clubs can meet *only* after school. “A **‘limited open forum’ exists whenever** a public secondary school ‘grants an offering to or opportunity for one or more noncurriculum related student **groups to meet on school premises during noninstructional time.**” *Bd. of Educ. of Westside Cmty. Schs. v. Mergens*, 496 U.S. 226, 235 (1990) (citing 20 U.S.C. § 4071(b)). (Emphasis added).

The “**lunch period...is noninstructional time.**” *Ceniceros By & Through Risser v. Bd. of Trs. of the San Diego Unified Sch. Dist.*, 106 F.3d 878, 881 (9th Cir. 1997). “The only timing issue with which the Court concerned itself in *Mergens* is the Act’s restriction of meetings to ‘noninstructional time.’ ... **Since the lunchtime meetings proposed by [the student] would resemble in every significant respect the meetings approved by the Court in *Mergens*, permitting [the student] group to meet during lunchtime would not violate the Establishment Clause.**” *Id.* at 878, 882 (1997). *See also Colin v. Orange Unified Sch. Dist.*, 83 F.Supp.2d 1135, 1142 (C.D.Cal.2000)(“schools that allow student groups whose purpose is not directly related to the curriculum to meet on school grounds during lunch **or after school** cannot deny other student groups access to the school **due to the content of the students’ proposed discussions.**”). (Emphasis added). And here, it is “the content” of the students’ proposed discussions that has lead to the actions taken by District.

The U.S. Supreme “Court has long held that laws regulating speech based on its subject matter or “communicative content” are “presumptively unconstitutional.” “As a general rule, such “content-based” restrictions trigger “strict scrutiny,” a demanding standard that requires the government to prove its restriction on speech is “narrowly tailored to serve compelling state interests.” *Chiles v. Salazar*, 146 S. Ct. 1010, 1021 (2026) (citing *Reed v. Town of Gilbert*, 576 U.S. 155, 163 (2015)).

It is never a “compelling state interest” to avoid an observer’s mistaken beliefs about government endorsement of private religious speech (or in this case, observer’s mistaken beliefs about a public-school teacher’s “accommodation” of private student religious speech). Yet the District administrator statements conclusively show that “**the District felt it had to act, even if that meant suppressing otherwise protected First Amendment activities.** In this way, the District effectively created its own ‘vise between the Establishment Clause on one side and the Free Speech and Free Exercise Clauses on the other,’ placed itself in the middle, and then chose its preferred way out of its self-imposed trap. *See Pinette*, 515 U.S. at 768... (plurality opinion); *Shurtleff v. Boston*, 596 U. S. [243] (2022) (GORSUCH, J., concurring in judgment).” *Kennedy v. Bremerton Sch. Dist.*, 597 U.S. 507, 533 (2022) (emphasis added).

The United States Supreme Court has long forbidden discrimination based on Christian religious viewpoint. *See, e.g. Good News Club v. Milford Central School*, 533 US 98 (2001).¹ The

¹ The government must “abstain from regulating speech when the specific motivating ideology or the opinion or perspective of the speaker is the rationale for the restriction.” *Rosenberger v. Rector and Visitors of Univ. of Va.*, 515 U.S. 819, 829 (1995). “A viewpoint-discriminatory regulation is presumed to be

Supreme Court's more recent decisions in both *Shurtleff v. City of Boston, Massachusetts*, 596 U.S. 243 (2022)(a 9-0 decision of the Court, initiated by the undersigned, in which Liberty Counsel recovered \$2.125 million in attorneys' fees) and in *Kennedy v. Bremerton School District*, 597 U.S. 507 (2022) likewise forbid viewpoint discrimination.

A final note: the teacher and the Christian **District** students here are faced with remarkably similar facts like those held sufficient to state plausible First Amendment claims in another Liberty Counsel victory. *See Allen v. Sch. Bd. for Santa Rosa Cnty., Fla.*, 782 F. Supp. 2d 1304, 1323–24 (N.D. Fla. 2011), *on reconsideration*, No. 3:10CV142/MCR/CJK, 2011 WL 13112091 (N.D. Fla. May 12, 2011) (School officials prevented graduation speaker “because of religious content in her speech,” censored “student body president letter,” and “**restricted or prohibited [multiple students] from engaging in voluntary, student-led and student initiated prayer, devotions, or Bible reading during noninstructional time at school.**”) (emphasis added). After final resolution, this school district paid Liberty Counsel \$265,000 in attorneys' fees.

CONCLUSION

The District may not forbid Christian students from engaging in religious free exercise during lunch; nor may the District punish a teacher for accommodating that religious exercise under substantially similar terms by which the District has accommodated Muslim students during Ramadan lunch periods; or under which she herself had accommodated an individual Muslim student in her own classroom.

The Christian religious students did not ask **Teacher** to form a “religious club” or a “Bible club.” The students requested a religious accommodation for their faith and practice consisting of a quiet room in which to read the Bible, pray, and have religious conversations.

The pretextual, anti-Christian nature of the discipline imposed on **Teacher** is particularly illustrated in the following statements from the Disciplinary Meeting, which noted the Christian students themselves “would probably say ‘**we weren't a club**’” and a quiet room “can't be used for a student gathering during the day” to accommodate Christian religious exercise:

If the students ask you or approach you, I think you just say. . . “I thought about this” and, um, you know, “we have to,” some of the same things that we said, “**you're certainly welcome to read and study the Bible,**” right? “**We just have to make sure you're doing that on your time.**”

And I think you could explain to them... about maybe a conversation with them about, um, you know, how clubs act in a school, **and they'll probably say, “we weren't a club,”** and, you know, you could give them some of that same information that we've talked about, um, **simply saying that your room can't be used for a student gathering during the day like that.**

unconstitutional.” *Wigg v. Sioux Falls Sch. Dist.* 49-5, 382 F.3d 807, 813 (8th Cir. 2004)(quoting *Rosenberger*). There, the District's “desire to avoid the appearance of endorsing religion d[id] not transform. . . private religious speech into a state action in violation of the Establishment Clause.” *Wigg* at 815. Liberty Counsel successfully represented teacher Barbara Wigg in this case.

The final insult-upon-injury is the principal's explanation to the students that [District] has conditioned even the lunch-time cafeteria discussion on "not preaching or disturbing or making anyone uncomfortable" as the Christian students "try and carry on" sub-optimal religious exercise in the crowded, noisy environment:

I've met with all of them, um, and so they understand **what they can and cannot do**. . . they've decided to, you know, **try and carry on conversation in the lunchroom in a way that is not preaching or disturbing or making anyone uncomfortable**, and I do think they're thinking about forming a club.

For the above reasons, we request that [redacted] Schools **please respond to Liberty Counsel in writing confirming by May 22, 2026**, that 1) the discipline has been reversed, including a) the suspension of [Teacher] for two days without pay; and b) that no letter of discipline has been placed in her file. Please further confirm 2) that the students in question have been informed that they may return to gathering for their religious exercise during lunchtime in [Teacher's] room.

If we do not receive this confirmation, Liberty Counsel intends to take further action to prevent irreparable harm to the rights of the students and [Teacher].

Sincerely,

[redacted signature]

CC

Via Email

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]