



THE NATIONAL CENTER FOR LAW & POLICY NEWS RELEASE
February 22, 2016– FOR IMMEDIATE RELEASE
CONTACT NCLP MEDIA RELATIONS: (760) 747- 4529, x103

Christian Club Suspended for Five Months and Told to Remove “Christian” and “Jesus Christ” from Its Application Is Reinstated Only after SDUSD is Threatened with Federal Lawsuit

SAN DIEGO, CA—Facing a federal lawsuit after almost 5 months of foot dragging, the San Diego Unified School District (SDUSD) announced last Friday afternoon, February 19, 2016, that it had approved the application of student leaders to meet as the *Engedi Christian Club* at Correia Middle School (CMS). SDUSD’s action was in swift response to the National Center for Law & Policy’s (NCLP) 18 page comprehensive and substantive legal opinion memorandum¹ served on California’s second largest public school district exactly one week earlier, on February 12, 2016. The letter, written on behalf of two *Engedi* student leaders, demanded SDUSD stop violating the NCLP’s clients’ civil rights and immediately lift its unlawful indefinite suspension of the religious club or face a federal lawsuit. The NCLP’s memorandum demonstrates how SDUSD’s lengthy suspension and subsequent refusal to approve the Club’s 5 submitted applications violated students’ civil rights firmly protected by the First Amendment and the Federal Equal Access Act (EAA). The students decided to take the matter to court after the District rejected the Club’s fifth application in January 2016, demanding that the students remove “**Christian**” from the Christian Club’s name and “**Jesus Christ**” from its purpose statement.

SDUSD suspended *Engedi*, a student-led club that had existed without incident at CMS for five years, in September 2015 after a misunderstanding arose, leading to a non-Christian student being misinformed that he was not allowed to leave the club after it started. Initially, SDUSD claimed the suspension was temporary. However, the district simultaneously instigated a far-reaching district-wide targeted “investigation” of all Christian clubs on its high school and middle school campuses, as well as inquiries into the Christian community organizations and churches lawfully supporting these student-led clubs. After NCLP submitted a legal memorandum to SDUSD in early October 2015, the district quickly reinstated two of the three suspended Christian clubs, but stubbornly refused to reinstate *Engedi*.

In fact, over an almost five-month period, the *Engedi* student leaders faced ongoing religious discrimination and ever-shifting obstacles as they submitted a total of **five applications** in late 2015 and early 2016, in patient and persistent attempts to re-start the Club. The final straw for the Club’s student leaders occurred in January 2016 when SDUSD demanded they remove “**Christian**” and “**Jesus Christ**” from its application and charter. This is not the first time the

¹ <http://www.nclplaw.org/wp-content/uploads/2011/12/SDUSD-Engedi-Demand-Letter-2-12-16.pdf>

District violated the EAA. In 1993, SDUSD was sued for denying a Christian club request to meet at lunchtime at University City High School (*See Ciniceros v. SDUSD*). SDUSD lost that case and was found to have violated the EAA.

“Students do not forfeit their constitutional rights when they enter a public school campus,” declared attorney Dean Broyles. “The First Amendment and Equal Access Act protect student religious expression in the form of religious clubs like *Engedi*. District’s often confuse this with government religious expression, which is limited in the public school context. But rather than honoring and protecting the civil rights of Christian students, SDUSD chose to employ an unlawful ‘heckler’s veto.’ Allowing one student’s complaint to decimate the civil rights of a group of Christian students is just wrong. I have been representing student leaders in religious club cases for 20 years and I have never seen a district treat religious students so deplorably. SDUSD suspended three Christian clubs, *before* the 60-day investigation even started. SDUSD knee-jerk over-reaction to a complaint from one family and misguided decision to initiate a district-wide anti-Christian witch hunt, investigating all Christian clubs and the wonderful community organizations supporting them, is unprecedented.”

“It’s grieves me and angers me to see religious students and their religious beliefs and expressions targeted by the government in such a coercive way,” continued Broyles. “It is not the government’s job to pick religious winners and losers. But I am so proud of our young clients’ willingness to stand firm and stand up to SDUSD’s egregious campaign of religious discrimination and intolerance, enduring the District’s continuous moving of the ‘goal posts,’ offering a series of bogus excuses, and refusing to approve the club’s five applications. The district’s behavior has been so deplorable in this matter that it’s hard to chalk this one up to mere ignorance of the law. Unfortunately, I believe what we have witnessed here is nothing short of SDUSD’s anti-religious bigotry in general, specific unlawful targeting of Christians, and hostility toward Christianity. I am very happy for the students that their civil rights have been recognized and the Club has been reinstated, but this should have never happened in the first place. SDUSD had no right or reason to target Christian clubs and the wonderful community organizations supporting them. Ironically, the very government officials purportedly fighting bullying flagrantly abused their discretion and bullied Christian students and their families. SDUSD owes the Christian student leaders a big apology here for violating their civil rights.”

Please address media inquiries to The National Center for Law & Policy. The National Center for Law & Policy is a non-profit 501(c)(3) legal defense organization dedicated to the protection and promotion of religious freedom, the affirmation of life, parental rights, and other civil liberties. Please visit our website at www.nclplaw.org.

For further comment, please contact The National Center for Law & Policy at 760-747-4529 x103 or dbroyles@nclplaw.org.