

Cali School Speaks Out On Brick Paver Controversy

✖ *Charisma* first reported on an alleged First Amendment violation in a California school Monday. Now, the school district is responding to the charges.

But the Desert Sands Unified School District Board of Education seems confused by an Alliance Defense Fund (ADF) lawsuit defending two California women who's brick pavers were rejected as part of a sidewalk because they were inscribed with the Word of God.

Here's the back story: In February 2010, the Palm Desert High School PTO announced its brick pavers fundraiser, which was approved by the school principal, as well as by the board and superintendent of the school district. No limitations were given as to the content of the messages on the pavers—other than the length—and the fundraiser policy stated that the messages could be used to pay tribute, create a legacy, commemorate a special event, or give recognition to various entities.

Shortly thereafter, Lou Ann Hart and Sheryl Caronna submitted requests to purchase brick pavers with Scripture verses engraved on them, for which they later paid. In August, after the bricks were made, but before they were installed on the new campus' walkway, Hart and Caronna were notified that their pavers' inclusion on the walkway was denied because they quoted Bible verses.

According to ADF, officials cited the so-called "separation of church and state." Hundreds of other pavers had been accepted, including ones with inspirational and religious messages. Nevertheless, school officials erroneously asserted that the Bible verses used by the women would establish an

unconstitutional establishment of religion. Each woman paid several hundred dollars; neither received refunds.

In November, ADF attorneys sent a public records request letter on behalf of Hart and Caronna to school officials, informing them that their denial violated the ladies' constitutional rights, requesting a copy of the paver fundraiser policies, denial communications, and a list of all other approved brick inscriptions. ADF reports that the officials denied the request for the documents later that month, and also refused a second request for the documents in December. Hart's five bricks and Caronna's larger brick remain uninstalled.

The lawsuit Hart v. Tomack was filed with the U.S. District Court for the Central District of California. But according to Cindy McDaniel, assistant superintendent at the The Desert Sands Unified School District Board of Education, no one from the district has been served. However, McDaniel tells Charisma News that the district is aware of the lawsuit.

"We are surprised and disappointed by the Alliance Defense Fund's decision to file a lawsuit because they were informed that although the district was not involved in the fundraiser at issue, the district was looking into the matter," McDaniel says.

"The district does not wish to interfere with anybody's First Amendment rights. We are sensitive to First Amendment issues of speech and religion, and we are aware of our obligations under the law. I can assure you that the district has not taken any action that would amount to a violation of First Amendment Rights."

The ADF was not immediately available for comment.

Do you believe the school district or the ADF?