

# Idaho Public Schools Face 'Religious' Textbook Ban

✖ Idaho public school and university students face a scary ban that would prohibit schools from using "religious documents and text" in their curriculum.

The lawsuit Nampa Classical Academy v. Goesling challenges the Idaho Public Charter School Commission's full ban on the use of texts and documents deemed to be "religious"—even if they are classical books in Western Civilization taught with regard to their literary and historical importance.

The school is contesting a federal judge's decision to dismiss its lawsuit in May 2010; the hearing begins Tuesday morning at the 9th Circuit Court of Appeals.

On behalf of Nampa Classical Academy, the Alliance Defense Fund filed suit in September 2009 after the commission threatened to revoke the academy's charter if it used the Bible or other religious books for any purpose whatsoever as part of the school's classroom resource list.

"The government's hyperactive censorship of classical religious texts severely limits the education of students by leaving them with an incomplete understanding of history and their heritage," said ADF Senior Counsel David

Cortman.

"A wholesale ban on such books conflicts with established U.S. Supreme Court precedent stating that even 'the Bible may constitutionally be used in an appropriate study of history, civilization, ethics, comparative religion, or the like.' On these grounds and others, we trust that the 9th Circuit will reverse the district court's decision."

Nampa Classical Academy, which was in the development process for more than six years, completed its first year—and last—year of instruction in 2010 with more than 500 students. It received approval from the State Board of Education in 2008 and got positive responses from the commission at each stage of development.

However, the commission voted in 2009 to prohibit the academy from using any "religious documents and text" in its curriculum or in its classroom—even if used objectively as a curriculum resource.

If Nampa Classical Academy loses the suit and the commission's misrepresentation of the law is allowed to stand, ADF says all Idaho public school and university students will be subject to the ban.

Contrary to the conclusion of last year's district court ruling, the local school district—not the charter school commission—is the entity allowed by law to make the

ultimate determination on how to implement the state's curriculum standards, Cortman explains.

Arguments in the suit Nampa

Classical Academy v. Goesling begin Tuesday, 9 a.m. PDT, at the U.S.

Court of Appeals for the 9th Circuit in Seattle. Attorney Bruce Skaug of Nampa is serving as local counsel.