

Mississippi Public School Prohibits Third Grade Student From Wearing 'Jesus Loves Me' Face Mask

Alliance Defending Freedom (ADF) attorneys filed a federal lawsuit Monday on behalf of an elementary school student and her parents against the Simpson County School District (Mississippi) after school officials prohibited her from wearing a face mask with the message "Jesus Loves Me" on it.

The third grade student, Lydia Booth, wished to peacefully share her Christian views with her schoolmates but, even though she wore the mask without disruption or incident on Oct. 13, the principal at her school in Pinola required her to remove and replace it. Two days later, administrators announced a policy that prohibits messages on masks that are "political, religious, sexual or inappropriate symbols, gestures or statements that may be offensive, disruptive or deemed distracting to the school environment."

"Public schools have a duty to respect the free expression of students that the First Amendment guarantees to them," said ADF Legal Counsel Michael Ross. "While school administrators face challenges in helping students navigate school life during a pandemic, those officials simply can't suspend the First Amendment or arbitrarily pick and choose the messages that students can or can't express. Other students within the school district have freely worn masks with the logos of local sports teams or even the words 'Black Lives Matter.' This student deserves an equal opportunity to peacefully express her beliefs."

According to the lawsuit, the student's mother, Jennifer

Booth, communicated repeatedly with school officials before going to court. She pointed out to them that the school handbook had no policy limiting her daughter's religious expression, and that it, in fact, protects her speech under adopted policies that are consistent with the Mississippi Student Religious Freedom Act and the First Amendment.

A school official responded with a copy of the school's plan addressing the district's response to COVID-19, but the official's response included retroactive modifications, including a ban on religious messages on face masks, that were not published in the original plan. The next day, the district's superintendent announced this new ban to all parents in the district.

"No public school student should be singled out for peacefully sharing her religious beliefs with fellow students," said ADF Senior Counsel Tyson Langhofer, director of the ADF Center for Academic Freedom. "Today's students will be tomorrow's legislators, judges, educators and voters. That's why it's so important that public schools demonstrate the First Amendment values they are supposed to be teaching to students."

The lawsuit asks the court to halt officials from enforcing their policy. Booth desires to wear her "Jesus Loves Me" mask to school but is self-censoring her expression because her school has already enforced the policy and promises to continue to enforce it, which could subject her to escalating discipline, up to and including suspension.

Sharkey Burke, one of more than 3,400 attorneys allied with ADF, is serving as local counsel in the lawsuit, *L.B. v. Simpson County School District*, filed in the U.S. District Court for the Southern District of Mississippi.{eoa}

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ideas without fear of government censorship.