

Cali School Bans Christian Student's Talent

A fifth grader was nixed from a school talent show—before the child ever had the opportunity to perform. It wasn't because the child wasn't talented. It was because the child planned to perform an interpretive movement to a song that contained religious lyrics.

Students were permitted to choose the content of their performances. Some approved performances include songs discussing teenage love, relationship problems, dancing, and violent imagery. Yet Superior Street Elementary School officials refused to allow the fifth-grader's selected song because it allegedly violates "separation of church and state" and is considered "offensive."

The song in question is "We Shine." Songs approved by officials for the show are "Freak the Freak Out," focusing on relationship problems, "Shake It Up," with the theme of dancing and celebrating, and "Eye of the Tiger," with lyrics stating that "we kill with the skill to survive."

Alliance Defense Fund (ADF) attorneys filed a lawsuit Friday against Los Angeles Unified School District officials on behalf of the student.

"Christian students shouldn't be censored at public elementary schools because of their beliefs," says ADF Senior Counsel David Cortman. "When religious content is censored by a public school while the content of other performances discussing similar topics is allowed, we have a major violation of a student's constitutional rights."

The mother of the fifth-grader explained that the song represents her child—who selected the song and practiced for months—and not the school, and that there were no restrictions

on what students could perform in the show. The school went on to ask the mother why her child couldn't "pick a song that does not say 'Jesus' so many times?"

Daniel R. Watkins of Newport Beach is serving as local counsel in the lawsuit B.H. v. Garcia, which was filed with the U.S. District Court for the Central District of California, Western Division-Los Angeles.