

SC School Bans Religious Christmas Carols—Even Without Mention of Christ

On behalf of concerned parents, Alliance Defending Freedom sent a letter Tuesday to a South Carolina public charter school whose band director prohibited students from performing the music to “Joy to the World” and “O Come All Ye Faithful.” A student also provided the letter to the school at a board meeting Tuesday night.

School officials claim they received some type of communication from either the American Civil Liberties Union (ACLU) or another group that prompted the ban after students had already begun rehearsing the pieces for a concert.

“Schools shouldn’t have to think twice about whether they can allow their bands to play the music to time-honored Christmas carols like these,” says litigation staff counsel Rory Gray. “School districts can and should allow religious Christmas carols to be part of their school productions.”

York Preparatory Academy’s band director gave older students a choice of musical selections to perform at the school’s Dec. 19 winter concert. The students chose two songs that included the melodies from “Joy to the World” and “O Come All Ye Faithful.” After students had already begun practicing the music, the director excluded the songs based on what he claims was a communication from either the ACLU or a similar group that warned South Carolina schools against performing traditional Christmas carols and that threatened monitoring of concerts and possible litigation.

The academy’s principal confirmed receipt of the communication and suggested that, in order for students to play traditional Christmas carols, they would need to play songs from other

religions as well.

As the Alliance Defending Freedom letter explains, “Every federal court to examine the issue has determined that including religious Christmas carols in school music programs fully complies with the First Amendment. ... Courts have recognized for many years that Christmas ‘carols have achieved a cultural significance that justifies their being [performed] ... in public schools.’ What the First Amendment does demand is that York Preparatory Academy remains neutral towards religion and refrains from demonstrating an unconstitutional hostility towards music with religious origins.”

“The Constitution clearly allows the inclusion of religious Christmas carols in school productions,” adds senior legal counsel Jeremy Tedesco. “We hope our letter will help clear up the misinformation that this school apparently received and that it will lift its unnecessary and unconstitutional ban.”

Alliance Defending Freedom sent a letter Wednesday to more than 13,000 school districts nationwide that explains the constitutionality of religious Christmas carols in school productions, provides legal resources on other issues that may arise regarding Christmas and public schools, and offers free assistance to schools that need help.