

Unconstitutional Ban on Christmas Carols Overturned at NJ School

The Bordentown Regional School District has withdrawn its ban on religious Christmas carols in concert performances at the district's elementary schools.

Alliance Defending Freedom sent a letter to the district on Oct. 28 after administrators implemented the ban. The letter explained the ban was both unnecessary and **unconstitutional**.

"Schools shouldn't have to think twice about whether they can allow students to perform Christmas carols," says legal counsel Matthew Sharp. "The school district has done the right thing in allowing religious Christmas carols to be part of its schools' productions. As our letter explained, courts have unanimously upheld their inclusion in such productions—even when songs deal with Christian themes that are naturally a part of the holiday."

On Friday, Superintendent of Schools Constance J. Bauer posted a notice to parents on the district's website that states, "In reviewing additional legal considerations and advice on this matter and the expressed sentiments of the community at large, I have reconsidered the decision on the musical selection for the upcoming winter programs so that pieces with traditional and historical religious origins will be permitted. Concurrently, the Board will continue its review of the larger policy implications for the future."

Previously, Bauer had publicly stated that "**religious** music should not be part of the elementary program(s)." She then banned any and all religious music in the December concerts

that the district's elementary schools normally hold.

"Misinformation about the **First Amendment** is frequently what leads to **censorship** of constitutionally permissible and culturally significant songs performed during Christmas concerts," adds senior legal counsel Jeremy Tedesco. "We commend Superintendent Bauer for once again permitting religious music to be included among the many nonreligious songs performed at school concerts."

A December 2011 Rasmussen poll found that 79 percent of American adults believe public schools should celebrate religious holidays.