



Written by [R. Cort Kirkwood](#) on August 22, 2011

Fla. Teacher Investigated for Expressing Religious Beliefs on Facebook

Buell quoted the Bible to support his words; however, the school system is suggesting he is not entitled to express certain opinions, even on his own time at his own Facebook page.



What Happened

On July 25, [news accounts say](#), Buell saw a story on television about [New York's approval](#) of homosexual "marriage," which the Governor, with the help of Republicans, pushed into law. Homosexuals everywhere celebrated with abandon.

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But not Jerry Buell. [According to](#) Todd Starnes, writing at the Fox News radio website, Buell posted the following comments:

I'm watching the news, eating dinner when the story about New York okaying same-sex unions came on and I almost threw up.

And now they showed two guys kissing after their announcement. If they want to call it a union, go ahead. But don't insult a man and woman's marriage by throwing it in the same cesspool of whatever. God will not be mocked.

When did this sin become acceptable?

Three minutes later, [Starnes reported](#), Buell let another opinion fly, this time quoting [the apostle Paul](#):

By the way, if one doesn't like the most recently posted opinion based on biblical principles and God's laws, then go ahead and unfriend me. I'll miss you like I miss my kidney stone from 1994. And I will never accept it because God will never accept it. [Romans chapter one](#).

Someone reported Buell's remarks to the [Lake County School System](#), which quickly pushed him out of the classroom and into a corner to shuffle papers until its investigation is complete.

School officials argue that Buell did not have a right to post what he said, and that homosexual students might feel "unwelcome" in his classroom.

[The Orlando Sentinel reported](#) that Lake County schools adopted guidelines for using social media such as Facebook in January, following other school districts which have done likewise.

Chris Patton, a spokesman for the schools, [told the paper](#) that "social media is a minefield. People think they're free to say what they want to, but in some aspects it can come back to haunt you."

Patton [told Starnes](#) that Buell's remarks cannot be considered private:

He has [more than] 700 friends. How private is that — really?

Social media can be troubling if you don't respect it and know that just because you think you are



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in a private realm — it's not private.

Buell, of course, disagrees. "It was my own personal comment on my own personal time on my own personal computer in my own personal house, exercising what I believed as a social studies teacher to be my First Amendment rights," [he told](#) Starnes, adding,

To try and say you could lose your job over speaking about something in the venue that I did in the manner that I did is not just a knee-jerk reaction. It's a violent reaction to one person making a complaint.

Buell told the *Sentinel* that he was merely expressing his religious beliefs. "It wasn't out of hatred. It was about the way I interpret things."

Social Media Rules

While Buell does not appear to have violated the [state's ethics guidelines](#), he may have trespassed its guidelines for using social media, or so the school system says, noting that it is investigating a "possible code of ethics violation." The school system has published a lengthy list of dos and don'ts under the title, "Social Networking Sites & Blogs for Personal Use."

The guidelines includes the usual boilerplate material about not posting comments about sexual or illegal activities, but adds another warning or two:

If you post information or comments that are not related to the District, your activities may still result in professional and/or personal repercussions. Such actions include, but are not limited to:

Posting as a citizen about a non-job related matter of public concern (elections, environmental issues, etc.) and making comments that negatively affect the district's effectiveness or efficiency or otherwise disrupt the workplace.

Posting or blogging about personal subjects (i.e. dating, romance, drug or alcohol use). Your blog or web page should not contain any references to sexual subjects or contain vulgar or profane language or graphics. If your blog or web page was a movie, it should be rated "G".

If you identify yourself as a District employee, your actions will reflect not only on you but on the District as well. In this case, you must state that you are expressing your own opinion, not that of the District. Readers may still associate you with the District, even with the disclaimer that your views are your own.

In other words, anything a teacher posts is potentially troublesome should a school official decide that it is. Some observers say that in fairness the question should be whether the school system has punished any homosexual teachers for supporting homosexual marriage on the grounds that such opinions might "disturb" Christian students.

Buell's lawyer thinks the school system might be in hot water. Horatio Mithet, who works for [Liberty Counsel](#), wonders whether the system can suppress views it doesn't like, [telling Fox's Starnes](#) that "the school district is being anti-straight, anti-First Amendment and anti-personal liberty." He continued,

The idea that public servants have to wholeheartedly endorse homosexual marriage is repugnant to the First Amendment of the U.S. Constitution. All he did was speak out on an issue of national importance and because his comments did not fit a particular mold, he is now being investigated and could possibly lose his job. What have we come to?

These are not fringe ideas that Mr. Buell espoused on his personal Facebook page. They are



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mainstream textbook opposition to homosexual unions — and now he's been deemed unfit to teach children because he opposes gay marriage? My goodness.

Buell [told Starnes](#) the school is cracking down on Christians. "There is an intimidation factor if you are a Christian or if you make a statement against it [gay marriage] you are a bigot, a homophobe, you're a creep, you're intolerant," he said. "We should have the right to express our opinions and talk about things."

Other lawyers say the school can limit free speech. "This teacher is right on the cusp of going over the line," one lawyer [told Starnes](#). "If he is 'friends' with his students on Facebook, then I think he should not be surprised by the school's actions. However, if he has a private page and restricts student access, then he should be free to say what he wishes."

A law professor at Regent University said the schools can punish Buell if he made comments in the classroom, but that he is otherwise free to speak his mind.

Facebook War

As for Buell, he has inspired [two Facebook pages that support](#) him and one [that doesn't](#). Feelings are strong at the pages, particularly among pro-homosexual posters. [One calls him](#) "homophobe of the year!" and a "freak" and speculates that he is a closet pervert, while another [calls him](#) a "[heterosupremacist](#)," a [neologism](#) from homosexual activist organizations to describe those who think homosexual activities are unhealthy and sinful.

Many of the [pro-Buell commenters believe his remarks](#) fall under the protection of the [First Amendment](#) to the Constitution [on religious and free-speech](#) grounds.

As for Buell, he will miss the first day of school, [he told](#) Fox radio. "I treat my kids — every single one of them — as the creatures and creations of God that they are," he said. "They all have value. They all have worth."



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