



Written by [Dave Bohon](#) on January 14, 2013

N.Y. Teacher Sues District Over Order to Remove Christian Posters

A New York teacher has decided to take on her school district after the superintendent ordered her to remove all religious themed materials from her classroom or face losing her job. Last June Joelle Silver, who teaches in the Cheektowaga, New York Central School District, received a “counseling letter,” signed by the district’s superintendent, ordering her to remove all religious items from her classroom, including inspirational posters openly displayed, along with discreet personal sticky notes with Bible quotes and religious messages that she kept on her desk, explained the [American Freedom Law Center](#), which is representing Silver in the suit.



According to the [Christian News Network](#), one of the posters included the Bible verse, “Be on guard. Stand true to what you believe. Be courageous. Be strong. And everything you do must be done in love” (1 Corinthians 6:13-14). Also displayed was a quote from President Ronald Reagan which read, “Without God there is no virtue because there is no prompting of the conscience.... Without God there is a coarsening of the society. Without God, democracy will not and cannot long endure.... If ever we forget that we are one nation under God, then we will be a nation gone under.”

The letter from the district advised Silver that if she needs “to occasionally glance at inspirational Bible verses between classes during the course of the day” she should “keep such material in a discreet folder that only [she] will have access to” and only “so long as [she is careful] not to share it or disclose its content to [her] students or their parents or guardians.”

Silver’s suit charges that the district demanded she reevaluate her role as faculty adviser for the student Bible club, to the point that school officials “pressured Silver into resigning as faculty adviser for the student Bible Study Club, which was formed pursuant to the Equal Access Act.”

In her suit, Silver charges that the district stipulated in the letter that “if you choose to continue monitoring the Bible Study Club next school year, you must carefully re-examine [district policies], so that you can better protect that club from being disciplined and possibly banned. Under no circumstances should you participate in the club’s meetings or activities. Likewise, under no circumstances should you permit any club activities that could be interpreted as being promoted or sponsored by yourself, or the larger district for which you work.”

The district also advised Silver that except for “wearing religious jewelry, such as a cross,” she was to “refrain from all other forms of communication with students during the school day (whether verbal, email, texting, written, etc.) that would conflict with your duty to show complete neutrality toward



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religion and to refrain from promoting religion or entangling yourself in religious matters.”

Silver was warned that refusal to comply with the district’s mandates could result in her losing her job. “Please be advised that your failure to follow any of the above directions will be considered insubordination, which could lead to serious disciplinary consequences, including the termination of your employment,” read the letter.

Predictably, the district was not acting of its own volition, but had been pressured into attacking Silver by the infamous Freedom From Religion Foundation (FFRF), which had learned of Silver’s desire to provide both an educational and inspirational atmosphere for her students, and attacked the district for supposedly violating the separation clause of the First Amendment. “Public employees, including teachers, have to act neutrally with regard to religion,” said FFRF attorney Rebecca Markert, who had complained to the district twice concerning Silver’s class. “They cannot push any religion.”

While Silver complied with the district’s mandates, she has filed suit demanding that it back off from its efforts to squelch her constitutionally guaranteed freedom of speech. “I believe that my First Amendment rights were violated last June when I was asked to do some things regarding taking some posters down and to censor my speech in the classroom,” she explained. “As a Christian and as an American I feel it’s incredibly important to fight to protect the rights that people have died to give them.”

Robert Muisse, co-founder and senior counsel for the American Freedom Law Center, called the district’s campaign against Silver “one of the most egregious examples of religious hostility I have witnessed in a public school. Ms. Silver does not cease being a Christian nor does she shed her constitutional rights at the schoolhouse gate.”

On its website the legal advocacy group explained that the district’s hostility toward Silver’s Christian faith was blatant, “particularly in light of the fact that the school district permits other teachers, faculty, and administrators to display in their classrooms and offices various messages and other items that reflect the individual teacher’s personality, opinions, and values, as well as non-curricular messages relating to matters of political, social, or other similar concerns.”

The lawsuit charges that the district’s actions toward Silver “send a clear message ... that she is an outsider, not a full member of the political and school community because she is a Christian.”

The lawsuit seeks a permanent injunction against the district’s mandates as outlined in the letter.

Commenting on the suit, David Yerushalmi, co-founder of the American Freedom Law Center, noted that “our Nation was founded to promote religious liberty. Yet, for years our public schools have been bastions of religious hostility. That trend needs to change.”



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