



Written by [Dave Bohon](#) on January 10, 2013

## School District Defies Atheist Group, Says Portrait of Jesus Will Stay

A school district in Ohio has decided to stand up to the atheist group Freedom From Religion Foundation (FFRF) over a classic portrait of Jesus that has hung in a local school since 1947. The FFRF sent a letter in early January to school officials in Jackson City, Ohio, charging that the presence of the framed print in the community's middle school is a violation of the First Amendment's supposed separation of church and state, and must be taken down.



A local resident reportedly complained about the picture to the FFRF, prompting the letter from the group's attorney, Rebecca Markert. "It is illegal for Jackson Middle School to post religious images on the walls of its school," wrote Markert, adding that if what her group had been told is true, "the District must remove the picture of Jesus at once. We ask that you commence an immediate investigation into this allegation and take the appropriate and necessary steps to bring Jackson Middle School into compliance with the Constitution."

Markert told local reporters that not only would the presence of such a picture be unconstitutional, but would also be an affront to non-Christian students, staff, and local residents. "If a large portrait of Jesus were to hang in Jackson Middle School, an objective observer would have no doubt that it had the district's stamp of approval," Markert observed.

Phil Howard, the district's superintendent, was apparently not influenced by the FFRF's actions. He explained that the portrait of Jesus, placed at the school some 55 years ago by a local chapter of the Young Men's Christian Association (YMCA), is one of several prints displayed in the school's Hall of Honor, which includes notable alumni and influential historical figures.

"I'm certainly not going to run down there and take the picture down because some group from Madison, Wisconsin, who knows nothing about the culture of our community or why the picture is even there, wants me to take it down," said Howard.

During a January 8 school board meeting, an estimated 600 members of the community showed up to express their support for the continued presence of the picture and of the city's decision to stand firm against the FFRF. Howard told the standing-room-only crowd, "we're not violating the law and the picture is legal because it has historical significance. It hasn't hurt anyone."

Comments from residents were almost unanimously in favor of the picture. Ohio's [National Public Radio](#) franchise reported that there were "eruptions of applause when some of the speakers spoke in support of keeping the picture in place, and in spite of warnings from Board President Randy Evans to be respectful of everyone who spoke, there were some boos heard from the crowd when the three opposed to the picture had their say."

One of those in opposition, resident Tricia Sturgeon, insisted that the Jesus portrait "is in clear violation of the First Amendment. It is still violating the United States Constitution and must be removed



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immediately.”

By contrast, Travis Hall, a student at Jackson High School, said that the Jesus portrait had inspired him during his years at the middle school. “Every day in school, I remember it being there,” Hall said. “It was just motivational. It’s something I remember being there and I would love for it to stay there.”

The FFRF’s Rebecca Markert emphasized, however, that “the school cannot endorse religion over non-religion. That sends an incredibly powerful message of religious endorsement, specifically Christianity, which is an egregious violation of the U.S. Constitution. If this goes to court, the district would lose.”

Legal observers recalled that in 1994 the Cincinnati-based 6th U.S. Circuit Court of Appeals ruled against a similar Jesus portrait that had been displayed in a Michigan elementary school for more than 30 years. “The portrait is moving for many of us brought up in the Christian faith, but that is the problem,” the court wrote in its opinion that resulted in the removal of the Christian-themed print. “The school has not come up with a secular purpose. The portrait advances religion. Its display entangles the government with religion.”

During his comments Howard displayed a framed poster that included America’s official motto, “In God We Trust,” along with Ohio’s motto, “With God, All Things Are Possible.” As proof of the school district’s legal standing to continue displaying the picture he cited a portion of the Ohio Revised Code that states: “If a copy of the official motto of the United States of America ‘In God We Trust’ or the official motto of Ohio ‘With God, All Things Are Possible’ is donated to any school district, or if money is donated to the district specifically for the purpose of purchasing such material, the board of education of the school district shall accept the donation and display the motto in an appropriate manner.”

While no vote was taken by the school board on how to proceed against the FFRF’s attack, Howard declared, with applause from those in attendance at the January 8 meeting, that “as of right now, I have taken the position ... and I believe with the support of the Board of Education, that the picture will stay.”



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