

## **Liberty Counsel Sample Listing of Christmas Issues**

*The following list is a sample of the scores of Christmas-related issues in which Liberty Counsel has been involved.*

*This list represents a small fraction of the many Christmas-related cases.*

Westfield, MA - Westfield High School L.I.F.E. Bible club wanted to pass out candy canes with an attached religious message about the origin of the candy cane and Christmas to their fellow classmates during non-instructional time. They were told by the superintendent that they were not allowed to distribute the candy canes because they would be violating the rights of those around them that don't want to hear the message. Six students in the Bible club were suspended after they distributed the candy canes with the attached religious message. One of the students was a senior and a member of the National Honor Society, and another student aspired to enter a military academy after graduation. The Honor Society student would have lost her membership in the Honor Society due to the disciplinary action and would have likely hurt her chances of obtaining a scholarship to college. Similarly, the student who wanted to attend a military academy would have hurt his chances of obtaining entrance because of the disciplinary action. Liberty Counsel filed suit and sought a preliminary injunction. After a hearing, the judge issued a 67-page preliminary injunction and found in the students' favor on all counts. The judge found that the district's actions were unconstitutional and ordered the suspensions to be removed from the students' records. The students could distribute their message with the candy canes because of the judge's order. The school then settled the lawsuit and changed their literature distribution policy.

Wisconsin - A high school stopped a student and the other members of his youth group from passing out their Thanksgiving cards with candy attached. The Thanksgiving cards had a religious message about being thankful to God because He is the One who gives all good gifts. The school persisted in not allowing the literature distribution. After Liberty Counsel notified the school that it would be filing a lawsuit, the school relented and allowed the literature distribution to occur.

Washington - A school girl was not allowed to sing the word "Christmas" in a song, but rather the word "winter."

Georgia - A school system has recently told its employees that they are not allowed to do any activities associated with Christmas including reading books, making ornaments, or using the red/white candy canes because of the religious story associated with it.

Florida - A Christian club in a high school had a poster to display inviting everyone to a Christmas party to celebrate the birth of Jesus Christ. The poster was rejected by the principal because of Jesus Christ. The poster was allowed after contact by Liberty Counsel to the school.

Wisconsin - A group of citizens were trying to donate a Nativity scene to a city for inclusion in a Christmas display. The display at the time contained only numerous secular items. The Freedom From Religion Foundation threatened suit if the City accepted the display. However, after receiving an opinion letter from Liberty Counsel, the City Council voted unanimously to accept the Nativity scene for addition in the display.

Virginia - For many years, a state school for the deaf and blind included religious music in their Christmas programs. In the last two years, the school has excluded religious songs. The Spring Concert also omitted the songs that had Jesus or God mentioned in them.

Random Lake, WI - A woman at work was wearing a "Happy Birthday, Jesus" pin and management requested she take it off. She refused so she was sent home. She was written up for a violation of the dress code. However, there was another person who had a snowflake pin on her apron and nothing was said to her. She has worn this pin every Christmas season for as long as she has worked there - now it is a problem.

Wisconsin - A ninth grader reported his teachers at school are not allowed to refer to "Christmas," but must say "Happy Holidays" or some other phrase instead.

Wisconsin - Students in a public school were told they had to change the words to all the religious Christmas carols to exclude God or Jesus.

Ohio - A local school district has changed its Christmas holiday to Winter holiday and they have changed their programs to also reflect that change.

Niskayuna, NY - A kindergarten room mother was informed that the Christmas party was changed to a "Holiday" party and that no one was to send in any treats that had any religious connotation attached. No Christmas-shaped cookies, no angels. She was directed to "think snowman."

Wayne, NJ - The mayor and city council allowed a menorah at the top of city hall because a private group put it up. However, a religious group asked about also putting up a crèche and was told no. The mayor said that the menorah was not a religious symbol.

Sacramento, CA - A senior home for independent living, which is a HUD facility, recently publicized a policy about door decorations that stated no religious door ornaments will be allowed over the holidays.

Sanford, FL - Every year a court clerk's office has a holiday display. A memo has gone out every year saying nothing religious can be put in the display. An employee would like to include a Nativity scene in the display.

Abilene, TX - In a report on volunteer work that was done for a squadron Christmas party, the word "Christmas" was marked through and the word "Holiday" replaced it.

Plano, TX - A school told the students they could not wear red and green because they were Christmas colors.

Hillsborough County, FL - The Hillsborough County School Board is recommending that holidays with any "religious" connection be eliminated. Calls were received from concerned citizens regarding this issue. Liberty Counsel sent a letter to the Hillsborough School Board and Superintendent with the information on the legality of celebrating Christmas in public places. The school board voted 5-2 to restore religious holidays on the school calendar.

Melrose, MA - A person's "Merry Christmas" banner, placed in a senior center, was taken down. The Council on Aging notified her that "all religious symbols were being banned."

Beebe, AR - A public school choir director asked us for "legal backup" so she can perform Sacred Christmas carols at her music concert.

Jackson County, GA - A teacher in Northeast Georgia was told at a faculty meeting not to wear any religious Christmas jewelry or attire, including crosses and angels. The school has now backed down

and sent a letter indicating she can celebrate Christmas.

Wisconsin - A school has a holiday choral presentation every year. They always sing Kwanzaa, Hanukkah and secular Christmas songs, but never Christian Christmas songs. A concerned parent commented on this to the school in 2003 and was told they would consider it. In 2004, the school again had no Christian Christmas songs. She was told that the songs were already set for the year and it was too late to change them. The same problem is occurring this year.

Newport News, VA - The town has a holiday celebration that includes a Christmas tree they renamed a "Tree of Celebration." They have Santa's, elves, snowmen and other holiday characters, but instead call the Christmas tree a "Tree of Celebration." After receiving Liberty Counsel's Christmas Memo and attention from national media, the mayor reversed the decision, called it a Christmas tree, and referenced the birth of Jesus and spoke about Christmas at the town celebration.

Athens, GA - A pastor reports that his church enters a religious-themed float in the city's annual Christmas parade. He desires to use the cross of Christ as the float's theme because he believes the true meaning of Christmas is to celebrate that Christ came to die for us. City officials have told him that they may not use a cross theme because it is "offensive" and "unrelated to the holiday." The church's float otherwise complies with parade requirements such as size, materials, etc. Also, other groups can have parade entries that lack traditionally recognized Christmas themes.

Mine Hill, NJ - A parent of three children has been trying to get the school to include religious Christmas carols in the songs for the school program. The school will either refuse to put them in or will take such songs as "Silent Night" and replace the words with secular words.

Westminster, MD - A student club was told it could not put an announcement on the PA system in school that contains the word Christmas. The club is participating in the Christmas Child project.

Lake Worth, FL -The Lake Worth Public Library has a Star of David and a menorah as decorations in the children's area but has not permitted Christian symbols of Christmas.

Boston, MA - For the past 34 years, Nova Scotia has donated a Christmas Tree to the City of Boston to honor the city for its help following the 1917 Halifax explosion. Every year the tree had been named the Boston Christmas Tree. However, this year, City officials decided to rename the tree the Boston Holiday Tree.

NY - Battery Park City (across from NYC World Trade Center site) has not included "Christmas" in its season's symbolic representations. A few years ago, the park management for Battery Park City announced a "Holiday Tree" and a "menorah," but refuses to acknowledge Christmas.

Wisconsin - A school has a winter program where they are changing the words to "Silent Night" to "Cold in the Night" with phrases like "there is no one in sight, the winter winds are blowing, I wish I were happy and warm, safe with my family out of the storm." He's been told that they are also changing the words to "O Little Town of Bethlehem," although he doesn't have the lyrics yet. This year they had an after-school Halloween party where kids dressed up and got candy, sponsored by the school. Last year for Christmas, the individual classrooms were decorated with things like Santa, Kwanzaa, a menorah, and La Befana (Christmas witch). He has two elementary-aged children in this district.

Vero Beach, FL -The Anti-Defamation League sent a letter to a local superintendent stating, "Religious symbols are not appropriate seasonal decorations in public schools." Since the ADL sends these letters

out each year to every superintendent, a concerned citizen asked Liberty Counsel to send out a letter.

Walkerton, VA - A school National Honor Society was denied the right to display a Christmas tree in the foyer by the principal.

Germantown, TN - Liberty Counsel's success with the Christmas tree in Boston prompted a citizen to ask us to assist in getting the town to be honest and call a Christmas tree a "Christmas Tree," not a "Holiday Tree."

Bellmore & Merrick, NY - A member of a civic association mailed Liberty Counsel's Christmas memo to all 54 school districts in the Nassau County. They have made it known that they will file administrative complaints and public protest against any entity that engages in religious discrimination. Two business groups have already changed their "Holiday Tree Lighting" to "Christmas Tree Lighting" after they were contacted by the civic association.

Seminole County, FL - Under pressure from Liberty Counsel, the Seminole County School Board repealed its discriminatory policy which would have prevented the Seminole High School Gospel Chorus from singing religious songs in the annual Disney Christmas Candlelight event and many Christian-based singing competitions around the country.

Indianapolis, IN - Employees of the Indiana State Department of Health want to hold a voluntary Christmas pitch in during employees' lunch hours and in no way endorsed by the Department. The event would include appropriate activities such as prayer, religious readings, and using religious-themed snacks and decorations. They were told they could have a "holiday" pitch in (rather than a "Christmas" event as the employees had requested) and the meeting could not have religious content.

Village of Wellington, FL - The manger scene was pulled from the village square, leaving the menorah in place. A concerned citizen wrote a letter to every council member in the Village of Wellington demanding that the manger scene be displayed throughout the Christmas season and informed them that he would be contacting Liberty Counsel.

Austin, MN - The "holiday" tree in the Learning Center is an offence to one of the employees because it has traditionally been associated with his Christian faith. The tree has no decorations on it. The employee wants the name of the tree changed back to its "rightful title," a "Christmas tree."

Neptune Beach & Atlantic Beach, FL - A concerned citizen became aware that the towns of Neptune Beach and Atlantic Beach were allowing a Jewish Chabad to place a menorah in the Town Center next to the Christmas tree. The Town Center is owned jointly by both towns. The citizen requested permission from the town to place a Nativity scene in the Town Center. The towns refused to give him an application. The citizen sent a letter requesting to place a Nativity scene. The town of Atlantic Beach denied him because the Nativity scene is religious and the menorah is not. Neptune Beach has not responded, but has passed the request to the town attorney.

Roanoke, VA - Many Roanoke residents are quite disturbed by the city's decision to use the term "holiday tree" instead of Christmas tree. Liberty Counsel has sent the city a memorandum of law and urged the city to reconsider and call the tree a Christmas tree.

Cottage Grove, TN - The Wal-Mart in Paris, TN, has instructed their personnel to say, "Happy Holidays" to customers.

Marshfield, WI - An elementary school allowed a Hanukkah presentation to be made but would not

allow a parent to read “The Three Trees” when parents were asked to come and read to the children.

NYC - A New York agency allows the hanging of a Hanukkah banner, but will not allow a “Christmas” banner. Common areas are not permitted to have red and green decorations. Someone complained about the holiday trees, which had no star and no crèche, and the holiday trees came down. Employees use the conference room for the Hasidic Rabbi to conduct prayers. Jewish holidays are recognized and their greetings accepted. The Indian festival, Diwali, is also celebrated. Christians’ requests and complaints are ignored. After receiving our memo, 115 employees signed a petition protesting the agency’s actions. The agency reversed its position, stating that the employees can have Christmas parties with religious themes and issued an apology.

Auburn, AL - University students overwhelming support an effort to change the “Holiday” tree back to a “Christmas” tree. A member of the student government wants the University to recognize that a Christmas tree is indeed a Christmas tree, historically and traditionally.

Boise, ID - Boise City bus drivers have been directed by management not to display "Merry Christmas" on city buses for the first time this year. When drivers asked management why this change of a long-standing tradition, the answer was to avoid a lawsuit.

Manchester, NH - An elementary school is requiring First Grade students to sing “I Hate This Holiday” as part of a holiday celebration. It’s Mr. Crabby’s song. Some of the lines read, “He hates this holiday and everything it stands for. He hates this holiday, and he won’t stand for it anymore.”

Winter Park, FL - Management at HUD subsidized senior apartments informed the residents that they may not sing carols or invite religious groups or churches to sing carols at the facility.

Bolton, MA - The school board has forbidden Christmas displays such as trees, ornaments, presents, etc.

WI - A first grader was telling her classmates about her solo at church. Her teacher told her not to talk about God or about Christmas anymore.

WI State Capitol - The Christmas tree has been renamed the “Holiday” tree.

Libertyville, IL - An employer of a local grocery store told an inquiring employee not to say “Merry Christmas.”

Birnamwood, WI - A high school announced that nothing with religious ties (pictures or messages) will be allowed in decorating for the Winter Spirit Week Door Decorating Contest, and if the students violate the rule, those homeroom doors would not be considered in judging for awards.

El Paso, TX - Teachers take turns decorating the bulletin board. The principal instructed them to change the display from “Christmas Math” to “Holiday Math.” A follow-up email told teachers that to be politically correct, they must remove the menorah and any kind of religious material. A flier sent home with the students stated that no religious items would be sold in the holiday store.

Canton, GA - The city council is having a “Holiday Parade.” A concerned citizen believes this is discrimination and called his representatives, who agreed with him but did nothing.

Okaloosa County, FL - The school board passed a resolution that didn’t permit teachers to say “Merry Christmas.” They must say “Happy Holidays” instead. There was a report that a child was punished for

saying “Merry Christmas.” The superintendent received a lot of email, and the board has reaffirmed that teachers may say “Merry Christmas.”

Jacksonville Beach, FL - City Hall has a Christmas tree but has denied the request of a local citizen to put up a menorah. The city manager said the Christmas tree is a “holiday bush.”

Milwaukee, WI - The tree downtown is a “Holiday Tree.” A concerned citizen is taking action to have this tree changed back to a “Christmas Tree.”

Wrightsville, PA - A school put up a “Happy Hanukkah” sign but there is nothing similar for Christmas. A parent would like to challenge the school.

Watertown, WI - A parent attended his child’s elementary school “Winter Program,” which did not include one song that mentioned what Christmas is about, but had a skit about the menorah and sang about Christmas in other countries. The parent would like to challenge the school.

Pearl River, NY - The parent of an elementary school child is concerned that the school had a Winter Celebration with no Christmas songs, but did include Hanukkah.

Glen Arm, MD - An employee of a retail store was heard saying “Merry Christmas” to a customer and was told to say either nothing at all in that regard or to say “Happy Holidays.”

Bozeman, MT - A memo was sent to county agents and staff in 52 counties instructing them to extend wishes for “Happy Holidays” rather than “Merry Christmas” in any newsletters, speak inclusively about “holidays” rather than specifically about “Christmas” when addressing the general public, and that they need to be careful when addressing the public.

Richland Center, WI - A citizen complained because in an elementary school program, the students cannot sing religious songs.

Hudson, FL - The school calendar has a “Winter Break” instead of “Christmas Vacation.” A concerned citizen finds it discriminatory that the schools can tell young children about gays but God is taboo.

Bangor, ME - A private company is bent on “political correctness” and has instructed its employees to stay away from using the word “Christmas.” There is little tolerance for Christian values in this workplace.

HI - Management in a state office has instructed personnel concerning Christmas parties: “The state emphasizes that we must observe a holiday party, not Christmas party. All festivities should be of a general, nonsectarian nature.”

East Islip, Long Island, NY - A parent of a pre-school child is concerned because the school is having a Winter Sing Along with a song about the meaning of Kwanzaa, one called Christmas Reindeer for Christmas and Dreidel Dreidel for Hanukkah. Neither of the last two tells anything about the meaning of the two holidays. She complained to the principal but received a negative response.

Orlando, FL - A state employee whose workplace has been privatized has been told that anything that “might be offensive” must be removed from the cubicles, including signs saying “Merry Christmas,” angels, and crèches, but the policy excludes Santa Claus, snowmen, trees, holly, wrapped gift boxes and signs saying “Season’s Greetings” or “Happy Holidays.” All cubicles are checked by a manager for what “might be offensive.”

Nanuet, NY - An employee of a furniture store franchise was fired after an email to the owner saying the employees should be allowed to decorate for Christmas. The owner forbade all three of his stores to decorate. They are not even allowed "generic" decorations. One employee brought in a small, real, tabletop tree, and the manager stuck it on the refrigerator in the back room to keep it out of sight.

Wayne, NJ - A concerned parent approached her child's principal about the "Holiday Party." They cannot play any Christmas music or celebrate with anything that looks like they're celebrating Christmas.

Orlando, FL - A parent of an elementary school child is concerned about the school's "Holiday Program" which includes Hanukkah and Kwanzaa songs, but no Christmas songs. She contacted the principal about a month before the program but was told it was too late to change the songs. The principal is Jewish. The parent has contacted the county officials with no response.

Maplewood, MN - An employee was informed that it is absolutely necessary that she say "Happy Holidays" and not "Merry Christmas" in greetings on the phone and to customers.

Warwick, RI - A citizen noticed that in the area post offices, there are prominent posters with various stamps for Chanukah, Kwanzaa, EID Greetings and even stamps with Arabic writing, but Christmas is not mentioned anywhere. They Christmas stamps they do have are called "Holiday" stamps, as well as "Holiday" boxes and "Holiday" cards.

Tallahassee, FL - An employee was told by management to "please try to make any greeting you make non-denominational (i.e. Happy Holidays as opposed to Merry Christmas). I have a hard time remembering that myself, but we have lots of folks working here and seeking services who practice other religious faiths."

North Hempstead, Long Island, NY - A citizen reported that a priest attended the lighting of a Holiday Tree. When he referred to it as a Christmas Tree, a supervisor became outraged, grabbed the microphone from the priest and shouted it was a Holiday Tree and that it was not a religious ceremony. The citizen wonders if a rabbi had called a Menorah what it is, a Menorah, whether the supervisor would have shouted that it is a Holiday Candelabra.

Houston, TX - A school changed the lyrics of "We Wish You A Merry Christmas" to "We Wish You A Swinging Holiday." Also, the boards outside the public schools in the area commonly say "Winter Celebration" or something similar.

Hollywood, FL - Parents are concerned because their elementary school is telling teachers and children that they cannot say "Merry Christmas" at school.

Portsmouth, RI - An elementary school had a program for the lighting of Hanukkah candles and the students made a star of David. There is also discussion of Kwanzaa. The grandparents have not seen any observance regarding Christmas, and their letter to the Town Council has had no response.

Derry, NH - Some Christmas songs were removed from the middle school chorus program, allegedly because the superintendent considered them too religious. They have included songs about Kwanzaa and Hanukkah. Some concerned parents are working to get the songs back in the program. The superintendent also mentioned that a sing-along after the program would not be appropriate, but the fact is that students and teachers are free to include religious songs in school concerts, even if those songs are part of an audience sing-along.

San Anselmo, CA - The town decided it would not put up the annual red bows (and lights, tree, etc.) on street lamp posts citing budget constraints and the fear that if the town put bows up, they would be required to let people put Swastika's on the lamp posts. The town said no decorations, even though the Chamber of Commerce was willing to donate the bows and greenery. After the town learned it could accept the donation without turning the lamp posts into public forums, the town council voted to put the bows and greenery up.

Fort Lauderdale, FL - Students and teachers in a Broward County elementary school were told they should refrain from saying "Merry Christmas," instead telling others "Happy Holidays."

Tomball, TX - A parent was troubled to learn his children would not be having a Christmas Party in school, but would have a "Winter Party." When he inquired about the name change, he was told the name was changed because the school did not want to offend anyone. The parent and a number of other parents are greatly offended by the exclusion of "Christmas" from the district's celebrations.

Lynchburg, VA - The manager of an apartment complex posted flyers on every door regarding "Holiday" tree, etc. When questioned about not using the word "Christmas," the manager said the management company will not let them use the word "Christmas" because of the Virginia Fair Housing Act. The complex could not possibly be found to be in violation of the FHA by calling it a Christmas tree.

Mechanicsburg, PA - A HUD subsidized senior apartment house will not permit any religious symbols in the main lobby or the day room on each floor where residents congregate. The doors to each room are filled with decorations such as stuffed animals and cards throughout the year, but they cannot use any religious symbols for Christmas. They can only decorate inside of their units. The management issued a statement that they want to be inclusive.

Forest Lake, MN - Students at a junior high school were told they cannot include "Away in a Manger" or similar religious themes in the homeroom door decorations in violation of their First Amendment rights. Students may include such themes, particularly if there are additional secular materials on display.

Hamilton, NJ - A parent of two public school children says that two years ago, their winter chorus concert had Kwanzaa and Hanukkah songs but no Christian songs. Last year one girl sang a solo of "Silent Night." This year the principal said it is up to the music teacher. Her child came home and said they are not singing any Christmas songs this year. Also, the tree is called a "Holiday" tree.

Naples, FL - For the last several years in an elementary school, teachers have been encouraged to teach about Hanukkah and Kwanzaa and have the students participate in activities that related to these holidays, but any mention of Jesus is frowned upon.

Birmingham, AL - Elementary school students were to make "Holiday bags" for their classmates with the following rules: nothing religious (angels, "Noel," crosses, etc.); no candy canes because they resemble the crooks used by the shepherds in the Nativity scene; no red and green colors; Hanukkah dreidels are okay; no Christmas trees at all. The school also refused to put up a Christmas tree.

Roanoke, AL - A customer who had recently spent a large amount of money in a Wal-Mart store heard another customer say "Merry Christmas" to a cashier. The cashier replied that she had to say "Happy Holidays" or she could be fired. The customer who heard this told the cashier he would not purchase the current items and would bring back the items purchased earlier. He called corporate headquarters



and was told that was not policy, but only a suggestion to employees, but they would fax him the memo to read for himself.

Huntsville, AL - An elementary school had a Holiday program which included songs about Hanukkah and Kwanzaa, "Paint the Town December," "Hearts Around the World," and a revised version of "Go Tell It On The Mountain", in which the words "Jesus Christ" were replaced with "this lovely day." A parent had her child tell the teacher of her objection and that he would not be in the program. The teacher told him that he would sing or face disciplinary action.

Forsyth County, GA - Children in a school in the Forsyth County School District were told they may not say "Merry Christmas" but were to say "Happy Holidays."

Wrightsville, PA - A school put up a Happy Hanukkah sign in the gymnasium, but nothing regarding Christmas. A parent would like to challenge the school concerning the absence of a sign acknowledging Christmas.

Winter Park, FL - The executive board of a neighborhood association voted 3-2 to place Christmas wreaths at the entrance to the neighborhood. The wreaths were removed by an unidentified person. A resident inquired about the legality of placing the wreaths. The wreaths are supposed to again be placed at the entrance.

Lewistown, PA - The Lewistown Elementary School prohibited a kindergarten student from handing out balloons at a Christmas party because the balloons depicted Old Testament scenes, such as Noah's ark or the battle between David and Goliath, with a Bible verse below the picture. The school says it generally tries to "separate church and state," and that the balloons were prohibited because the religious content might offend someone.