

# **“CHARLIE BROWN CHRISTMAS” WRONGLY NIXED**

The superintendent in charge of schools in Johnson County, Kentucky censored all references to religion in last year's Christmas celebrations. Specifically, he banned a presentation of “A Charlie Brown Christmas” at one school, and ordered another not to allow “Silent Night” to be performed. He said he was following the advice of school district attorneys.

This is madness. It is also not constitutionally mandated. In Bill Donohue's letter to Superintendent Thomas Salyer, he pointed out that the U.S. Supreme Court let stand a 1980 ruling by the U.S. Court of Appeals for the Eighth Circuit, *Florey v. Sioux Falls*, that conditionally permitted religious themes at Christmas assemblies. Pursuant to this ruling, the Sioux Falls School District allowed Christmas presentations of a religious nature to be performed as long as they were presented “in a prudent and objective manner and as a traditional part of the cultural and religious heritage of the particular holiday.” This is a reasonable, and not very high, bar to clear.

Who's to blame for this yearly debacle? There is much blame to go around. For example, the U.S. Supreme Court has not definitively ruled on this issue, allowing for some degree of uncertainty. To be sure, school officials such as Superintendent Salyer are neither required nor forbidden from allowing assemblies of a religious nature. But if anything, the ruling in *Florey v. Sioux Falls* empowers them to permit these annual events.

It's time school attorneys got up to speed on this issue. There is no legal reason to ban bona fide Christmas performances in the schools.