

NYC DEPT. OF EDUCATION GETS IT WRONG: CRECHES ARE NOT BANNED FROM THE SCHOOLS

Catholic League president Bill Donohue explained today why he is upset with the New York City Department of Education for misrepresenting a federal appeals court decision on the display of crèches in the schools.

At a press conference on Sunday, June 24, on the steps of City Hall (1:00 p.m.), City Council member Tony Avella will introduce his resolution calling for inclusion of nativity scenes in the schools. He will be joined by a contingent from the Catholic League and the Ladies Ancient Order of Hibernians, Queens County.

Donohue addressed the issue as follows

“The New York City Department of Education needs a new spokesperson. Marge Feinberg is quoted in today’s *New York Sun* defending the City’s discriminatory policy of allowing menorahs and crescents and stars in the public schools, while banning nativity scenes. ‘We only allow secular symbols and that decision has been upheld by the courts,’ she said. Feinberg is wrong. Last year, the United States Court of Appeals for the Second Circuit found that the United States District Court had erred when it agreed with the New York City Department of Education’s policy declaring the Jewish and Islamic religious symbols to be secular in nature. The court ruled that ‘the policy mischaracterizes the menorah as a secular symbol’ and that the ‘same conclusion applies to the policy’s treatment of the star and crescent.’

“The appeals court said that while the menorah and crescent and star are religious symbols, it is not unconstitutional to display a secular symbol, namely the Christmas tree, for

Christians. But it hastened to add, 'We do not here decide whether the City could, consistent with the Constitution, include a crèche in its holiday displays.'

"In other words, it is up to the City of New York to decide whether it will practice inclusion and treat Christian religious symbols the same way it treats Jewish and Islamic ones. That's the issue."