

School loses suit involving religion

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PHOENIX - Schools can't refuse to accept fund-raising messages solely because they refer to the Almighty, a federal judge ruled Monday.

Judge Paul Rosenblatt said the Paradise Valley School District violated the free speech rights of Ann and Paul Seidman of Scottsdale in rejecting their request to purchase - and have installed on school walls - a saltillo tile that said "God Bless Quinn, We Love You Mom & Dad."

Also rejected was an identical tile the Seidmans wanted to purchase in the name of their daughter, Haley.

Rosenblatt noted the district did not reject other tiles with statements of personal belief, patriotism and even business advertisements. He also said there were other tiles accepted, "some nearly identical to the Seidmans' messages only from a secular viewpoint."

And the judge specifically pointed out that nothing in the rejected messages was attempting to induce someone to convert to a particular faith.

"Schools do have legitimate reasons to selectively regulate controversial subject matter within their hallways," Rosenblatt wrote. "Nevertheless, once a forum is opened up to speaking on a particular topic, a school cannot prohibit others from speaking on the basis that what they intend to say has been spoken from a religious perspective."

Monday's ruling will have implications beyond Paradise Valley, and not only in fund-raising activities, said attorney Peter Gentala, who filed the parents' suit.

"The public schools are on notice now that this type of censorship that's targeted toward religious speech because it's religious speech is unconstitutional," Gentala said.

District spokeswoman Judi Willis said its schools will comply with the ruling. "We just really needed clarification," she said.

The \$25 tiles were part of a 2002 fund-raiser organized by the Pinnacle Peak Elementary School Parent Teacher Organization, with school authorization. The tiles bought by parents are to be permanently affixed to the interior halls of the elementary school.

School officials also rejected five other tiles on the grounds they contained religious messages. But only the Seidmans went to the Alliance Defense Fund, a public interest law firm that defends religious freedom.