



November 12, 2013

Dear Parents,

Yesterday I received a letter from Monica Miller, Esq., Legal Consultant Appignani Humanist Legal Center, American Humanist Association in Washington, DC. According to her letter the AHA has 20,000 members in the USA. In part, her letter stated:

"This letter serves as notice to policymaking school officials of the East Point Academy's unconstitutional conduct and as a demand that the school terminate all promotion, sponsorship, endorsement or affiliation with Operation Christmas Child immediately. Because the law prohibiting school endorsement of religion is well-settled, not only is the school district itself liable for this constitutional infringement pursuant to 42 U.S.C.A. § 1983, including in the form of punitive damages and the payment of plaintiff's attorney's fees, but each and every school official and employee involved are personally liable, in their individual capacities, as well. In order to avoid the necessity of litigation to end your unconstitutional practices, contact us immediately (preferably by email) indicating that you will take the appropriate steps to remedy this clear constitutional violation, including by expressly renouncing any affiliation with or support of Operation Christmas Child and stating that the school will not collect or boxes on their behalf or encourage staff or students to do so."

Operation Christmas Child has been a school wide community service project for three years. Last year communications were prepared and distributed by staff of one grade level and again this year, communications were prepared and distributed by staff of one grade level. You may recall receiving a flyer communicating that there were two projects scheduled in the same time period and that parents and students could choose which one they wanted to support or they could support neither since this is not a requirement. I assure you that many public schools in SC and across the United States participate in Operation Christmas Child. The only legal issue that I am aware of that came about in the past was in one public school where students completed a survey about their religious beliefs as part of the collection process. At our school only non-religious items have been collected for the boxes, no religious material is distributed to students or included with the boxes and the school has expended no money for the shipping of the boxes which each voluntary participant paid. No incentives or grades are given for any community service projects. Having said all of this, since we are just receiving this notice at this late date and the project ends Friday, we have very little time to seek legal advice. **Therefore, in an abundance of caution because we do not want to expend school financial resources defending a lawsuit, we are not going to accept Operation Christmas Child boxes. If you and your child had planned to donate a shoebox of supplies, you are encouraged to find a charity of your choice for the gift.** A reminder that Toys for Tots will continue until December 10 so you are encouraged to participate. Thank you for your support.

Sincerely,

Renee Mathews