



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

December 13, 2016

Dear Killeen Independent School District Board of Trustees:

It has come to my attention that, on Wednesday, December 7th, the principal of Patterson Middle School censored staff member Dedra Shannon's Christmas decoration, which was posted outside the front door of the nurse's office. The principal apparently took umbrage that the poster depicted a famous scene from the classic film "A Charlie Brown Christmas," where the character Linus summarizes the biblical meaning of the holiday. The Killeen ISD administration reviewed the principal's decision that Friday and released a public statement supporting the actions taken by the school.

Based on public comments, both the principal and Killeen ISD objected to the Christmas poster for fear that it violated the First Amendment and would lead to a lawsuit. Although these concerns are not surprising in an age of frivolous litigation by anti-Christian interest groups, they stem from an incorrect reading of the law. The U.S. Supreme Court has held repeatedly that neither "students [n]or teachers shed their constitutional rights to freedom of speech or expression at the schoolhouse gate." Staff members therefore may express their take on the holiday without infringing on the Constitution, even if they incorporate some religious terminology.

Additionally, Section § 29.920 of the Texas Education Code, encourages school districts to take a more inclusive approach to religious and secular celebrations. The statute explicitly grants school districts the option of educating its students about traditional winter holidays, the meaning of these holidays, and how they are referenced in history and pop culture, which "A Charlie Brown Christmas" certainly satisfies.

I sincerely hope that you choose to rescind this unlawful policy, apologize to Ms. Shannon, and move back into compliance with state and federal law. Rest assured that, should you comply with the law, my office will gladly exercise its discretion under Section § 11.151(e) of the Texas Education Code to represent Killeen ISD in any frivolous litigation that might be filed that seeks to inhibit the religious expression and diversity of Killeen's educational community.

Very truly yours,

A handwritten signature in cursive script that reads "Ken Paxton".

KEN PAXTON
ATTORNEY GENERAL OF TEXAS