



Office of the General Counsel
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**The School Board of
Broward County, Florida**

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Interim Superintendent of Schools

November 23, 2021

SENT VIA U.S. MAIL:

Christopher Line
Freedom From Religion Foundation
P.O. Box 750
Madison, Wisconsin 53701

RE: Religious Displays & Content

Dear Attorney Line,

This letter is in response to your September 21, 2021 and November 5, 2021 correspondence regarding religious content in a school assignment and religious displays in schools respectively.

First, related to your correspondence regarding your client's constitutional concerns related to a book entitled *The Rooster Crows: A Book of American Rhymes and Jingles* assigned as part of the student's virtual class, it appears, based on your letter's characterization of the class as an "online program," this student may be enrolled in Broward Virtual School, a virtual instruction program for K-12 students in Broward County. The School Board of Broward County, Florida ("SBBC") is an approved provider under a franchise agreement with Florida Virtual School ("FLVS") to provide this program as a school choice option to Broward County students. Under this agreement, FLVS retains all rights, title, and interest to all courses, content, and software made available to the district for delivery of the virtual class. Any requests to view FLVS course content may be submitted through its Help Desk at help@flvs.net.

Additionally, SBBC Policy 6308 prescribes the method(s) by which parents have an opportunity to object to the use of instructional and digital materials being used in a school curriculum or media center. See attached copy of SBBC Policy 6308. Under this policy, a parent may request a personal conference with the principal or the principal's designee to discuss the use of the material. If an agreement regarding the objection is not reached in the initial conference, the parent will be given a Request for Reconsideration for the purpose of making a formal complaint to the principal. The school review committee will then review the formal complaint using a specified process delineated in the attached policy. While we have not been able to independently confirm the circumstances surrounding this book and the context in which it may have been assigned to your client's child, in an abundance of caution we will be sending a memorandum to our schools reminding our teachers and staff of our duties and obligations under the First Amendment.

Second, after reviewing the matters raised in your letter dated November 5, 2021, SBBC immediately investigated the claims and took action to remove the religious displays from the classroom and instruct the subject personnel to immediately cease from displaying religious content in the classroom.

In addition to immediately addressing the claims raised in your November 5, 2021 correspondence, SBBC has scheduled a training at its next Principal's Meeting to reinforce to its school administrators and their staff that it is inappropriate, unlawful and a violation of SBBC policy to allow religious displays, give religious assignments, or promote personal religious beliefs in schools.

SBBC remains sensitive to the diverse needs of Broward County students and is committed to educating *all* students and providing an environment free from discrimination of any kind.

Sincerely,



Marilyn Batista,
Interim General Counsel

c: Dr. Valerie Wanza, Chief, Office of School Performance & Accountability
Dr. Nicole Mancini, Chief Academic Officer

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