



April 27, 2006

VIA FACSIMILE (201-236-9543) AND U.S. MAIL

John Keenan, Principal
298 Hillside Avenue
Allendale, NJ 07401

Re: Denial of Jason Aufiero's and the Christian Club's First Amendment and Equal Access Act Rights.

Dear Principal Keenan:

Jason Aufiero, through his parents, has requested that the Alliance Defense Fund ("ADF") contact you regarding the unlawful denial of Jason's right to engage in religious expression on school property and the unlawful denial of the Christian Club's right to equal treatment under the Equal Access Act. We demand that school officials cease and desist violating Jason's and the Club's First Amendment and federal statutory rights.

By way of introduction, ADF is a legal alliance defending the right to hear and speak the Truth through strategy, training, funding, and litigation. Our organization exists to educate the public and the government about the right to freedom of speech, particularly in the context of the expression of religious sentiments. We render assistance to a significant number of students and student religious clubs in situations similar to the one Jason and the Club now face.

Jason Aufiero is an eleventh grade student at Northern Highlands Regional High School, and the president of the Christian Club. He desires to wear a t-shirt and distribute palm cards and stickers concerning the Day of Truth, which was established to express a Christian perspective on, and differing viewpoint to, the Day of Silence. You have apparently advised Jason that he may not be able to engage in such expression because it is impermissible to espouse a negative viewpoint concerning homosexuality at school. Please be advised that any attempt by the School to censor Jason's religious speech because it expresses a negative view concerning homosexuality would be unlawful viewpoint discrimination, and thus would violate Jason's constitutional rights.

In addition, the Christian Club desires to avail itself of the many benefits provided to other recognized student clubs to promote its message regarding the Day of Truth. Specifically, the Club wants to hang posters advertising the Day of Truth where recognized clubs are permitted to hang posters, and have an announcement read over the loud speakers concerning the Day of Truth. According to our clients, the school granted each of these benefits to the Gay/Straight Alliance Club for it to promote the Day of Silence. Not granting the same benefits to the Christian Club so they can promote an opposing view from the Day of Silence, as you have apparently done, is obvious viewpoint discrimination and thus violates the constitutional and statutory rights of the Club members.

Moreover, it appears that the School has a flat ban on literature distribution by students and student clubs. Such a restriction is a blatant violation of Jason's, and every other students', First Amendment rights. Any attempt to restrict Jason's nondisruptive, respectful distribution of materials related to the Day of Truth pursuant to such a ban would surely violate his constitutional rights.

Finally, Jason recently spoke to a few of the members of the Christian Club regarding the Day of Truth in the library. The School apparently viewed this brief conversation as an "unauthorized meeting" of the Club in violation of School policy and, at least in part, relied on this "unauthorized meeting" as a reason for denying the Club the benefits it desired to promote the Day of Truth. This is an outrageous violation of the Club members' First Amendment rights and appears to be nothing more than a pretext to censor views regarding homosexuality that are disfavored by the School.

Please respond to this letter by Tuesday, May 2, 2006, notifying us that you will permit Jason, and any other students, to wear t-shirts, distribute flyers and stickers, and otherwise speak concerning the Day of Truth. Also, please respond by May 2, 2006, notifying us that you will reverse your decision and will permit the Christian Club to promote the Day of Truth via posters and an announcement over the speakers. As you know, the Club desires to observe the Day of Truth on May 5, 2006. If the School fails to meet these demands, we will advise the Aufieros of their right to take appropriate legal action in federal court.

Sincerely,



Jeremy D. Tedesco
Litigation Staff Counsel

cc: The Aufieros
Dr. Robert McGuire, Superintendent (via facsimile)
Demetrios Stratis, licensed New Jersey attorney (via email)