



Written by [Dave Bohon](#) on July 21, 2011

Lawsuit Challenges School District's Retaliation Against Christian Students

A conservative legal advocacy group has filed a lawsuit on behalf of a group of high school students in Roswell, New Mexico, charging that the Roswell Independent School district retaliated against members of a Christian club after they distributed doughnuts with Bible verses to members of the faculty. According to a press release by Liberty Counsel, in addition to giving away doughnuts to teachers, members of the Christian group Relentless in Roswell had, in the past, distributed chicken salad, hot chocolate, and candy canes to both faculty and students. In an effort to use their faith to reach out to others the club had been involved in such projects as assisting teachers with trash in their classrooms, helping fellow students with their trays during lunch, and distributing rocks with encouraging messages such as "U are wonderful" painted on one side and the Bible reference "Psalm 139" on the other.



But members of the group had also made bold statements about their moral and pro-life beliefs by "distributing abstinence wristbands and plastic models of babies at 12 weeks gestation, bringing attention to the life of the unborn," noted Liberty Counsel. Those actions prompted school officials to give some of the students school suspensions, and to bully other students into toning back their witness, the press release related.

According to the Liberty Counsel account, the same morning the students distributed the plastic babies, a fellow student at the school had planned to take her life because of a past abortion. "When she received a model baby with the scripture, 'you are fearfully and wonderfully made,' she cried and prayed with the students and her life was saved, both physically and spiritually with the forgiveness of God," recalled Liberty.

The response of school officials was somewhat different, however. With the declaration that "it's time to shut this down," school officials sprang into action, pulling the pro-life students out of class and demanding that they cease their "Christian" activity.

Punishment over the doughnut distribution came when the students decided to show their appreciation to teachers by making a run to the nearest Krispy Kreme shop. Since the closest one was nearly three hours away in Texas, some the students volunteered to make the trek, staying overnight, then getting up at 3:00 a.m. to fill the back seat of their car with doughnuts and travel the three hours back to



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Roswell in time for the start of the school day — and a gift of doughnuts for their teachers along with a scriptural encouragement.

For their efforts, one of the students “was immediately sent home and two others were forced to spend a Saturday morning sitting alone in the classroom for four hours as a punishment,” noted the Liberty Counsel account.

The suit, filed by Liberty Counsel on behalf of students in the Relentless in Roswell group, challenges the denial by school officials of the students’ constitutionally protected right to distribute “various items and religious literature” to their friends and classmates during “non-instructional” school times. Liberty is asking the judge in the case to rule in favor of the students “before the beginning of the next school year, so they may disseminate their messages to fellow classmates in accordance with their First Amendment rights.”

Troy Smothermon, pastor of a local church that has helped to sponsor the Relentless youth group, explained that the motives of the students were not rebellious or mean-spirited, but were based on true Christian compassion. “The whole purpose [of their actions] was to encourage those in the school,” said the pastor. “We are challenging the constitutionality, but our motive here was to love. Faith without works is dead. We want them to know that we love them and that Christ loves them.”

Commenting on the actions of the school district, Liberty Counsel’s founder, [Matt Staver](#), noted that teachers in some schools “are worried about their students giving them bullets, and this school suspends students over a Bible verse!”

Added the Christian legal advocate: “These students are living their Christian beliefs by showing kindness. It is outrageous that the Roswell school officials are mean to these students solely because they are hostile to their Christian faith.”



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