

# Student Wins Suit After Teacher Says Creationism 'Superstitious Nonsense'

<http://www.foxnews.com/story/0,2933,518864,00.html>

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*Note from Pastor Kevin Lea follows this article.*

**SANTA ANA, Calif. — A federal judge ruled that a public high school history teacher violated the First Amendment when he called creationism "superstitious nonsense" during a classroom lecture.**

U.S. District Judge James Selna issued the ruling Friday after a 16-month legal battle between student Chad Farnan and his former teacher, James Corbett.

Farnan sued in U.S. District Court in 2007, alleging that Corbett violated the establishment clause of the First Amendment by making repeated comments in class that were hostile to Christian beliefs.

The lawsuit cited more than 20 statements made by Corbett during one day of class, all of which were recorded by Farnan, to support allegations of a broader teaching method that "favors irreligion over religion" and made Christian students feel uncomfortable.

During the course of the litigation, the judge found that most of the statements cited in the court papers did not violate the First Amendment because they did not refer directly to religion or were appropriate in the context of the classroom lecture.

But Selna ruled Friday that one comment, where Corbett referred to creationism as "religious, superstitious nonsense," did violate Farnan's constitutional rights.

Farnan is not interested in monetary damages, said his attorney, Jennifer Monk of the Murrieta-based Christian legal group Advocates for Faith & Freedom. Instead, he plans to ask the court to prohibit Corbett from making similar comments in the future. Farnan's family would also like to see the school district offer teacher training and monitor Corbett's classroom for future violations, Monk said. There are no plans to appeal the judge's rulings on the other statements listed in the litigation, she said.

"They lost, he violated the establishment clause," she told The Associated Press in a phone interview. "From our perspective, whether he violated it with one statement or with 19 statements is irrelevant."

In making his decision, Selna wrote that he tried to balance Farnan's and Corbett's rights. "The court's ruling today reflects the constitutionally permissible need for expansive discussion even if a given topic may be offensive to a particular religion," the judge wrote. "The decision also reflects that there are boundaries. ... The ruling today protects Farnan, but also protects teachers like Corbett in carrying out their teaching duties."

Corbett, a 20-year teaching veteran, remains at Capistrano Valley High School. Farnan is now a junior at the school, but quit Corbett's Advanced Placement European history class after his teacher made the comments.

The establishment clause of the First Amendment prohibits the government from making any law establishing religion. The clause has been interpreted by U.S. courts to also prohibit government employees from displaying religious hostility.

Selna said that although Corbett was only found to have violated the establishment clause in a single instance, he could not excuse or overlook the behavior. In a ruling last month, the judge dismissed all but two of the statements Farnan complained about, including Corbett's comment that "when you put on your Jesus glasses, you can't see the truth."

Also dismissed in April were comments such as, "Conservatives don't want women to avoid pregnancies — that's interfering with God's work" and "When you pray for divine intervention, you're hoping that the spaghetti monster will help you get what you want."

On Friday, Selna also dismissed one of the two remaining statements, saying that Corbett may have been attempting to quote Mark Twain when he said religion was "invented when the first con man met the first fool."

Corbett has declined to comment throughout the litigation. His attorney, Dan Spradlin, did not immediately return a message left Monday by The Associated Press. Spradlin has said, however, that Corbett made the remark about creationism during a classroom discussion about a 1993 case in which a former Capistrano Valley High science teacher sued the school district because it required instruction in evolution. Spradlin has said Corbett was simply expressing his own opinion that the former teacher shouldn't have presented his religious views to students.

Farnan's family released a statement Friday calling the judge's ruling a vindication of the teen's constitutional rights. The Capistrano Unified School District, which paid for Corbett's attorney, was found not liable for Corbett's classroom conduct.

*Note from Pastor Kevin Lea:*

*It is amazing how hypocritical teachers who hold to the evolution fairy tale can be. Mr. Corbett cannot provide to the students of his classroom a scientifically sound explanation for how life can form spontaneously from matter, and then, over millions-of-years of chance mutations, turn into hundreds-of-thousands of extremely complex plant and animal life forms.*

*In fact, the more scientists learn about the complexity of life, the more it becomes clear that the evolutionary explanation for life on planet earth (time and chance over millions of years) is nothing short of “**religious [atheistic], superstitious nonsense**”, something Mr. Corbett accused Chad of. I pray Mr. Corbett repents of his hypocrisy and foolishness before he stands before the God who created all things.*

Rom 1:20-23 For since the creation of the world His invisible attributes are clearly seen, being understood by the things that are made, even His eternal power and Godhead, so that they are without excuse, because, although they knew God, they did not glorify Him as God, nor were thankful, but became futile in their thoughts, and their foolish hearts were darkened. Professing to be wise, **they became fools**, and changed the glory of the incorruptible God into an image made like corruptible man-- and birds and four-footed animals and creeping things. (NKJ)

Luke 17:1-2 Then He said to the disciples, "It is impossible that no offenses should come, but woe to him through whom they do come! "It would be better for him if a millstone were hung around his neck, and he were thrown into the sea, than that he should offend one of these little ones. (NKJ)