

The School Board of Petoskey Public Schools will not continue with its plan to change the name of Winter Break to Christmas Break. Upon reviewing the legality of this change in light of Mr. Waldvogel's email of August 10th, 2009 it is the opinion of this Board, along with legal counsel, that the School District would not be successful in court if challenged. The ability or right to change the wording is not at issue. It is well settled that schools have the right to refer to the break as Christmas. Christmas is a federal holiday and the vacation period can be named as such as has been traditionally accepted. However, it is also well established that government actions (including Public School Boards) must have a secular purpose for their actions (*Lemon v. Kurtzman*, 403 U.S. 602 (1971)). The change to "Christmas Break" cannot be initiated or driven based on a religious agenda. This Board does not wish to expend the District's limited resources on legal issues in which in all likelihood would not be successful.