

I wanted to let you know that the Texas Supreme Court declined to review the Dallas court of appeals' decision that allows ESD to avoid a lawsuit because it claimed protection under the religious freedom clause of the First Amendment. ESD raised this argument right before the trial was set, and the trial court rejected it only to be overturned by the court of appeals. To this day, I don't understand what religion had to do with our case against ESD. ESD never raised religion when the events giving rise to our lawsuit occurred.

Although this is an unfortunate outcome for the children of Texas, personally I would have been fine with either option. My son and I have spent four years pursuing justice in this matter, and ESD has used every tactic in the book to avoid resolution of the dispute. Perhaps to scare us out of court, it even asked the trial court to unseal my son's name in the public record despite his minor status when the events occurred. Although that effort was unsuccessful, ESD was able to prolong the lawsuit, and we are tired.

The fact remains that my son was expelled by Meredyth Cole solely to protect her and her son's reputations after her son threw a drug and alcohol party at her house when she flew to New York. The harsh punishment my son received had nothing to do with my son's behavior. She was new to the school, highly paid, over her head, very insecure in her new role, and emotionally not prepared to accept the truth about her son or herself. My son was the victim of time and circumstance. He was used to deflect attention from the embarrassment over what happened with Ms. Cole's son.

Nonetheless, because ESD wanted to protect Cole, her staff and its reputation, there is now support in Texas for private schools like ESD to do whatever they want to the children in their care, and not be subjected to a trial by their peers, simply because the school claims a religious affiliation. Abuse, neglect, and mistreatment of children can occur without fear of court oversight. ESD and institutions like ESD can avoid breach of contract claims in a civil court when they avoid obligations under enrollment contracts (and possibly other contracts) even if there is no religious doctrine and no clergy involved. ESD has created a precedent that will ultimately be overturned because this is not what the First Amendment was intended to protect. But it will not be in our case.

The good news is that since the time we sued the school, there have been no further abusive instances at ESD that we are aware of. Meredyth Cole is out, and Donna Hull was demoted. I am grateful for all of you for your help and support in this matter. We are particularly grateful for Children Friendly Faith Project for picking up the mantle and carrying this cause forward to help future students at ESD and elsewhere in the State. Arrogant and authoritarian schools like ESD need to be held to account and in time they will be.

*John Doe*