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The controversy over John Freshwater, a Mount Vernon, Ohio, middle school science teacher accused of inappropriate religious activity in the classroom, reached the pages of *The New York Times* (January 19, 2010), just as the lengthy administrative hearing on his termination is finally nearing its end. In June 2008, a complaint filed in federal court, [Doe v. Mount Vernon](#) [4], accused Freshwater of inappropriately bringing his religion into school — including by posting posters with the Ten Commandments and Bible verses in his classroom, branding crosses into the arms of his students with a high-voltage electrical device, and teaching creationism. Shortly thereafter, the Mount Vernon City School District Board of Education unanimously voted to begin proceedings to terminate his employment in the district.

As the *Times* [reported](#) [5], Freshwater, who is currently suspended without pay from his job, "asked for a pre-termination hearing, which has lasted more than a year and has cost the school board more than a half million dollars." Creationism, while not the only issue at the hearing, was conspicuous throughout. "Freshwater's supporters want to make this into a new and reverse version of the Scopes trial," David Millstone, the lawyer for the Mount Vernon Board of Education, told the *Times*, adding, "We see this as a basic issue about students having a constitutional right to be free from religious indoctrination in the public schools." Detailed reports on the hearings by Richard B. Hoppe are [available](#) [6] on The Panda's Thumb blog (search for "Freshwater").

In August 2009, a partial settlement in *Doe v. Mount Vernon* was reached, in which, [according](#) [7] to *The Mount Vernon News* (August 27, 2009), "the board's insurance company has agreed to pay \$115,500 toward the plaintiffs' legal fees, \$5,500 to one of the plaintiffs as compensation and the sum of \$1 each

to two other individuals." Not covered by the settlement agreement was Freshwater himself, so the case remains open. Complicating the legal situation, Freshwater filed a counterclaim in *Doe v. Mount Vernon* in 2008 and his own lawsuit, [Freshwater v. Mount Vernon City School District Board of Education et al.](#) [8], against the board and a number of district administrators in 2009, alleging religious discrimination, defamation, conspiracy, and breach of contract.

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