



# LIBERTY COUNSEL

Post Office Box 540774  
Orlando, FL 32854-0774  
Telephone: 800•671•1776  
Facsimile: 407•875•0770  
www.LC.org

122 C St. N.W., Ste. 640  
Washington, DC 20005  
Telephone: 202•289•1776  
Facsimile: 202•216•9656

Post Office Box 11108  
Lynchburg, VA 24506-1108  
Telephone: 434•592•7000  
Facsimile: 434•592•7700  
liberty@LC.org

May 1, 2015

**By Electronic Mail Only**

Dean Donald Painter  
Polk State College  
3425 Winter Lake Road  
Lakeland, Florida 33803  
dpainter@polk.edu

RE: Unconstitutional hostility toward Christianity by L.J. Russum

Dear Dean Painter:

By way of brief introduction, Liberty Counsel is a national public interest law firm with offices in Florida, Virginia, Washington D.C., and Israel. With hundreds of affiliate attorneys throughout the country and around the world, we specialize in First Amendment litigation. We frequently represent students whose rights have been violated by educational officials, and have had particular success in representing their interests in federal court.

Liberty Counsel writes on behalf of the Lewis family regarding Polk State College's treatment of their 16-year-old minor daughter, "G.L." As you know, G.L. is a dual-enrolled high school student, enrolled at Polk State College ("the College") through the Florida Virtual School Full Time program, with a 3.9 GPA. Consistent with the College's Student and Parent Agreement, G.L. and her parents understood that courses at the College are designed for graduate level students. Nothing in that agreement, however, insulates the College from liability where educator misconduct transgresses the bounds of the Constitution and its First Amendment.

Liberty Counsel has reviewed correspondence between the family and your office, regarding the behavior of Humanities Professor Lance "L.J." Russum in the course "Introduction to Humanities HUM 2020 Spring 2015." Mr. Russum's pervasive anti-Christian bias throughout the course, and his punishment (four straight zeros) of G.L.'s essay answers responding to his improper, biased questions is unquestionably discriminatory and cannot stand. Your ratification of his abusive treatment is likewise deeply concerning.

We hereby demand 1) a full and independent review of Mr. Russum's behavior and course content; 2) appropriate grading of G.L.'s four "zero" assignments by a different professor; 3) a written apology; and 4) assurances that future courses taught by Mr. Russum will be free from such unlawful discrimination. It is difficult to see how Mr. Russum may remain employed after such retaliatory treatment of a student in response to his overbearing activity,

as it calls into question his academic credibility and objectivity.

In addition to the attached correspondence to and from your office, Liberty Counsel has reviewed Mr. Russum's syllabus and course assignments. His hostility toward "religion" (in actuality, Christianity) begins in the syllabus, and continues throughout the course, despite the fact that he states in the syllabus that students "are under no obligation to agree with classmates, authors, or the instructor, in fact, the instructor will often occupy the space of 'Devil's Advocate' for the purpose of lively discussion."

As will be seen, this caveat for ostensibly legitimate pedagogical purposes is untrue. Students are indeed required to agree with the professor, upon pain of grade retaliation, and the instructor is not a "Devil's Advocate," but a radical ideologue, bent on imposing his views on students, in violation of acceptable academic standards and the U.S. Constitution.

Beginning in Week 1 of the course assignments, Mr. Russum makes a claim of secular humanist orthodoxy: "What we take to be the 'truth' is just the retelling of the myths of early civilization. The **god [sic] of Christianity/Islam/Judaism** are [sic] a mixture of the god(s) myths of the Mesopotamians." (Emphasis added.) He continues: "The point of this is not to 'bash' any religion, we should NEVER favor one over another, they all come from the same source, HUMAN IMAGINATION . . .". In other words, all religions are equally "false" and must be treated accordingly. Also in Week 1, Mr. Russum introduces students to "Karl Marx" as an authority on the "the cultural attempt to build civilization" of the ancient Mesopotamians.

In Week 2, Mr. Russum introduces students to "the Epic," including "elements of homoerotic/Friendship/Raw human sexuality" and "the use of sexuality and the role of women" in the epic.

Weeks 3 and 4 discuss the Egyptians, and Mr. Russum's attempt to deconstruct the Bible by claiming the discredited position that the Egyptian Book of the Dead is the source material for the Biblical First Book of Samuel.

Weeks 5, 6, and 7 discuss Greek History, Theatre, and Mythology, with "**The Geek's [sic] and their Divines' [sic]**." (Emphasis added.) Weeks 8, 9, and 10 discuss Rome, Gladiators, and the Fall of Rome and the Dark Ages. All of these are relatively non-controversial.

With Week 11, however, Mr. Russum returns to his theme of Christianity as the source of all evil in "**The Roll [sic] of Religion in the Middle Ages**." (Emphasis added.) Throughout Week 11, and the course content, Mr. Russum repetitively refers to Christianity with pejoratives such as the "Christian mythos;" or the "mythology of the trinity [sic], god [sic], Christology and Mariology;" "the mythos that seeks to punish unbelief;" "one of the most violent forms of religion the world has ever seen;" and so on. He also systematically "decapitalizes" references to God and Christian subjects, which is a common tactic of the radical atheist community to express hostility towards religion.<sup>1</sup> While Mr. Russum's own work

---

<sup>1</sup> See, for example, nearly every Freedom From Religion Foundation ("FFRF") correspondence mentioning "God" or "the Bible."

is replete with spelling and grammatical errors, the instances of intentional “de-capitalization” are far too frequent to be mere “errors;” they are intended to be insulting to people of faith and are evidence of his hostility to Christianity. These examples may be viewed in context in the course assignments, instructions, or feedback for the following weeks:

Week 11 (emphasis added):

- “There is no denying that Christianity in the Middle Ages was harsh and at times inhumane, e.g., the Crusades. **Christianity proved itself** during the Middle Ages to be **one of the most violent forms of religion the world had ever seen.**”
- “Women found space to become mystics, bear the wounds of **their gods**, become Nuns [sic].”
- The nuns are an “example to **all the major religions today, that STILL attempt to regulate the bodies of women . . . .**”
- “Enjoy the reading on the Nuns [sic] who continued to do what they thought was best for humanity when **god’s** [sic] representatives said it was not.”
- “NOTE: . . . and this is VERY important, **I DO NOT want you to write about how wonderful you think Christianity is now because women can do A, B, or C.** History is history and facts are facts and your opinion on if it is better now or not is irrelevant for this discussion. This is a HISTORICAL discussion about the middle ages. **If you really feel the need to express your opinion on how you think Christianity is now for women . . . .**”

Week 12 (emphasis added):

- “You see Greek gods next to Roman and Christian **gods** [sic] and yet it is not a religious time but a return or rebirth or the classics. It is embracing the mythos through a veneration of the human.”

Week 13 (emphasis added):

- “Luther is a product of his historical moment and must be understood in his time. Describe how his **reformation** is a **political act** [sic] one that expands humanism and draws us away [sic] from the **mythos that seeks to punish unbelief**. Luther free [sic] us through his humanism and we can never forget the power of his **reformation.**”
- “Any quotes from his sermons or writings **MUST** be about humanism and how the reformation is in the right place and right time in history **NOT some divine providence of the gods.**”
- “the history of the humanism of Luther and **his reformation.**”
- “**IF You turn this into a theological debate** or [sic] **divine providence** I will NOT read it and you will be given a zero.”

In addition to the offensive content in Week 14 noted by Mr. and Mrs. Lewis in their attached correspondence, Mr. Russum assaults the sensibilities of his students by focusing Page 2 of his PowerPoint on an enlarged, zoomed-in, head-on picture of the penis of Michelangelo’s *David*. Note that the textbook provides a full-body shot of the same sculpture, but it is not zoomed in on the genitals, front and center.

On Page 13 of the Week 14 PowerPoint, Mr. Russum notes in the upper right “coroner” [sic] of Michelangelo’s painting *The Last Judgment*, a Greek column held by angels.

According to Mr. Russum, here "we have a Phallic [sic] symbol with the back of the angel serving as the testicles," depicting heaven "as a Patriarchal place." Continuing on Page 14: "Just below the Phallic [sic] symbol you have this wonderful scene in heaven where you have men kissing each other in a very erotic embrace." Mr. Russum then uses Michelangelo as an ideological sock-puppet stand-in for his own beliefs about homosexuality, stating that "in the 16th century **Michelangelo is claiming that being in a same sex relationship is NOT A SIN and WILL NOT keep someone out of Heaven.**" (Emphasis added.) Clearly, Mr. Russum has an axe to grind, and strays into his own theological views on homosexuality and heaven, under the guise of art appreciation.

In this academic environment, Mr. Russum demanded essay answers from G.L. and the other students which conform to his own personal worldview. Where G.L. endeavored to provide academically responsive answers in a manner that did not simply concede that Christianity was false, violent, or oppressive to women; that Martin Luther's motivations for the Reformation were not wholly secular in nature; and that there are other interpretations of Michelangelo's sculptures and paintings, Mr. Russum "graded" her papers with four straight zeros. G.L.'s papers are attached for your reference. They include verbatim quotes of Mr. Russum's biased, inappropriate, and historically incorrect questions.

Mr. Russum's course materials alone are enough to impeach his teaching credentials. Were Mr. Russum to claim "legitimate pedagogical purposes" for his materials, however, his pretext would be exposed by his online social media persona.

For instance, consistent with Mr. Russum's course content, Mr. Russum's "Likes" on Facebook reveal that he is not a "Devil's Advocate," seeking to foster academic inquiry; but rather, he is a complete ideologue for just about every "ism" of the Left: Communism, Feminism, Atheism, Racism, and homosexuality. He attacks the nuclear, man-woman family as "patriarchy" to be destroyed.

The following are direct quotes which Mr. Russum has personally "Liked" on his Facebook page, which read as almost a parody: "A Foul-Mouthed Feminist - **F\*ck the Patriarchy;**" "End Colonial Mentality - **How the Hetero Capitalist Able-Bodied White Patriarchy Ruined the World;**" "Atheist Nurse;" "Online University of the Left;" "**Sh\*t Academics Say;**" "Marx Engels Lenin Institute;" "Slavoj Zizek" (a modern-day Communist philosopher and supporter of mass murder); "Transgender Law Center;" "I **f\*cking** love science;" "**We F\*cking Love Atheism;**" "Unpacking the 'F' Word;" "**Comrades of the World;**" "**B\*tch** Media;" "The Vaping Atheist;" "Intelligent, classy, well-educated women who say **F\*ck** a lot;" "Feminist Ever After;" "Redstockings of the Women's Liberation Movement;" "Third Wave Feminism;" "**Guerilla Feminism;**" "Women Without Religion;" "**Militant Atheism for the Soul;**" "The Atheist Cookbook;" "**Anarcho-Communism;**" "**Nonsense from the Bible;**" "You Too are Feminist;" "The Left Side of Feminism;" "**Smashing the Patriarchy;**" "Rabid Feminist;" "Radical Feminists;" "I Acknowledge The Destructive Nature of Capitalism;" "**I Acknowledge Class Warfare Exists;**" "International Socialist Review;" "Transformative Justice Journal;" and last but not least, "**Karl Marx, Politician.**" (Emphasis added.) He is a member of the Facebook groups "Zizek Studies" and the "Polk State College Gay/Straight Alliance."

But wait, there's more: In addition to an inordinate overemphasis on four-letter words

and a cornucopia of Communist concepts and symbols in his “Likes,” Mr. Russum has a previous profile picture consisting of Fidel Castro, along with a picture of Jesus Christ signaling “F\*ck You” by flipping the middle finger, with Mr. Russum providing the caption: “I finally have the answer to WWJD [what would Jesus do]?” These pictures are attached to this letter for your convenient reference.

In both the Humanities course, and in his online persona, Mr. Russum displays unadulterated hostility toward Christianity, in violation of the Establishment Clause, and also blames Christianity for victimizing women and stifling sexual expression. While Mr. Russum is free, on his own time, to advocate whatever he wishes, so long as it does not create a material disruption to the academic environment, his online content is compelling evidence that his course material and behavior are not merely “pedagogical.”

We can only take Mr. Russum at his word that “Class Warfare Exists,” and how an “Anarcho-Communist” must deal with “class enemies” in his Humanities class, as it were. As he states at the end of *every e-mail communication*: “**The true ethical test** is not only the readiness to save the victims, but also - even more, perhaps - **the ruthless dedication to annihilating those who made them victims.**’ - Slavoj Zizek.” (Emphasis added). Mr. Russum’s worldview has been challenged by G.L., a representative of the “class” (Christianity) responsible in his mind for all the world’s ills. G.L. dares, in Mr. Russum’s opinion, to spout “Nonsense from the Bible.” Since G.L. refuses to be “converted” by Mr. Russum’s “Militant Atheist” proselytizing into a “Woman Without Religion,” he has instead decided to “ruthlessly annihilate” her (grade), under his email signature line’s “true ethical test” from Slavoj Zizek, a modern-day Marxist who justifies the mass-murders of Lenin, Mao, Stalin, the Khmer Rouge (“not radical enough”), and Adolf Hitler (“not violent enough”).<sup>2</sup>

Thus, it cannot be reasonably argued that Mr. Russum is a kind-hearted academe seeking to broaden horizons as a “legitimate pedagogical purpose.” It is abundantly clear that he cannot distinguish the appropriate forums for advocating personal beliefs, as is his right; imposing those beliefs on others, which is impermissible; and retaliating against those who object, which is bullying and unethical.

Under the Free Exercise Clause, an educational institution cannot compel students to even momentarily pledge allegiance to the flag of the United States, contrary to their sincerely held religious beliefs. See *West Va. State Bd. of Educ. v. Barnette*, 319 U.S. 624 (1943). If a school cannot compel the Pledge of Allegiance, which plainly furthers legitimate interests of the school, how much less can a professor mandate agreement with religiously discriminatory questions in order to achieve a passing grade on an assignment?<sup>3</sup>

---

<sup>2</sup> Zizek justifies the mass-murders of Lenin, Stalin, and Mao; calls the Khmer Rouge “not radical enough;” and calls Adolf Hitler “not violent enough.” For Zizek, the “true problem of Nazism” is not that it “went too far . . . but that it did not go far enough.” John Gray, *The Violent Visions of Slavoj Žižek*, *The New York Review of Books* (July 12, 2012), <http://www.nybooks.com/articles/archives/2012/jul/12/violent-visions-slavoj-zizek/>.

<sup>3</sup> One clear example of this practice comes from Mr. Russum’s Week 11 question, “Why did Christianity and its male gods [sic] seek to silence these women?” For the Christian believer in the monotheistic God of the Bible, the doctrine of the Trinity—one God existing in three persons—is the only context that makes sense given Mr. Russum’s plural designation of Christianity’s “gods.” Mr. Russum is well aware of this, but

The Constitution does not “require complete separation of church and state; it **affirmatively mandates accommodation, not merely tolerance, of all religions, and forbids hostility toward any.**” *Lynch v. Donnelly*, 465 U.S. 668, 673 (1983) (emphasis added). The “First Amendment forbids an official purpose to disapprove of a particular religion or of religion in general . . . government has no legitimate role under the Establishment Clause in judging the religious beliefs of the people—either by praise or denunciation.” *Catholic League for Religious & Civil Rights v. City & Cnty. of San Francisco*, 624 F.3d 1043, 1054 (9th Cir. 2010). Mr. Russum’s pronouncements about whether homosexuality is a sin and will keep someone out of Heaven, and “religions” today which “still seek to regulate women’s bodies,” are wildly improper, because they are “judging the religious beliefs of the people” by “denunciation.”

“What is crucial is that a government practice not have the effect of communicating a message of government endorsement **or disapproval** of religion.” Like his fellow-travelers on the San Francisco Board of Supervisors, Mr. Russum has taken upon himself “authority to ‘prescribe what shall be orthodox’ in . . . doctrine. **Government cannot constitutionally prescribe a religious orthodoxy and condemn heresy on homosexuality, or anything else.**” *Id.* at 1059-60 (emphasis added). Mr. Russum has done exactly that.

“In broaching controversial issues like religion, teachers must be sensitive to students’ personal beliefs and take care **not to abuse their positions of authority.**” *C.F. ex rel. Farnan v. Capistrano Unified Sch. Dist.*, 654 F.3d 975, 988 (9th Cir. 2011) (emphasis added). While teachers must “be given leeway to challenge students to foster critical thinking skills and develop their analytical abilities . . . at some point a teacher’s comments on religion might **cross the line and rise to the level of unconstitutional hostility.**” *Id.* at 988 (emphasis added). While in *Capistrano*, the court bemoaned a “‘dimly perceive[d] . . . line[ ] of demarcation’ between permissible and impermissible discussion of religion in a college level history class,” the facts in this case do not give rise to that problem of perception here. Mr. Russum is well past that line, and treads the realm of liability in his personal capacity, in addition to the liability exposure to which he has subjected the College.

The mountain of evidence against him — including his discriminatory questions; his intentional hostility towards Christianity throughout the course material; his abuse of his position of authority; and his improper, retaliatory grading of G.L.’s papers (which provided academically responsive answers to his illegitimate questions while remaining true to her faith) with four straight zeroes — is beyond the pale. His Facebook posts, including his “F\*ck You” depiction of Jesus, are evidence that this is not pedagogical; it is personal. It cannot be seriously argued that Mr. Russum has acted appropriately within this course.

It is mystifying how Polk State Community College has permitted this behavior to go on for so long. Mr. Russum cannot continue in his position after this behavior. There must be 1) a

---

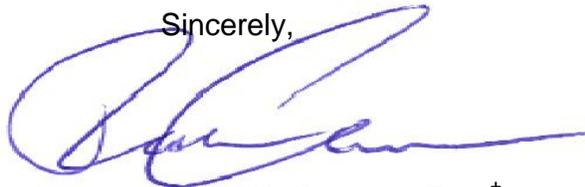
demands G.L.’s confession of his own atheism, disingenuously chiding, “you [G.L.] proceed with a discourse on the theological nature of the trinity [sic]. Again there is nothing about the theology of the trinity [sic] in the question. This is not following the directions.”

Donald Painter  
Polk State College  
Page 7

full and independent review of Mr. Russum's behavior and course content; 2) appropriate grading of G.L's four "zero" assignments by a different professor; 3) a written apology; and 4) assurances that future courses taught by Mr. Russum, if any, will be free from such unlawful discrimination. Mr. Russum should be fired, as he has forfeited all trust in his academic integrity.

If the College does not comply with this demand by Friday, May 8, 2015, Liberty Counsel will take further action to prevent irreparable harm to the rights of our clients, who expressly reserve all rights. Please be governed accordingly.

Sincerely,



Roger K. Gannam, Esq.<sup>†</sup>  
Richard L. Mast, Esq.<sup>††</sup>

cc:

**By E-Mail**

Eileen Holden, President, Polk State College

eholden@polk.edu

Board of Trustees, Polk State College

Dan Dorrell, Chair

ddorrell@cfrcpa.com

Teresa Martinez, Vice Chair

teresa@instituteofspanish.com

Ricardo Garcia

info@GCA.aero

Gregory Littleton

greg.littleton@citizens-bank.com

Linda Pilkington

linda.pilkington2@hma.com

Mark G. Turner

mturner@straughtnturner.com

Lance J. Russum

lrussum@polk.edu

Board of Trustees, Florida Virtual School

board@flvs.net

Lady Dhyana Ziegler

Brian Cunningham

Linda Pellegrini

Dorene McShea

Ronald Blocker, CEO, Florida Virtual School

rblocker@flvs.net

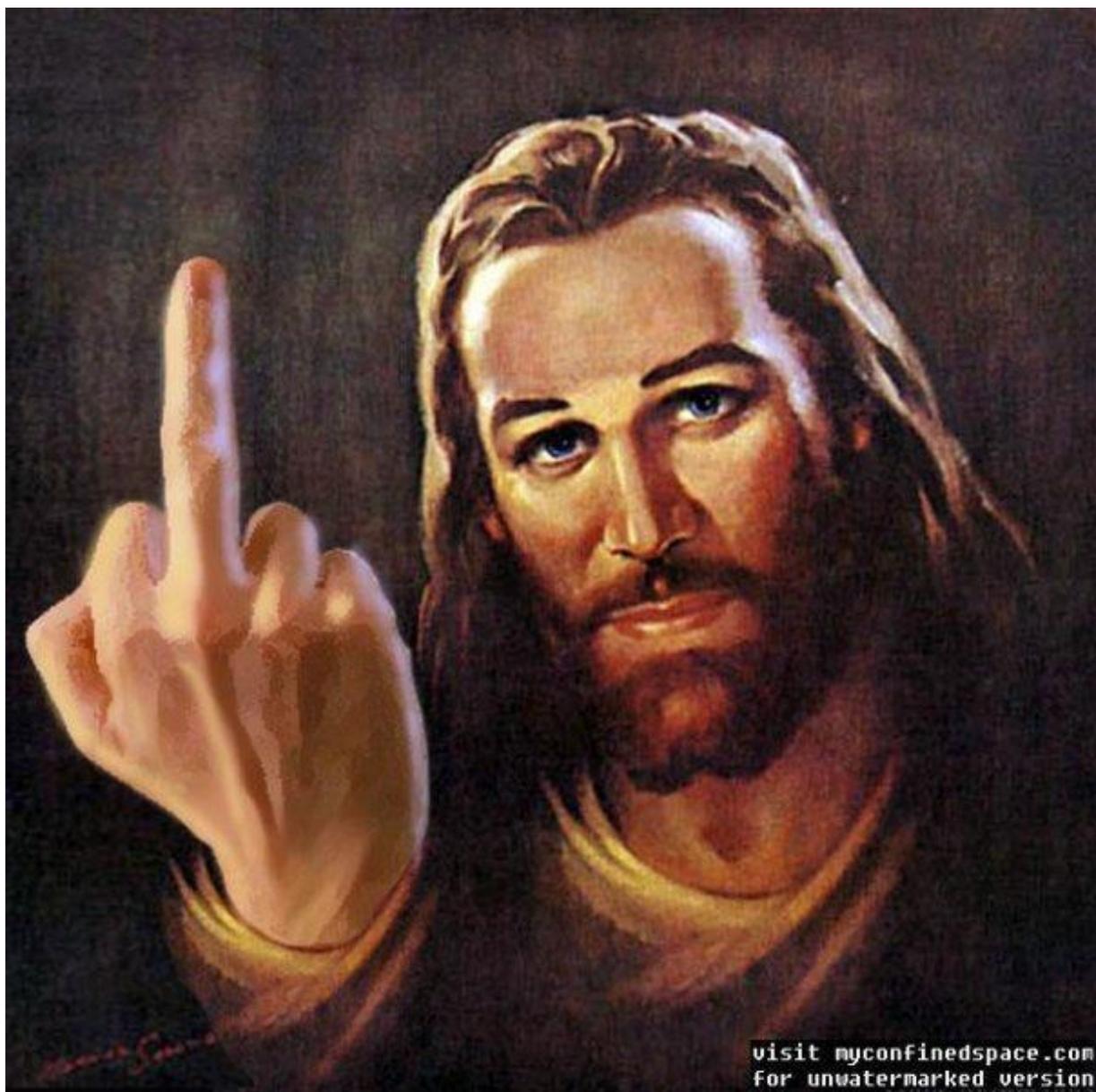
RKG:jml

---

<sup>†</sup> Licensed in Florida

<sup>††</sup> Licensed in Virginia

LJ Russum: "I finally have the answer to WWJD?"



Fidel Castro - LJ Russum Profile Picture



**Slavoj Žižek** - source of Russum signature quote in every e-mail communication: “The true ethical test is not only the readiness to save the victims, but also - even more, perhaps - the ruthless dedication to annihilating those who made them victims.’ - Slavoj Žižek.” (Emphasis added). Žižek justifies the mass-murders of Lenin, Stalin, and Mao; the Khmer Rouge (“not radical enough”); and Adolf Hitler (“not violent enough”). For Žižek, the “true problem of Nazism” is not that it “went too far . . . but that it did not go far enough.” John Gray, *The Violent Visions of Slavoj Žižek*, *The New York Review of Books* (July 12, 2012), <http://www.nybooks.com/articles/archives/2012/jul/12/violent-visions-slavoj-zizek/>.

