

ACLU flays church classrooms at college

[4,5,6 Edition]

The San Diego Union - San Diego, Calif.

Author: Kathleen F. Jackson

Date: Oct 30, 1986

Start Page: B.6.5.6

Section: LOCAL

Text Word Count: 355

Document Text

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San Diego ACLU has filed suit challenging a decision to allow portable classrooms for a church-operated school to be placed on Miramar College land.

The two buildings, which are not in use, were moved to the campus in August in anticipation of an agreement under which the San Diego Community College District would lease land to the Miramar Christian School.

But when the presence of the Pentecostal-run school was criticized by faculty members in September, the district board of trustees backed off and sought a legal opinion on possible church and state conflicts.

In the taxpayers' lawsuit filed Monday, the ACLU contends that allowing the portables to remain on Miramar's campus without a lease is unlawful because the Chapel of the Rock Church is storing the buildings at public expense.

But even if the Mira Mesa church agrees to pay for storage, it would still violate the state and federal constitutions, the ACLU said.

"The use of the property with or without remuneration to the (college district) constitutes an impermissible aid to the Christian School and excessive entanglement between government and religion," the ACLU said in the suit filed by volunteer lawyer Michael L. Crowley.

Among the 32 plaintiffs named in the suit are Miramar faculty and staff members, and students. Defendants include the college district, the trustees, Chancellor Garland Peed, and George Yee, Miramar College president.

Miramar College, a 17-year-old campus with 4,000 students, is made up of bungalows on 125 acres of mostly undeveloped land off Black Mountain Road.

Damon Schamu, director of plant and equipment services for the district, said the board saw the lease as a money-making venture because the church would lease the property for \$1,250 a month for up to five years and would add water, sewer and electricity services to the land.

Chancellor Peed said the church-owned buildings will remain on the campus until the county counsel has rendered a decision. If the decision goes against the Christian school, the pastor of the church involved has agreed to pay a storage fee for the time the buildings were on campus.

Credit: Staff Writer

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Abstract (Document Summary)

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