

January 21, 2025

Alyssa DaCunha
Matthew T. Martens

By E-mail

+1 202 663 6454 (t)
+1 202 663 6363 (f)

Dr. Anthony Gasper, Superintendent of Schools
Consolidated School District of New Britain
New Britain Education Administration Center
272 Main Street
New Britain, CT 06051

Board of Directors
Consolidated School District of New Britain
New Britain Education Administration Center
272 Main Street
New Britain, CT 06051

Re: Marisol Arroyo-Castro & Protected First Amendment Expression

Dear Dr. Gasper and Directors of the Consolidated School District of New Britain:

We represent Marisol Arroyo-Castro, a teacher at DiLoreto Elementary & Middle School (“DiLoreto”) who has been employed by the Consolidated School District of New Britain (“the District”) since 2003. We understand that the District recently suspended Ms. Castro for two days without pay, placed Ms. Castro on administrative leave, and is threatening to terminate her employment, all for displaying a crucifix beside her desk in the corner of the classroom. To avoid litigation, we request that the District immediately reinstate Ms. Castro to her teaching position without the condition that she remove her crucifix. For the reasons explained below, Ms. Castro’s current suspension and prospective termination violates the guarantees of the First and Fourteenth Amendments to the U.S. Constitution, Article I of the Connecticut Constitution, Connecticut’s *Act Concerning Religious Freedom*, and federal and state statutes protecting her from religious discrimination in the workplace.

Factual Background

Ms. Castro is a tenured public-school teacher and grandmother of five who has educated students for over three decades. After many years teaching 4th grade students at DiLoreto, she was assigned this year to teach 7th grade social studies. According to her June 2024 evaluation, she is a “proficient” teacher who “holds [her class] to high expectations” and whose students “showed growth.” She has regularly received “proficient” or “exemplary” evaluations.

Anthony Gasper, Consolidated School District of New Britain Board of Directors

January 21, 2025

Page 2

For about the past ten years, she has displayed a small crucifix beside her desk among other photos and personal items.¹ Ms. Castro considers the crucifix a part of her personal and religious identity. The crucifix was given to her by the family of a deceased friend who gave it to her as a memento because, as a practicing Catholic, Ms. Castro was particularly likely to treasure it. Having the crucifix in view at her desk brought her daily calm. During her lunch breaks, rather than going to the teachers' lounge, she would remain at her desk, look at the crucifix, and pray. Throughout her school days, looking at the crucifix provided her with peace and strength, especially when the (already stressful) task of teaching young students proved particularly challenging.

This school year, the crucifix hung to the side of her desk, at the very bottom of an adjacent whiteboard. The crucifix was placed off to the side and below the level of a nearby computer monitor, surrounded by student artwork and a calendar. Analogous locations in other teachers' classrooms feature the following items (in addition to student artwork):

- images of Wonder Woman;
- pictures of Santa Claus;
- a desk mat with images of Baby Yoda;
- a miniature of the Mona Lisa;
- New England Patriots football team pennants;
- photos of family and pets; and
- inspirational phrases.²

Furthermore, one teacher's desk hosts a coffee mug with a citation to the biblical book of Proverbs,³ and another's personal bulletin space features a small photograph of a statue of the Virgin Mary.

On Tuesday, December 3, 2024, Mr. Mazzei, vice principal at DiLoreto, emailed Ms. Castro to inform her of a concern raised about the crucifix displayed in her classroom and to request that she meet to discuss the matter. On Friday, December 6, Ms. Castro met with Mr. Mazzei and a representative of her local union, Jennifer Pagan. At the meeting, Ms. Castro was instructed to take down the crucifix by the following Monday. Mr. Mazzei followed up the

¹ A crucifix is a cross with the figure of Jesus suspended on it. Many of the Catholic faith and other Christian denominations use crucifixes for devotional purposes. *E.g.*, *Catechism of the Catholic Church* 874 (2d ed. 2019), <https://www.usccb.org/sites/default/files/flipbooks/catechism/874/>.

² Examples include "Yes you can!," "You are loved," "Keep calm and call Wonder Woman," and "Every Day Matters!"

³ Specifically, the mug has the word "Teacher" printed, along with a citation to Proverbs 31:26 ("She opens her mouth in wisdom; kindly instruction is on her tongue.").

Anthony Gasper, Consolidated School District of New Britain Board of Directors
January 21, 2025
Page 3

meeting with an email saying he would visit her classroom at 8:00 a.m. on the assigned Monday to observe whether the crucifix was still displayed.

On Tuesday, December 10, with the crucifix still displayed, Ms. Castro met with Mr. Mazzei; Mr. Soto, principal at DiLoreto; Maryellen Manning, the District's Chief of Staff for Relations and Accountability; and Ed Leavy, field operative with the Connecticut Federation of Teachers. Ms. Manning first told Ms. Castro that the District would never tell her exactly how to pray and to whom, yet she went on to suggest that Ms. Castro put the crucifix in a desk drawer, only to be pulled out when Ms. Castro wished to "ground herself." Mr. Soto stated that Christians are to worship no idols and asked if she wanted to stay true to that as a Christian.

At the end of the meeting, a compromise was seemingly reached: Ms. Castro could hang the crucifix in a way that was less visible to students but where Ms. Castro herself could still see it. All the meeting attendees walked to Ms. Castro's classroom where Ms. Manning told her to hide the crucifix underneath her desk, by her feet. Although shocked, Ms. Castro complied. Then she immediately felt sick and grew distraught; in fact, the other attendees left her sobbing only minutes before a scheduled parent-teacher conference.

Ms. Castro left the crucifix under the desk that night. But the next morning, Wednesday, December 11, Ms. Castro returned the crucifix to its place on the wall. She did so, out of personal conscience, because hiding the crucifix under her desk would "hide her light under a bushel."⁴ Ms. Castro informed the District of her decision. That same day, the District issued a Letter of Reprimand to Ms. Castro stating that her actions were "insubordinate." The letter incompletely summarized the meeting of the day prior—it did not mention requiring Ms. Castro to place the cross underneath her desk, nor her emotional distress. Additionally, the letter told her that Mr. Soto would come into her class at the end of the day to "assist [Ms. Castro] with removing the cross from [her] classroom."

When he came into her class, Ms. Castro told Mr. Soto she would not remove the cross. Mr. Soto told her that she must remove the cross to properly "live out [her] faith" and exhorted her to "give Caesar what is Caesar's."⁵ He then instructed her that if she did not take down the cross, the next morning she should not report to her classroom to teach but rather should come directly to the principal's office. Moreover, he said Ms. Castro could face suspension and eventually termination for being insubordinate. The crucifix remained on the wall when Ms. Castro left her classroom that evening.

On Thursday, December 12, Ms. Castro arrived at school and briefly stopped in her classroom to pick up some personal items. She saw the crucifix had been removed from the

⁴ *Matthew* 5:14–15.

⁵ *Mark* 12:17.

Anthony Gasper, Consolidated School District of New Britain Board of Directors
January 21, 2025
Page 4

wall. She then attended another meeting in the principal's office with Ms. Manning, Mr. Soto, Mr. Mazzei, and Mr. Leavy. At that meeting, Ms. Manning told her that a few days without pay would help her better "reflect" on whether it was in her "best interest" to keep hanging the crucifix on the wall. Then, just before Christmas, she was suspended without pay for two days on the grounds of insubordination and sent home with her crucifix in a box.

On Friday, December 13, Ms. Castro's union representative said that she would face an additional five-day suspension for insubordination if she did not comply with the District's demands by the following Monday.

On Monday, December 16, Ms. Castro emailed the District explaining that she could not in good conscience return to school under the school's condition that she only hang the crucifix in her "private space," i.e., under her desk. That same day, Ms. Castro was placed on paid administrative leave, where she remains today. We are aware, however, that Ms. Castro has been pressured to resign or retire early and sign an agreement not to sue the District. We are additionally aware that the District has threatened to terminate Ms. Castro unless she agrees to conceal the crucifix underneath her desk or in a similarly hidden place.

The Establishment Clause does not enable the District to violate Ms. Castro's right to freely exercise her religion

Under the First and Fourteenth Amendments to the U.S. Constitution, and under the Connecticut Constitution, the District may not abridge its employees' free speech rights, nor their rights to freely exercise their religion.⁶ Multiple times over the past month, however, the District has said that it was concerned that Ms. Castro's hanging of her crucifix violated other provisions of the federal Constitution. In meetings and written communications, it stated that Ms. Castro hanging her cross on the wall near her desk posed the risk of appearing to observers that she favored Christian over non-Christian students or that the school endorsed Christian beliefs, in violation of the Establishment Cause.⁷ The District cited this concern in ultimately punishing Ms. Castro for exercising her right to freely express her religious faith.

The United States Supreme Court, however, has recently dispelled the "false choice" between the Establishment Clause and the Free Exercise Clause which was at the heart of the District's decision.⁸ Fewer than three years ago, in *Kennedy v. Bremerton School District*, the Supreme Court held that a public school football coach could not be fired on Establishment Clause grounds for engaging in personal prayer, even when he did so visibly at the 50-yard line

⁶ U.S. Const. Amends. I, XIV; *Cantwell v. Connecticut*, 310 U.S. 296, 303 (1940); Conn. Const. Art. I. § 3. Connecticut's Act Concerning Religious Freedom provides additional protection. Conn. Gen. Stat. § 52-571b(a)-(b) (2018).

⁷ U.S. Const. Amend. I.

⁸ *Kennedy v. Bremerton Sch. Dist.*, 597 U.S. 507, 543 (2022).

Anthony Gasper, Consolidated School District of New Britain Board of Directors
January 21, 2025
Page 5

of the stadium after home games.⁹ The plaintiff, Coach Kennedy, was represented by First Liberty Institute, co-signatories to this letter, at the district court, the Ninth Circuit Court of Appeals, and the Supreme Court.

In *Kennedy*, school authorities threatened Coach Kennedy with discipline unless he agreed to stop praying at the 50-yard line.¹⁰ At first he agreed to do so, but upon the first instance of driving away from the school without offering prayer, he felt upset that he had “broken [his] commitment to God.”¹¹ He drove back that night to offer a prayer in the stadium, and, from that date forward, resumed praying at the 50-yard line after home games.¹² Although school authorities offered the “option” that Coach Kennedy could pray by himself in a closed room, away from view, he refused.¹³ Rather, Coach Kennedy offered his prayers visibly at the 50-yard line after games, but made sure to do so at a time when students were otherwise occupied and when other school staff were allowed to make calls on their phones, check emails, talk with friends, or engage in other personal activities.¹⁴

Critically, in *Kennedy*, the Court explicitly rejected legal authorities the District cited in its various communications with Ms. Castro, specifically, the *Lemon* test¹⁵ and the related “endorsement” test.¹⁶ There, *contra* the repeated claims of the District this past month, the Court made clear that “[a]n Establishment Clause violation does not automatically follow whenever a public school or other government entity fails to censor private religious speech.”¹⁷ Indeed, the Court reminded the parties that it had “long ago” abandoned both the endorsement test and the test’s propensity to allow for a “heckler’s veto” of anything that “partakes of the religious.”¹⁸ So, by invoking the endorsement test in December 2024 to punish Ms. Castro, the District has relied on bad law that was long-outdated even as of 2022.

Moreover, even a cursory comparison between *Kennedy*’s facts and Ms. Castro’s situation reveals how disciplining her for her protected religious speech violated her rights. Much like how Coach Kennedy had a long-standing tradition of public prayer post-games, Ms.

⁹ *Id.* at 514.

¹⁰ *Id.* at 519.

¹¹ *Id.* at 516.

¹² *Id.* at 516–517.

¹³ *Id.* at 516–519.

¹⁴ *Id.* at 513–514.

¹⁵ *See id.* at 534–535 (discussing *Lemon v. Kurtzman*, 403 U. S. 602 (1971) (holding that laws should be evaluated under the Establishment Clause by considering their purposes, effects, and potential for entanglement with religion)).

¹⁶ *See id.* at 534 (discussing post-*Lemon* cases that established a test of “whether a ‘reasonable observer’ would consider the government’s challenged action an ‘endorsement’ of religion.”) (internal citations omitted).

¹⁷ *Id.* at 534–535 (internal citations omitted).

¹⁸ *Id.* (internal quotations omitted).

Anthony Gasper, Consolidated School District of New Britain Board of Directors
January 21, 2025
Page 6

Castro has hung her crucifix in her classroom for a decade.¹⁹ And just as Coach Kennedy chose a time to pray when others were permitted to attend to their personal needs, Ms. Castro placed a crucifix in an area of her classroom where other teachers have been permitted to post personal photos of family and pets, inspirational quotes, and pop culture references. Furthermore, she did not use the cross for educational purposes, but only for her private reflection when not actively engaged in teaching. Finally, just like the school district in *Kennedy* demanded Coach Kennedy cease praying in public and instead only pray if hidden in a closed classroom, the District here required Ms. Castro either to remove the crucifix entirely from the room or hide it underneath her desk, near her feet. In both *Kennedy* and here, the demand to completely suppress from view religious expression proved an unreasonable burden on deeply held convictions: Coach Kennedy knew acquiescing would break his “commitment to God,”²⁰ just as Ms. Castro knew complying would force her to “hide her light under a bushel.” In short, given the similarities between the facts of *Kennedy* as those here, the same principles at work in *Kennedy* protect Ms. Castro’s right to display her crucifix.

Differential treatment between Ms. Castro’s crucifix and other teachers’ personal items is impermissible discrimination on the basis of religion

The Supreme Court made clear in *Kennedy* that a public-school teacher’s reasonable religious expression may not be infringed upon merely because such expression takes place on school property, visible to others. But in *Kennedy* and myriad other cases, the Court also has made clear that religious expression does not take second-class status compared to secular speech.²¹ Rather, a government limitation on religious conduct is impermissible if similar secular conduct is allowed, despite the secular conduct posing an equal or greater burden on the asserted government interest.²² For instance, during the recent COVID-19 pandemic, the Court twice enjoined laws that prohibited religious gatherings over a certain size when similarly sized secular gatherings for so-called “essential” businesses were permitted.²³ And in 2018, the Court found a state equal rights commission acted with impermissible animus towards religion when it punished a defendant baker for not making cakes with messages inconsistent with his religious beliefs, while at the same time it protected other bakers when they refused to make cakes with discriminatory or derogatory messages.²⁴

¹⁹ Indeed, other teachers have displayed religiously themed items in their classrooms, such as pictures of the Virgin Mary and coffee mugs with biblical citations.

²⁰ *Id.* at 516.

²¹ *Id.* at 531.

²² *Fulton v. City of Philadelphia*, 593 U.S. 522, 534 (2021).

²³ See *Roman Cath. Diocese of Brooklyn v. Cuomo*, 592 U.S. 14, 16–17 (2020) (per curiam); *Tandon v. Newsom*, 593 U.S. 61, 62 (2021) (per curiam).

²⁴ *Masterpiece Cakeshop v. Colorado C.R. Comm’n*, 584 U.S. 617, 637 (2018).

Anthony Gasper, Consolidated School District of New Britain Board of Directors
January 21, 2025
Page 7

As discussed previously, Ms. Castro placed her crucifix vis-à-vis her desk in an analogous location compared to other teachers' personal items and their desks. Specifically, she hung it on the wall off to the side of her desk, at a level below a nearby computer monitor, surrounded by student artwork and a calendar. The crucifix was therefore not visible to most students while seated in their normal seating arrangements, although it was fully visible to Ms. Castro for her own reflection and prayer when sitting alone at her desk. Items similarly placed in other teachers' classrooms ranged from the fully secular (action figures of Wonder Woman, a desk mat with images of Baby Yoda; New England Patriots football team pennants); to the inspirational (a miniature portrait of the Mona Lisa, aspirational quotes); to the familial (photos of living and deceased relatives, pictures of pets); and even to other items with clear religious significance (a biblically inspired coffee mug, a picture of the Virgin Mary). To treat Ms. Castro's religious expression (the hanging of her crucifix) dissimilarly from these other examples would flout the Court's repeated exhortations that when religious and secular conduct both impact the state's interests alike, they ought to also be treated alike.²⁵

District staff made multiple comments suggesting hostility towards Ms. Castro's religion

The District's actions and its employees and representatives' comments indicate animus towards Ms. Castro's Catholic faith, rendering any enforcement action against her doubly suspect. As the Supreme Court has recognized, the Free Exercise Clause was meant to protect those of faith from persecution and intolerance.²⁶ Accordingly, courts will not permit government officials to discriminate against people because of their particular creed.²⁷

A government official's subjective disapproval of another's worship does not undermine the guarantees of the First Amendment. Indeed, even seemingly "distressing" religious expression is protected from governmental discrimination.²⁸ In *Church of Lukumi Babalu Aye, Inc. v. City of Hialeah*, for example, the Supreme Court struck down a city ordinance prohibiting animal sacrifice which the city as protecting public hygiene and morals.²⁹ The Court rejected the city's arguments when the text, effect, and legislative history of the law made clear the law was intended to suppress a practice of the Santeria religion.³⁰ And in *Masterpiece Cakeshop*, the

²⁵ See, e.g., *Tandon*, 593 U.S. at 64–65. Since *Kennedy* makes clear that personal, albeit visible, religious conduct on public school grounds does not raise an Establishment Clause issue, see *Kennedy*, 597 U.S. at 543, it is hard to conceive of a valid state interest here that would justify requiring Ms. Castro to remove her crucifix, but allow other teachers to keep, for instance, their pictures of Santa Claus.

²⁶ *Church of Lukumi Babalu Aye, Inc. v. City of Hialeah*, 508 U.S. 520, 532 (1993).

²⁷ See *id.* at 547 (“The Free Exercise Clause commits government itself to religious tolerance, and upon even slight suspicion that proposals for state intervention stem from animosity to religious or distrust of its practices, all officials must pause to remember their own high duty to the Constitution and the rights it secures.”); see also *Masterpiece Cakeshop*, 584 U.S. at 634.

²⁸ *Church of Lukumi Babalu Aye*, 508 U.S. at 526.

²⁹ *Id.* at 547; see also *id.* at 526–278.

³⁰ *Id.* at 542, 545–546.

Anthony Gasper, Consolidated School District of New Britain Board of Directors
January 21, 2025
Page 8

Court ruled for the plaintiff on evidence that members of the state’s equal rights commission called the defendant’s religious expression “despicable” and blamed religious belief generally for the Holocaust and slavery.³¹

Here, animosity towards Ms. Castro’s Catholic faith is inferable from the District’s conduct. She was not merely told to remove her crucifix from the wall but was ordered to conceal it in a drawer or under her desk—a location that would be demeaning for a family photo, let alone a devotional item given to her by the family of a deceased friend. Ms. Castro was also told by Mr. Soto that her prayers with her crucifix were a form of “idol”-worship, a deeply offensive charge for anyone who abides by the Ten Commandments.³² Finally, as noted repeatedly above, Ms. Castro’s religious worship was treated with hostility to the point of suspension, while colleagues with secular personal items on display on their desks were not threatened with discipline. Such conduct and commentary toward Ms. Castro would be inexcusable even if they were not married with the possibility of her losing her livelihood. But the fact that the District has displayed such animus towards her faith amidst suspension and termination proceedings renders those proceedings fatally flawed.

Ms. Castro has additional constitutional and statutory claims against the District

Ms. Castro’s treatment is a clear violation of her constitutional right to freely exercise her faith under the United States Constitution and the Connecticut Constitution.³³ But the District’s actions also violate several other of Ms. Castro’s constitutional and statutory rights, under both state and federal law.

First, the District’s actions violate Connecticut’s Act Concerning Religious Freedom of 1993, the first state statute in the nation to prohibit government actions burdening someone’s religious exercise except those that use the “least restrictive means” to achieve a “compelling” public purpose.³⁴ And as discussed previously, the District only justified its actions on an inaccurate view of the Establishment Clause, which cannot serve as a “compelling” purpose.³⁵

³¹ *Masterpiece Cakeshop*, 584 U.S. at 634–636.

³² Exodus 20:4.

³³ The Connecticut Supreme Court looks to federal constitutional law to establish the minimum individual rights guarantees of the state constitution. *See, e.g., Cambodian Buddhist Soc. of Conn., Inc. v. Plan. & Zoning Comm’n of Town of Newtown*, 941 A.2d 868, 881–82 (Conn. 2008); *Cologne v. Westfarms Assocs.*, 469 A.2d 1201, 1208 (Conn. 1984) (construing Connecticut state constitutional guarantees of free speech and assembly synonymously with their federal analogues despite differences in constitutional language).

³⁴ Conn. Gen. Stat. § 52–571b(a)–(b) (2018).

³⁵ *See Kennedy*, 597 U.S. at 542–543.

Anthony Gasper, Consolidated School District of New Britain Board of Directors
 January 21, 2025
 Page 9

Moreover, the District’s actions violate Ms. Castro’s right to freedom of speech guaranteed under both the federal and Connecticut constitutions³⁶ and her freedom from discrimination on the basis of religion guaranteed under the same.³⁷

Finally, the District’s actions violate Ms. Castro’s right to a workplace with reasonable religious accommodations, free of religious harassment under Title VII of the Civil Rights Act of 1964³⁸ and the Connecticut Fair Employment Practices Act.³⁹

For many of these constitutional and statutory rights, federal and state statutes provide for shifting costs and attorneys’ fees to a prevailing plaintiff.⁴⁰

* * *

We hope to resolve this matter amicably, returning Ms. Castro to what she does best—educating young people. Removing her from the classroom for expressing her Catholic faith does little to further the District’s policy of “valu[ing] diversity of backgrounds, beliefs, and perspectives and . . . promoting an equitable and inclusive educational environment.”⁴¹ Furthermore, given the challenges that District students face academically and behaviorally,⁴² the District can ill-afford to be without the services of a veteran educator; the District and its students will only suffer more from continued uncertainty over Ms. Castro’s employment and protracted administrative or judicial proceedings.

³⁶ U.S. Const. Amend. I; Conn. Const. Art. I, § 5; *see also Kennedy*, 597 U.S. at 523–524 (“Where the Free Exercise Clause protects religious exercises, whether communicative or not, the Free Speech Clause provides overlapping protection for expressive religious activities. That the First Amendment doubly protects religious speech is no accident. It is a natural outgrowth of the framers’ distrust of government attempts to regulate religion and suppress dissent.” (citations omitted)); *Shurtleff v. City of Boston*, 596 U.S. 243, 258 (2022) (holding that, under the Free Speech clause, a city program that allowed groups to raise flags with secular messages in front of City Hall could not prohibit a religious group from raising religion-themed flags on Establishment clause grounds).

³⁷ U.S. Const. Amend. XIV, § 1; Conn. Const. Art. I, § 3.

³⁸ 42 U.S.C. §§ 2000e-2(a), 2000e(j).

³⁹ Conn. Gen. Stat. §§ 46a-51(8), 46a-60(b)(1).

⁴⁰ 42 U.S.C. § 1988(b) (federal civil rights violations); 42 U.S.C. § 2000e-5(k) (Title VII violations); Conn. Gen. Stat. § 31-51q (for certain state or federal constitutional rights).

⁴¹ New Britain Board of Education, *Position Statement on DEI*, <https://www.csdnb.org/pdf/Board-Policies/New-Britain-DEI-Position-Statement.pdf> (adopted October 4, 2021); *see also Kennedy*, 597 U.S. at 538 (“[L]earning how to tolerate speech or prayer of all kinds is ‘part of learning how to live in a pluralistic society,’ a trait of character essential to ‘a tolerant citizenry.’”) (quoting *Lee v. Weisman*, 505 U.S. 577, 590 (1992)).

⁴² *See* Connecticut State Department of Education, *District Profile and Performance Report for School Year 2022-23 New Britain School District 1*, https://edsight.ct.gov/Output/District/HighSchool/0890011_202223.pdf (noting district-wide chronic absenteeism and suspension/expulsion rates that exceed the state-wide rate); *id.* at 6 (noting the District Performance Indexes for English Language Arts, Math, and Science are at 46.4, 39.9, and 43.1 respectively, compared to the respective statewide indexes of 63.9, 59.7, and 61.6).

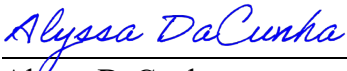
Anthony Gasper, Consolidated School District of New Britain Board of Directors
January 21, 2025
Page 10

To avoid litigation, please immediately reinstate Ms. Castro to her full-time teaching duties and end any and all disciplinary proceedings against her related to this matter. We also request any and all records related to this matter be expunged from Ms. Castro's disciplinary file. Additionally, upon her return to the classroom, Ms. Castro must be allowed to resume hanging her crucifix in the same location that she did prior, as other teachers are permitted to do with their personally significant items.⁴³

If we do not receive assurances that Ms. Castro will *not* be terminated for her constitutionally protected religious expression, we will be forced to file for immediate injunctive relief to protect her rights under applicable state and federal law. We further note that any effort to terminate Ms. Castro's contract due to receipt of this letter may violate the anti-retaliation provisions of federal and state law, along with District policy.⁴⁴

Please respond to this letter by email within 48 hours of receipt.

Sincerely,



Alyssa DaCunha
Partner, Wilmer, Cutler, Pickering, Hale & Dorr LLP



Matthew T. Martens
Partner, Wilmer, Cutler, Pickering, Hale & Dorr LLP



Keisha Toni Russell
Senior Counsel, First Liberty Institute



Rebecca Dummermuth
Counsel, First Liberty Institute

⁴³ We understand an administrative grievance process is currently pending regarding the two days Ms. Castro went unpaid while suspended for insubordination. We fully expect Ms. Castro to be made whole after her grievance process is completed. If not, however, we will consider additional litigation for damages for those two days.

⁴⁴ 42 U.S.C. §§ 2000e-3(a); Conn. Gen. Stat. § 46a-60(b)(4); Consolidated School District of New Britain, *Board Policy Statement 4118.11 - Prohibition of Harassment (Employees)*, <https://www.csdnb.org/pdf/Board-Policies/4000/4118.11-Prohibition-Harassment-Employees.pdf> (rev. April 5, 2021).

Anthony Gasper, Consolidated School District of New Britain Board of Directors
January 21, 2025
Page 11

cc: Maryellen Manning, *Chief of Staff, Relationships & Accountability*, Consolidated School District of New Britain;
Ivelise Velazquez, *Deputy Superintendent*;
Tyrone Richardson, *Academics & Accountability Officer*;
Dario Soto, *Principal*, DiLoreto Elementary & Middle School;
Andrew Mazzei, *Vice Principal*
Susan Saluru, *President*, Local 871