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Jewel Redhead, with son Zachary, 4, said she did "not want another woman to decide to abort because of the intimidation."

Fired teacher allowed to sue

■ Judge denies church its request to dismiss lawsuit brought on by woman terminated for unmarried pregnancy

BY STACEY ALTHERR
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In 2001, fifth-grade teacher Jewel Redhead told administrators at the Linden School in Laurelton, Queens, she was pregnant. When asked whether she planned to marry the child's father, Redhead answered no. The school's governing board, the Northeastern Conference of Seventh-day Adventists, terminated her.

A federal judge ruled yesterday Redhead could proceed to trial with a wrongful termination lawsuit against the school.

Redhead, 33, was thrilled. "They abandoned me," she said. "They said I committed immoral acts."

The church's request for dismissal of the lawsuit stated the termination was not for pregnancy but for "immoral or unsatisfactory personal conduct inconsistent with the principles of the . . . Church," and said the Constitution allows church governments to be free from state interference.

"We believe the church has the inherent right to teach its . . . students consistent with the church's prohibition of for-

nication [out of wedlock]," said church attorney Milton Thurm of Manhattan. "We believe the judge misread the law and we are considering an appeal."

Rick Ostrove, Redhead's attorney, said, "They can't ignore our country's anti-discrimination statutes when they make their employment decisions."

The decision announced by District Judge Dora L. Irizarry said a religious school cannot use a woman's pregnancy as evidence of extramarital sexual relations because men cannot be held to the same standard.

"While a religious school employer may validly seek to impose moral doctrine upon its teaching staff, punishment singularly directed at the Hester

Prynnes, without regard to the Arthur Dimmesdales, is not permissible," Irizarry wrote, referencing Nathaniel Hawthorne's novel, "The Scarlet Letter."

She also said the protections of church government do not apply to a school that has mostly secular teachings.

Redhead, whose son Zachary is now 4 years old, works for the New York City Department of Education. She grew up as a Seventh-Day Adventist, but has abandoned churchgoing after the experience. Still, she is glad she took on the fight and looks forward to her day in court.

"I would not want another woman to decide to abort because of the intimidation," she said.