

Author Nicholas Sparks in legal battle over attempt to ban school LGBT club

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Emma Powys Maurice 13 th June 2019, 6:01 PM

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The bestselling romance novelist Nicholas Sparks has been locked in a five-year legal battle over his attempts to ban a LGBT+ club and lesbian student protest at the Christian school he co-founded.

Sparks is a prolific writer whose twenty romance novels, including *The Notebook*, have all been international bestsellers. Eleven of his novels have been made into multimillion dollar box office films.

In 2006 the author co-founded a small faith-based prep school in New Bern, North Carolina, called the Epiphany School of Global Studies.

Emails obtained by *The Daily Beast* reveal a bitter battle between Sparks and the school's former headmaster, Saul Benjamin. In his role as Chairman, Sparks criticised Benjamin for showing "what some perceive as an agenda that strives to make homosexuality open and accepted" and advised him not to "rock the boat on this issue."

In one email, Sparks lists a catalogue of complaints against the headmaster, including "misplaced priorities at the school level (GLBT, diversity, the beauty of other religions, as opposed to academic/curricular/global issues, Christian traditions, etc)."

From: nspark: [REDACTED]
 To: archonshb [REDACTED]
 Bcc: catspark: [REDACTED]
 Subject: Nicholas here
 Date: Sun, Nov 17, 2013 11:24 am

Saul,

In a little while, I'll be sending you my opening remarks for the BOT Forum. I'm just waiting for Trustee comments first.

In regard to your letter: first I want to thank you for writing to the BOT. While I may have more specific comments later, I'm glad that you seem to fully understand the severity of the crisis at the present time.

On a personal level, I'm both angry and frustrated. Again, my life is being made very difficult, and I don't have time for this. I told you this would happen and the BOT told you this would happen if you didn't follow our advice, which was simply, "don't rock the boat on this particular issue." Now, I'm having to put out fires – big, raging infernos – because of some of the things that have occurred since the opening days of school.

Trust is hard to attain; it's even harder to regain when lost, and it will be a rough road for you for a while, even among the BOT. Unfortunately, I can't help you with that, other than to again offer my advice. So here goes:

1) As I've noted before, you are perceived by some employees to be arrogant, rude and condescending; to these people, you should apologize. I know you want names, but frankly, I don't know that it's all that important. I think you should sit down first – in order – with your leadership team, then the rest of the admin, then the faculty, either one by one or in groups, and ... apologize if necessary. And ask them to give you another chance. (Without defensiveness, by the way.) And ask them to frankly call you on it if you do such things again. You are blessed with a very good team and they should all feel appreciated for what they do.

2) You should handle the situation with the [REDACTED] ... and again, keep in mind, they perceived that you were threatening [REDACTED] even if (in your mind) you weren't, and then making a demand that he do something in direct contradiction to his faith. Again, I'd start with an apology, and then listen ... and then ask what YOU can do to make it better.

3) Make sure all Christian traditions feel especially Christian, especially as we move into the Christmas season.

4) Understand that many people now perceive you as having an agenda with which they disagree. Again, you chose to rock this boat early and hard, not only with Chapel changes (including 4 bells, not 3), but with what some perceive as an agenda that strives to make homosexuality open and accepted – and not only that, it's one of the most important things we need to do to "fix our school." (Perception matters). My opinion is you should have waited at least a year for these kinds of things – and I said as much to you numerous times – and I'm not sure how you can fix it, other than to do the things you outlined in your letter. As for the "Club," there obviously can't be one now, though you might open your doors at your home if you feel qualified to talk to them about it in small group settings.

5) Numbers 1 and 4, when brought together, seem to imply that you believe the "school needed to be fixed." Academically, yes. Financially, yes. Curricular integration/improvement? Certainly. But spiritually? Frankly, we were good there; it is, and has been since its founding, a kind school, where everyone is kind; it is in fact, the kindest school I've ever visited. There has not, for instance, been a single fight in 8 years at the school. People accept other people here; our first student were Jewish. And until the last 2 months, nearly everyone was fine with how we implemented the Christian traditions at the school, which frankly, go a long way toward creating the culture of kindness.

6) As to the agenda people assume you have, you can't really blame them for thinking such things. Let's look at the first couple of months: Chapel has changed (Christian equivalence of Islam and Judaism, for example), there's a lot of talk about diversity and how we're awful because we don't have it, we need to have a "GLBT Club," we need to support the 50th anniversary of the March on Washington, your references to our non-discrimination policy (as opposed, let's say, to a much heavier emphasis on "celebrating our Christian traditions" ... and on the other hand, not only don't we have a

An email from Nicholas Sparks to headmaster Saul Benjamin (The Daily Beast)

chaplain, but no one really knows what's going on with the chaplain search. It's easy to see why people believe that you think your "beliefs" are more more important than theirs ... which is the very definition of "having an agenda."

A couple of other things that you need to take to heart:

- 1) To do the things we need to do academically/globally/faculty/financial, you have to first win their hearts. You've lost a lot of hearts lately.
- 2) The BOT is in a terrible position right now. And it was, I remember, the one thing we needed you NOT to do.
- 3) While we on the BOT grant that YOU will hire the Chaplain, I must also let you know that there are many, many people who don't believe you will hire the right person for this school and in this community. If I were you, I'd make it even more inclusive than you originally planned, and take their (the community's) recommendations to heart. This is the most important hiring decision you will make this year, and you will either lose people's trust, or gain it, maybe this time for good.
- 4) Regarding diversity, I've now told you half a dozen times that our lack of diversity has NOTHING to do with the school, or anyone at the school. It's not because of what we as a school, has or hasn't done. It has nothing to do with racism, or vestiges of Jim Crow. It comes down to 1) Money and 2) Culture. Even when you have the money, it will be hard sledding, no matter what Jenna does as far as outreach. My point is, if you continually bring this up at the school, it seems to imply that it's the school's fault; that people at the school have done something wrong (which again, goes to numbers 1, 4 & 5). Again, it's not the fault of the school, or anyone at the school, including Janet!!!! If you want to talk to someone about diversity, talk to Jenna (who's designing the diversity scholarship program) or me (who will be responsible for raising the money to fund the scholarship program once Jenna has designed it.)
- 5) The school was not "broken." It's a great place. It has grown EVERY year since our founding. It needed some academic/global/curricular/financial improvements, but MOST SCHOOLS DO.
- 6) While Dr. Ashton is qualified as a teacher, I noticed that he's not been a school Chaplain before, and I think we have to go with someone who has specific experience in this area. The Chaplain, after all, should be someone who is not only a teacher, but the kind of person who goes to nearly every co-curricular event, the kind that parents love, another face of the school, and *almost a youth pastor in temperament*. Just my opinion at first glance, though I haven't met him obviously.

Please regard this email in the spirit in which it was intended. While I am angry and frustrated, I'm still the Chairman, and it's part of my job to help you navigate these waters.

I wish you well, and enjoy your time with Dr. Ashton today.

Nicholas

An email from Nicholas Sparks to headmaster Saul Benjamin (The Daily Beast)

Benjamin says the emails are indicative of a pattern of harassment, racism, and homophobia from the author, who rejected Benjamin's attempts to make the school inclusive of all faiths, races and sexualities.

Sparks has denied all claims and refused to comment on *The Daily Beast's* investigation.

The complaints started in 2013 when Benjamin began to hear reports of students asking teachers questions about sexuality.

In response to bullying from fellow students, who allegedly told their classmates they wanted to start a "homo-caust," the children in question gathered informally to discuss their own identities and sexualities. On hearing of this, Sparks accused Benjamin of secretly authorising a "gay club" against school policy, and insisted that the club be banned.

Benjamin alleges that he was accused by school board members of “promoting a homosexual culture and agenda,” and that two bisexual teachers were threatened with termination if they continued to discuss the issue or provide private support to students.

Benjamin’s attorneys wrote: “Sparks and members of the Board unapologetically marginalised, bullied, and harassed members of the School community whose religious views and/or identities did not conform to their religiously driven, bigoted preconceptions.”

A month later (November 2013) two lesbian students approached the headmaster and informed him of their plan to stage a protest and announce their sexuality during a chapel service. This, too, was banned.

In an email to Benjamin, Sparks writes that previously gay students were “handled quietly”, adding, “I expect you to do the same.”

From: nsparks [REDACTED]
To: archonshb [REDACTED]
Subject: Re: Clubs
Date: Mon, Nov 18, 2013 8:41 am

Hey Saul,

Good. I'm glad you're in agreement. I'm sure I will be asked that question at the forum, and my answer will be: "There will be no club in the future either."

About the non-discrimination policy you keep bringing up: please remember that sexual orientation was NOT in there originally, and that the *only* reason it was added was that YOU insisted it be specifically be added, or you said that the school might get in serious legal trouble. Frankly, no one but you wanted it in there, preferring to simply phrase it as "we don't discriminate against *and other legally protected categories.*" Please stop implying it was something the BOT wanted to do; it's the law. And, I will be checking on how that relates to faith-based schools. If possible, we might be able to change it back to what it was before.

As far as the non-discrimination policy goes, do you realize that I have never, until the last two months, heard this phrase from the headmaster ever when talking about the school? The reason I never heard it was because the school does NOT, nor has it EVER, discriminated. Not allowing them admittance is discrimination. Not allowing them to have a club is NOT discrimination. And -- by the way -- tossing out that phrase "Non-discrimination" to make your point is ineffective; it's forcing the remedy you want down their throats, even if there are other possible remedies. And again, had you "won their hearts first," you would never need to use it. It's a phrase, in fact, I'd eliminate from your vocabulary at the present time.

Also, remember, we've had gay students before, many of them. Tom handled it quietly and wonderfully, and the students considered themselves fortunate. I expect you to do the same.

Also, after hearing your story, I realize that it's imperative that I quickly offer a BOT resolution, prohibiting "protests" of any kind on campus. Thanks for letting me know about that, and stopping it in the first place.

Finally, we've spent way, way too much time in the first few months talking about "tolerance, diversity, non-discrimination, and LGBT" in these first twelve weeks. There was no simmering, hidden problem with any of these issues, at least as far as the school, or school personnel, or school policy was concerned: Nor was there a simmering problem within the student body.

What you should be talking about -- and what we hope to hear over the rest of the year -- is information about: "Faculty mentoring and curricular improvement, effectively working global lesson plans into the trips we take, college placement improvement, faculty evaluation, and issues concerning the raising of money." In other words, we want you to be the guy you said you'd be when we offered you the job.

Hope your well. Am I still meeting your friend on Tuesday before the BOT forum?

N

An email from Nicholas Sparks to headmaster Saul Benjamin (The Daily Beast)

Three days later, Benjamin was called into a lengthy meeting with the Board of Trustees where he says he was not allowed to leave, call a lawyer or use the bathroom.

Sparks reportedly acted in a "loud, ranting and physically intimidating manner," called him a "liar" and demanded that he resign. Benjamin did so, after only 98 days in the post.

Sparks still maintains that Benjamin is a liar and denies all allegations in the lawsuit, which Benjamin filed against Sparks and the Board of Trustees in October 2014. He is seeking punitive damages for discrimination, breach of contract, emotional distress and defamation. A six-day trial will be held in August.

