

FREEDOM FROM RELIGION *foundation*

P. O. BOX 750 · MADISON, WI 53701 · (608) 256-8900 · WWW.FFRF.ORG

January 30, 2013

Dr. Gene Buinger
Superintendent
Hurst-Eules-Bedford Independent School District
1849 Central Drive
Bedford, TX 76022

Re: Problematic School Involvement with Religious Activity

Dear Dr. Buinger:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) to alert you to a serious state/church concern. We were contacted by a concerned district parent. FFRF is a nationwide nonprofit organization with more than 19,000 members across the country, including more than 860 in Texas. Our purpose is to protect the constitutional principle of separation between state and church.

It is our information and understanding that an "All Pro Dad" meeting was simulcast on January 26, 2013 at Meadow Creek Elementary School. We further understand that "All Pro Dad's Day" monthly meetings are held in the cafeteria before school. As you may be aware, part of All Pro Dad's focus is on religious programming, such as promoting prayer and worship. While All Pro Dad is a private organization, the simulcast event was advertised in the "Friday Flyer," a school newsletter listing weekly official school events such as school picture day, report card day, and field day. Please see the enclosed newsletter, which announces the "All Pro Dad" event on January 26, 2013.

The parent also received fliers advertising both the "All Pro Dad" simulcast event and the monthly meetings. These fliers did not include any indication that the event was not school-sponsored. Please see the enclosed images.

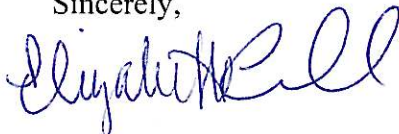
While it is laudable for schools to support parental involvement in student activities, it is unconstitutional for schools to be involved in sponsoring religious messages. *See, e.g., Engel v. Vitale*, 370 U.S. 421 (1962)(declared prayers in public schools unconstitutional); *Abington Township Sch. Dist. v. Schempp*, 374 U.S. 203 (1963)(declared unconstitutional devotional Bible reading and recitation of the Lord's Prayer in public schools); *Lee v. Weisman*, 505 U.S. 577 (1992)(ruled prayers at public school graduations an impermissible establishment of religion); *Wallace v. Jaffree*, 472 U.S. 38 (1985)(overturned law requiring daily "period of silence not to exceed one minute ... for meditation or daily prayer."); *Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290 (2000)(struck down a school policy that authorized students to vote on whether to hold a prayer at high school football games). In all of the aforementioned cases, the Supreme Court has struck down prayer in public schools because it constitutes a government-endorsement of religion, which violates the Establishment Clause of the First Amendment.

By sponsoring, hosting, or promoting an event with religious programming, Meadow Creek Elementary appears to endorse that programming. This “[s]chool sponsorship of a religious message is impermissible because it sends the ancillary message to members of the audience who are nonadherents ‘that they are outsiders, not full members of the political community and accompanying message to adherents that they are insiders, favored members of the political community.’” *Sante Fe*, 530 U.S. at 309-10 (quoting *Lynch v. Donnelly*, 465 U.S. at 668)(O’Connor, J., concurring).

The circumstances surrounding “All Pro Dad” events would lead a reasonable observer to view it as school-sponsored. It was promoted on the weekly school newsletter along with a calendar of official school events. Both promotional fliers titled it a “Meadow Creek Elementary” event without any disclaimer by the school. Regular meetings are held in the cafeteria before school, and the simulcast event was held at the school on the weekend. While community groups certainly may rent school facilities consistent with HEB ISD policies, the “All Pro Dad” events have the appearance of co-sponsorship by the school. That concern is especially warranted, given that the young and impressionable children who were present may have difficulty discerning a nuanced relationship between a private organization and their school.

Because of the religious aspect of the programming, HEB ISD must take measures to address parental concerns regarding school involvement in this event. We ask that you investigate and take appropriate action so that it is clear that Meadow Creek Elementary School is not sponsoring or promoting these events. This issue could be addressed if: 1) all such events are separated in time from the school day; 2) they are not promoted on the school calendar of events; 3) fliers advertising the event include a disclaimer. Please inform us in writing of the steps the district is taking so that we may notify our complainant.

Sincerely,

A handwritten signature in blue ink, appearing to read "Elizabeth Cavell". The signature is fluid and cursive, with the first name being the most prominent.

Elizabeth Cavell
Staff Attorney

Enclosures



Meadow Creek's Friday Flyer

January 21 - 26

This week at the Creek:

- ✓ **January 18...End of the first semester – Noon dismissal**
- ✓ **January 21...Martin Luther King Day – Student holiday**
- ✓ **January 23...Math LBA testing grades 2 – 6
CiCi's pizza night**
- ✓ **January 24...Schools of Choice Meeting @ the Pat May Center 7-8 pm from more info check out "the Edge" on the HEBISD website**
- ✓ **January 24...Report card day**
- ✓ **January 25...Spring and Group picture day - more info to come**
- ✓ **Cookie Dough fundraiser taking orders from January 25 to February 8**
- ✓ **January 26...All Pro Dads Meeting**

Looking ahead at the Creek:

- ✓ **March 1...End of 4th six weeks, Noon Dismissal**
- ✓ **March 11 – 15...Spring Break**
- ✓ **April 2-5... STAAR testing grades 4 & 5**
- ✓ **April 11...Field day for Pre k and Kindergarten**
- ✓ **April 12...Field day for grades 1-6**
- ✓ **April 23-26 STAAR testing grades 3,4,6**

ATTENTION PARENTS:

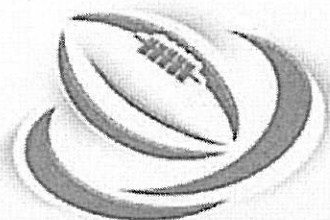
We will be taking transfer requests for the next school year (2013-2014) and for the first grade Spanish Immersion class until February 28. Applications are available at the front desk.

Cancer Walk

- bake sale: Jan.24 & 25 2:30-3:30
- Grade competition to raise money: Feb.4-8 (winner grade gets pizza party)
- Walk sign up: Feb.11-15
- The Walk: Feb. 23 at 9:00 am

*Inclement Weather - If school is ever closed or delayed due to inclement weather please watch the local television stations and listen for info about HEBISD (Hurst, Euless, Bedford). Or check out the HEBISD website and sign up for the alerts. Please do not rely on calling the school for that information. If we are closed no one will be answering the phones and if we are open we may not have the time to answer due to the extreme call volume.

Hey dads and kids...
join us for the
Meadow Creek Elementary



ALL PRO DAD. SIMULCAST

January 26, 2013


12:00 – 2:30pm

Meadow Creek Elementary

Please RSVP to:

www.allprodad.com/3203

Team up with Tony Dungy to hone your skills as a husband and father, while giving your children a day they will always remember. This unique event was created with fathers of elementary-aged children in mind. Kids will be guided through age-appropriate football drills designed for fathers to encourage and challenge their children. Concluding the event is a message from Tony Dungy on his relationship with Christ and its impact on his life as a husband, father, and coach.

Email jbstone22@gmail.com for more information 

All Pro Dad is the fatherhood program of FAMILY FIRST

CAN'T MAKE
IT?

Join us next time on
February 8th



ALL PRO DAD. SIMULCAST



with **TONY DUNGY**
JANUARY 26

Hey dads and kids...
join us for the
Meadow Creek Elementary



ALL PRO DAD®
Dad's Day

February 8, 2013
7:15am


Meadow Creek Cafeteria

Please RSVP to:
www.allprodad.com/3203

**CAN'T MAKE
IT?**

Join us next time on
March 8th

Team up with other Meadow Creek Elementary dads and kids for a quick, before-school breakfast and a 45-minute program of fatherhood and family topics. You'll take away some great tips and resources to help you be the best Dad you can be, and you'll strengthen your relationship with your kids at the same time. It's fun, and it's free! See you there...

Email jbstone22@gmail.com for more information 

All Pro Dad is the fatherhood program of FAMILY FIRST

AllProDad.com

