

# It Pays To Complain

**your Helena Public Schools**  
*... a great place to learn.*

Drew K. Messinger, Ph.D.  
 Superintendent

55 South Rodney Street  
 Helena, Montana 59601  
 Phone (406) 334-2001  
 Fax (406) 334-2035

December 1, 2009

Re: Helena Public Schools - Freedom From Religion Foundation, Inc.

Dear Mr. Tiernan:

I am writing in response to your October 20<sup>th</sup> letter regarding our School District's involvement with the 40 Developmental Assets program.

We sincerely appreciate the information that you've provided, and can understand the concerns that apparently served as the basis for the situation you describe in Cherry Creek. Although it is our understanding that the research underlying that particular Developmental Asset is clearly based more on the intergenerational dimension that you've noted in your letter than any purely religious dimension, we are certainly willing to substitute the alternative language that you've proposed for Asset 19 as we move forward in working with the program.

Again, we appreciate your bringing these concerns to our attention, and please do not hesitate to contact me if you have any questions or further concerns.

Sincerely,

*Drew K. Messinger*  
 Drew K. Messinger, Ph.D.  
 Superintendent

## Religious 'Asset' Removed

Parents in the Helena Public Schools, Montana, notified the Freedom From Religion Foundation recently that the district is in the process of adopting the "40 assets" program created by the Search Institute, aka, Lutheran Brotherhood, which promotes 40 statements promoting desirable "assets" to be developed in students. One asset encourages youths to spend one hour a week at a religious institution.

Foundation attorney Robert R. Tiernan, Denver, wrote a letter notifying the district in Colorado that the Foundation had sued the Cherry Creek School District in federal court over this illegal recommendation, and had successfully settled the case last fall. The Denver district agreed to drop the religious asset and substitute an "intergenerational asset" suggesting weekly participation in educational and charitable institutions, including "faith-based" or "secular (nonreligious)" institutions.

The Helena Public Schools seem to be agreeing to the replacement. Stay tuned!

**BAKER DANIELS**  
 191 1941

December 4, 2009

Rebecca S. Kratz  
 Staff Attorney  
 Freedom From Religion Foundation  
 P.O. Box 750  
 Madison, WI 53701

Re: Request for Records

Dear Ms. Kratz:

The Superintendent of Indianapolis public Schools has asked me to respond to your request for records. I enclose a copy of IPS's Board Policy Number 9700, Resolution No. 7235, "Advertising in the Schools."

In the situation you brought to IPS's attention, the flyer for the "Safe Summer Youth Fest" was reviewed and approved by the Superintendent's designee pursuant to a protocol that permits publicity for activities of not-for-profit organizations that are non-secular and involve positive student opportunities. Although we do not agree with your characterization of the material as a "religious flyer," we agree that it should have been rejected in the screening process.

Very truly yours,  
*Koberta Sahlin Recker*  
 Koberta Sahlin Recker

## School: Should Have Grounded Flier

On behalf of an area taxpayer and district resident, Foundation staff attorney Rebecca (Kratz) Markert wrote a letter and open-records request to the superintendent of the Indianapolis Public School District challenging its distribution of fliers promoting Youth Fest, sponsored by East 91st Christian Church, and inviting students and their families to sign up for Vacation Bible School and join area churches.

Markert's letter said the distribution of religious fliers by public schools, in addition to violating federal law, is "entanglement between religion and government officials" and therefore "unseemly and inappropriate."

Legal counsel for the district responded with the letter above, stating that IPS flier distribution policy requires materials that are nonsecular to involve positive student opportunities and undergo an approval process. The letter affirmed that the Youth Fest fliers underwent this procedure, but agreed that it should have been rejected in the screening process.

Bobby Jindal  
 GOVERNOR

HAROLD LEGGETT, Ph.D.  
 SECRETARY

November 19, 2009

State of Louisiana  
 DEPARTMENT OF ENVIRONMENTAL QUALITY  
 OFFICE OF THE SECRETARY  
 LEGAL AFFAIRS DIVISION

CERTIFIED MAIL RETURN RECEIPT NO.  
 7003 2260 0005 9331 2924

Ms. Rebecca S. Kratz, Staff Attorney  
 Freedom From Religion  
 Post Office Box 750  
 Madison, Wisconsin 53701

Dear Ms. Kratz:

Thank you for your correspondence dated August 4, 2009, which was referred to me for a response.

The Department has warned its employees against the unauthorized use of state equipment or facilities for private purposes.

Again, thank you for bringing this matter to our attention. We appreciate the opportunity to respond to this important issue of public concern.

Sincerely,

*Herman Robinson*  
 Herman Robinson, CPM  
 Executive Counsel

/ARS/RW

Post Office Box 4302 • Baton Rouge, Louisiana 70821-0302 • Phone 225-219-3945 • Fax 225-219-4060  
 www.deq.louisiana.gov

## No Prayer on State Time

An employee of Louisiana's Department of Environmental Quality (DEQ) sent a mass e-mail on May 7, 2009, via the statewide e-mail system to invite government employees to attend a National Day of Prayer observance — specifically to "pray for our state and our country" — at the DEQ headquarters. After the Foundation was alerted, staff attorney Rebecca (Kratz) Markert wrote a letter in August to DEQ Secretary Harold Leggett, who had authorized the prayer event, pointing out that it was "grossly illegal and inappropriate for DEQ to be hosting, organizing, supporting or otherwise promoting a patently religious event."

Markert cited Establishment Clause concerns and noted that the misuse of the government e-mail system violated the department's own computer system usage policy.

The Office of the Secretary responded to the Foundation's letter and said: "The Department has warned its employees against the unauthorized use of state equipment or facilities for private purposes. . . . We appreciate the opportunity to respond to this important issue of public concern."

## Bible Spice She Isn't

This is more "it feels good" than "it pays" to complain, courtesy of California member Elaine Hampton. (If Sarah Palin is "Bible Spice," as tagged by Alec Baldwin, Elaine is the anti-Spice.)

She had ordered some ham base and crystallized ginger from Scandinavian Spice in North Lauderdale, Fla. When the order arrived and she opened it, the first thing she saw was something she variously termed a "nasty little book" and a "Gideon New Testicle." This shall not stand, Hampton thought, and e-mailed the company a biblical injunction:

*My package arrived this afternoon, and I was quite unpleasantly surprised that the first thing I saw when I opened the carton was a book of 1,900-year-old fantasy fiction that I had NOT ordered.*

*Please, PLEASE put a checkbox or something on your order form so that nonbelievers and/or other-believers can choose to refuse such offensive inclusions. I am NOT a Christian, I do not want to be a Christian ever again, and I do not appreciate being proselytized when buying merchandise.*

*How would YOU feel if I sent you a collection of really neat bookmarks or some noncontracts from the Freedom From Religion Foundation? Or a copy of their newspaper,*

*Freethought Today? Would you be interested, or offended?*

*If I ever need to buy ham stock base again, I will look for it elsewhere.*

*Sincerely, Elaine*

*Member, Freedom From Religion Foundation*

Beneath her name she copied an image of the Foundation's "Praise Darwin: Evolve Beyond Belief" sign.

She soon got an apology:

*It is our company policy to send a new testament with every new customer order. Each customer only receives one Bible, as with repeat business there is no Bible in the order. We are a small family owned business and the original owner (our father) was a Gideon and started this many years ago. Since his passing 5 years ago, we have decided as a family and business to continue on with this policy in memory of him. We are sorry that you are offended and hope that it will not deter you from future orders with our company.*

"Sigh," says Hampton, "they're everywhere."

In a later e-mail postscript to FFRF, she adds: "I tossed the 'nasty little book' into the kitchen wastebasket almost immediately, and it was hauled away with the rest of the trash on Wednesday morning."

— Bill Dunn