

July 9, 2010

**SENT VIA U.S. MAIL AND FAX
(805) 466-2941; (805) 462-4283**

Mr. John Rogers
Superintendent
Atascadero Unified School District
5601 West Mall
Atascadero, CA 93422

Re: Religious books in school library

Dear Mr. Rogers:

I am writing on behalf of a concerned taxpayer and parent of an Atascadero High School student, as well as area members of the Freedom From Religion Foundation (FFRF), to request that your school district work to create a learning environment within its school libraries more tolerant to the diverse range of religious and nonreligious beliefs within your community. FFRF is a national nonprofit organization with over 16,000 supporters across the country, including over 2,400 members in California. Our purpose is to protect the constitutional principle of separation between state and church and to represent the rights and views of nonbelievers.

It is our understanding that the Atascadero High School library contains five or six bibles, along with other Christian-oriented books. Our complainant informs us that these books are prominently displayed in the library's nonfiction section and that he was unable to find other religious books, such as a Qur'an, Torah, Buddhist sutras, or any informational books on these or other non-Christian religions, within the library. Within the nonfiction section, our complainant was also unable to find a selection of freethought or atheist works, such as the international bestselling writings of Richard Dawkins, Sam Harris, Christopher Hitchens, Ayaan Hirsi Ali, Victor Stenger, or Michel Onfray, or classic works, such as the philosophy of Bertrand Russell. A selection of such works are needed to appropriately educate readers on the viewpoint of the 18% of Californians who are nonreligious. (American Religious Identification Survey, 2008).

It is a fundamental principle of Establishment Clause jurisprudence that a public school may not advance, prefer or promote religion. *See generally, Lee v. Weisman*, 505 U.S. 577 (1992); *Wallace v. Jaffree*, 472 U.S. 38 (1985); *Epperson v. Ark.*, 393 U.S. 97 (1967); *Sch. Dist. of Abington Twp. v. Schempp*, 374 U.S. 203 (1963); *Engel v. Vitale*, 370 U.S. 421 (1962). Public schools must remain neutral with regard to religion. This applies to the types of religious texts supplied by the public school library.

While we are aware that it has been deemed permissible to include the bible in a school library under the California state constitution, it would violate the constitution for only one version of

the bible to be placed in the library to the exclusion of all others. *See Evans v. Selma Union High Sch. Dist.*, 193 Cal. 54, 222 P. 801, 60 (1924). The practice of supplying public school students with the bible while not providing access to other religious and nonreligious alternatives similarly violates the spirit of California law.

Offering multiple copies of the bible and other Christian-oriented books to students without alternative, non-Christian and nonreligious works creates the impression in the mind of a reasonable student that the school is endorsing Christianity over other faiths and non-faith. This is true even if some of these other books are available in the library but have been relegated to a less prominently displayed area, because it impermissibly promotes Christianity over other religions and nonreligious belief. Moreover, such a practice is bad library policy and is in direct conflict with the American Library Association's "Library Bill of Rights" which states in relevant part that "[l]ibrarians have an obligation . . . to select and support the acquisition of materials on all subjects that meet, as closely as possible, the needs and interest of all persons in the community which the library serves. This includes materials that reflect . . . religious . . . issues." § 53.1.11.

We ask that the District review the materials on religion available in its libraries and ensure that a proper balance has been struck between all competing beliefs and non-belief. The District should consider issuing a district-wide reminder to school librarians that it is inappropriate to give preferential treatment to Christianity's, or any other religion's texts. Please notify us in writing, at your earliest convenience, of the steps the District takes to maintain a tolerant, secular learning environment within its schools.

Sincerely,

Rebecca S. Markert
Staff Attorney

cc: Mr. E.J. Rossi, Principal

RSM:stg