

# FREEDOM FROM RELIGION *foundation*

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October 27, 2011

SENT VIA FAX AND U.S. MAIL  
(903) 677-6908

Dr. Robert Steeber  
Superintendent  
Athens Independent School District  
104 Hawn St.  
Athens, TX 75751

Re: Impermissible Field Trip at Bel Air Elementary

Dear Dr. Steeber:

I am writing on behalf of a concerned Athens Independent School District parent, and other Texas members of the Freedom From Religion Foundation (FFRF), to alert you of a serious constitutional concern at Bel Air Elementary School. FFRF is a national nonprofit organization with over 17,000 members across the country, with more than 800 members in Texas. Our purpose is to protect the constitutional principle of separation between state and church.

It is our information and understanding that first-grade students attended a school-organized field trip to a pumpkin patch at Living for the Brand Cowboy Church in Athens yesterday, October 26. It is also our understanding that kindergartners will attend this same field trip today, October 27 and that another trip is scheduled for tomorrow, October 28. According to our complainant, first-grade students were exposed to Christian proselytizing while on the trip, including being told a story about pumpkins concluding with the statement to the effect of "God made each pumpkin different, just like he made each child different." Students were also given a Christian-themed pamphlet, entitled "Bag of Jokes," to take home. The pamphlet told students they are all sinners and instructed them to pray to God to ask for forgiveness. We are greatly concerned that similar actions will take place today and tomorrow.

According to its website, Living for the Brand Cowboy Church is a place where people can gather "to hear God's word preached and worship together" and where "[t]he gospel of Jesus is presented in a simple way that is easy to understand and practical for everyday life application" (*see* <http://lftbcowboychurch.com/index.html>). The organization proclaims that Jesus is "the only Savior of mankind" and is "the proper object of our worship." They also believe in "the distinct personality of Satan" and that the earth was created by God, "not by the process of evolution." The Church teaches that "homosexuality is always unacceptable," that "a married couple is never to be separated by divorce," and that "the husband is to be the head of the home." By using a school-

sponsored field trip to expose students this type of bigotry, hatred, and anti-academic Christian teaching, Bel Air Elementary and Athens Independent School District is in direct violation of the Establishment Clause of the First Amendment.

It is well settled that public schools may not advance or promote religion. *See generally*, *Lee v. Weisman*, 505 U.S. 577 (1992); *Wallace v. Jaffree*, 472 U.S. 38 (1985); *Epperson v. Arkansas*, 393 U.S. 97 (1967); *Sch. Dist. of Abington Twshp. v. Schempp*, 374 U.S. 203 (1963); *Engel v. Vitale*, 370 U.S. 421 (1962). Moreover, “the preservation and transmission of religious beliefs and worship is a responsibility and a choice committed to the private sphere.” *Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290, 310 (2001)(quoting *Lee v. Weisman*, 505 U.S. at 589). Having students visit a Christian proselytizing organization demonstrates a blatant promotion of religion.

Furthermore, it may be offensive to non-Christians, as well as non-religious students, for a public school to schedule a trip to this type of sectarian establishment. “School 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 [sic] that they are insiders, favored members of the political community.’” *Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290, 309-10 (2001)(quoting *Lynch v. Donnelly*, 465 U.S. at 668)(O’Connor, J., concurring). The school district’s decision to permit a field trip to Living for the Brand Cowboy Church gives the message to Christian students that they are a favored group in the public school setting.

Athens Independent School District cannot promote, endorse, or support this type of field trip. The Constitution’s prohibition against school-sponsored religious activities cannot be overcome by claiming such activities are “voluntary.” As the Supreme Court said in *Engel*, “Neither the fact that the prayer may be denominationally neutral nor the fact that its observance on the part of students is voluntary can serve to free it from the limitations of the Establishment Clause ....” 370 U.S. at 430. In *Schempp*, the Court said the offending religious practices were not “mitigated by the fact that individual students may absent themselves upon parental request, for that fact furnishes no defense to a claim of unconstitutionality under the Establishment Clause.” 374 U.S. at 224-25. It makes no difference if the school requires parents to opt-in to religious practices. *See Karen B. v. Treen*, 653 F.2d 897 (5<sup>th</sup> Cir. 1981)(Finding required express written permission by parents for students to participate in prayer did not cure Establishment Clause violations).

Besides the fundamental legal problems with sending public school students on a field trip to receive religious indoctrination, there are many good policy reasons to oppose the practice. Parents should control the manner in which their children receive instruction on religious subjects. It is an egregious abuse of government power to proselytize a captive audience of young school children in this manner. No public school should dictate what church to visit or what God to believe in or not believe in. Surely the school would not promote a field trip in which religious leaders would proselytize to young students on Islam, Judaism, Scientology, Hinduism, or other faiths.

Furthermore, Living for the Brand Cowboy Church's teachings are directly adverse to the intellectual growth of these young, impressionable students. Exposing children to the possible rhetoric of creationism under the guise of an educational field trip is unconstitutional, unscientific, and inappropriate. Additionally, the misogynistic dogma of the Church alienates female students and teaches them to be subordinate to males, and its homophobic tenets teach children nothing but bigotry, hatred, and intolerance. Athens Independent School District must refrain from exposing its students to this type of environment.

We ask that you take immediate steps to cease the remaining field trip to Living for the Brand Cowboy Church and to refrain from taking field trips to any other religious destination in the future. Please contact us in writing at your earliest convenience to indicate that you have rectified the matter so that we may notify our complainant.

Sincerely,



Stephanie Schmitt  
Staff Attorney