

FREEDOM FROM RELIGION *foundation*

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

December 20, 2011

**SENT VIA MAIL AND FAX
(832) 249-4015**

Dr. Jim Cain
Superintendent
Klein Independent School District
7200 Spring Cypress Road
Klein, TX 77379

COPY

Re: Religious Emails by Staff

Dear Dr. Cain,

I am writing on behalf of a concerned local resident and member of the Freedom From Religion Foundation (FFRF) to inform you of an inappropriate use of email by a staff member. FFRF is a national non-profit organization with 17,000 members across the country, including over 800 members in Texas. Our purpose is to protect the constitutional principle of separation of church and state. We have corresponded with your district in the past.

We understand that Klein Forest High School Assistant Principal Rene Milanizadeh sent an email on November 18, 2011, with the statement, "Count on God instead of yourself." This email was congratulatory in nature and the statement at issue was the final line of a poem entitled "How to Observe Thanksgiving." Religious messages are inappropriate to include in emails from a public school employee writing from a school email address.

It is well settled that public schools may not advance or endorse 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). No public school employee may urge religious points of view on students, parents, or teachers. This includes statements such as "Count on God instead of yourself."

The statements of school employees are attributable to the school. This endorsement of a religious message offends the 15% of the U.S. population, 47 million people, that are nonreligious. "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 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). Promotion of religion over non-religion by the school impermissibly turns any non-believing student, parent, teacher, or staff member into an outsider.

We ask that you take immediate action to address the religious messages that are being included in employee emails. A memo to all school staff regarding appropriate use of school email would help prevent further infractions. Please notify us in writing at your earliest convenience of the steps the school takes to remedy this violation so that we may notify our complainant.

Sincerely,



Stephanie A. Schmitt
Staff Attorney

Cc: Mrs. Pat Crittendon, Principal, Klein Forest High School (832)484-7801