

FREEDOM FROM RELIGION *foundation*

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

November 11, 2011

Mr. Nick Blain
Superintendent
Liberty-Eylau ISD
2901 Leopard Drive
Texarkana, TX 75501

Re: Bible Distribution

Dear Mr. Blain:

I am writing on behalf of a concerned parent and Texas members of the Freedom From Religion Foundation (FFRF) to object to the distribution of bibles in Liberty Eylau Middle School. We urge you to immediately put a stop to these distributions. FFRF is a national nonprofit organization, which works to protect the constitutional principle of separation between state and church. We represent over 17,000 members across the country, including more than 800 in Texas.

It is our information and understanding that on November 4, 2011, a group of men who were members of Gideons International (an evangelizing Christian organization) were allowed to distribute bibles to fifth grade children inside of Liberty Eylau Middle School. According to our complainant, the Gideons were allowed to hand out bibles inside the school during the lunch period.

It is unconstitutional for public school districts to allow the distribution of bibles on school grounds to a captive audience of students. Courts have held that the distribution of bibles to students at public schools is prohibited. *See Berger v. Rensselaer Central Sch. Corp.*, 982 F.2d 1160 (7th Cir. 1993)(held that classroom distribution of Gideon bibles to fifth-graders violated the Establishment Clause of the First Amendment to the United States Constitution); *see also Roark v. South Iron R-1 Sch. Dist.*, 573 F.3d 556 (8th Cir. 2009) (striking down policy that continued a school's practice of bible distribution by allowing distribution of bibles in front of administrative offices or at table in the cafeteria); *Tudor v. Board of Education of Rutherford*, 14 N.J. 31 (1953), *cert. denied*, 348 U.S. 816 (1954)(finding unconstitutional a school board resolution permitting the distribution of bibles by Gideons). In striking down a school district's policy permitting Gideons to distribute bibles at the schools, the Seventh Circuit stated, "... the Gideon Bible is unabashedly Christian. In permitting distribution of 'The New Testament of Our Lord and Savior Jesus Christ' along with limited excerpts from the Old Testament, the schools affront not only non-religious people but all those whose faiths, or lack of faith, does not encompass the New Testament." *Berger*, 982 F.2d at 1170.

Public schools have a constitutional obligation to remain neutral toward religion. When a school permits the distribution of religious literature to its students, it has unconstitutionally entangled itself with a religious message, in this case a Christian message professed by Gideons International. Such a practice alienates those non-Christian students, teachers, and members of the public whose religious beliefs are inconsistent with the message being promoted by the school. It also alienates the 15% of the U.S. population who identify as non-religious (American Religious Identification Survey, 2008).

The District cannot legally allow its schools to be utilized by overreaching proselytizers. By permitting the distribution of bibles inside a school, Liberty-Eylau ISD is placing its “stamp of approval” on the religious messages contained in the Gideon bible.

It is unfortunate that the Gideons view public schools as ripe territory for recruitment. Parents carefully instruct their children not to accept any gifts from strangers. The Gideon practice of distributing bibles to school children teaches them to ignore parental guidance. Parents also understandably become nervous when adult men take an over-keen interest in handing materials to their young children without parental knowledge or permission.

We ask that you investigate and promptly inform us, in writing, of the steps you are taking to remedy these constitutional concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick Elliott". The signature is fluid and cursive, with the first name being the most prominent.

Patrick Elliott
Staff Attorney