

# FREEDOM FROM RELIGION *foundation*

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August 30, 2011

**SENT VIA FAX & U.S. MAIL  
(903) 881-4004**

Stan Surratt  
Superintendent  
Lindale Independent School District  
505 Pierce St  
PO Box 370  
Lindale, TX 75771

**Re: Bible Required in Algebra Classroom**

Dear Mr. Surratt:

I am writing on behalf of a concerned parent, and other members of the Freedom From Religion Foundation (FFRF), to alert you to a constitutional violation occurring at Lindale Junior High School. FFRF is a national nonprofit organization with over 17,000 members including nearly 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 algebra teacher, Mrs. Amy Priddy at Lindale Junior High School has distributed a supply list for her classroom. Our complainant informs us that included on Mrs. Priddy's supply list, under classroom expectations, students are expected to come prepared to class with their supplies, which includes a Bible. The list also mentions that students are expected to "Listen to the Spirit of the Lord." I have enclosed a photocopy of this supply list for your convenience.

First and foremost, 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). No public school employee may urge religious points of view on students. By requiring a Christian religious text and instructing school children to "Listen to the Spirit of the Lord," Mrs. Priddy, and therefore the Lindale Independent School District, is violating these basic constitutional principles.

## Bible Required

It is grossly illegal and inappropriate for Mrs. Priddy to require a "bible" as part of an 8th Grade Algebra class. No public school student should be forced to purchase a religious text for a secular math class, much less take to class daily.

As you are certainly aware, federal courts uniformly have held that the distribution of bibles to students at public schools during instructional time 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 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). More specifically, a public school official, including a teacher, cannot distribute bibles to their students as presents. *See Jabr v. Rapides Parish Sch. Bd.*, 171 F.Supp.2d 653, 664 (W.D. La. 2001)(holding that a school board violated the Establishment Clause when it allowed a principal to give out bibles to fifth graders as Christmas presents).

Gideons are not allowed into the classroom to distribute bibles and teachers are not allowed to distribute bibles as gifts. Nor may a teacher require students to buy one or bring one for class. We fail to understand why a Christian religious text is needed for the study of algebra anyway!

#### Listen to the Spirit of the Lord

It is equally illegal and inappropriate for Mrs. Priddy to list as a “classroom expectation” that her students “Listen to the Spirit of the Lord.” This violates the First Amendment because it imposes religious sentiments upon her students. This expectation clearly demonstrates that Mrs. Priddy prefers religion over non-religion and strongly urges that her students have the same preference. This “[s]chool 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). Mrs. Priddy’s promotion of religion over non-religion undeniably turns any non-believing or non-Christian Lindale Junior High School student into an outsider.

Mrs. Priddy’s decision to list “Listen to the Spirit of the Lord” and bibles as classroom expectations crosses the line. She is endorsing and promoting religion while acting in her official capacity as a school district employee. She cannot use her position as a public school employee to impose her religious views upon district students and parents. We wonder how long these expectations have been in existence and therefore how long this constitutional violation has been allowed to occur in the school district?

Finally, public school employees must remain neutral towards religion. You have an obligation under the law to make certain that “subsidized teachers do not inculcate religion.” *Lemon v. Kurtzman*, 403 U.S. 602, 619 (1971). Certainly, “a school can direct a teacher to ‘refrain from expressions of religious viewpoints in the classroom and like settings.’” *Helland v. South Bend Comm. Sch. Corp.*, 93 F.3d 327 (7th Cir. 1993)(quoting

*Bishop v. Arnov*, 926 F.2d 1066, 1077 (11th Cir. 1991). Your school district should make certain that its teachers are not unlawfully and inappropriately indoctrinating students in religious matters. Therefore, Mrs. Priddy must be instructed to refrain from including these requirements, and promoting “Listen to the Spirit of the Lord” and bible reading in her class.

We ask that you immediately commence an investigation into this matter. Lindale Independent School District must take appropriate action to stop its teachers from imposing their religious beliefs and practices on their students. You must immediately direct Mrs. Priddy to revise the supply list, omitting the requirement – or any insinuation – that a bible is a required text for the class and that it is expected that her 8<sup>th</sup> Graders “Listen to the Spirit of the Lord.” Mrs. Priddy must be directed to refrain from religious expressions in the classroom and the District must take appropriate disciplinary actions for her course of conduct. Please promptly inform us in writing of the steps you are taking to adhere to current law and to protect the rights of conscience of your students.

Sincerely,

A handwritten signature in blue ink that reads "Stephanie A. Schmitt". The signature is written in a cursive style with a large initial 'S'.

Stephanie A. Schmitt  
Staff Attorney

Enclosure

cc: Vicki Thrasher, Principal Lindale Junior High School

## Mrs. Priddy's Supply List

Bring everyday to class:

Text book  
Notebook  
Spiral  
Graph paper  
Pencil  
Red pen

## Classroom Expectations

Respect: your school, your teacher, your classmates, and other's property

Listen: to the Spirit of the Lord, to all instructions, and to other people when they are talking

Prepare: your heart, your mind, and your supplies  
(notebook, textbook, Bible, pencils, graph paper, spiral notebook, red pen, homework, etc.)

Complete: all work in pencil, all work by the date due