

# FREEDOM FROM RELIGION *foundation*

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**SENT VIA U.S. MAIL & ELECTRONIC MAIL**

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James A. Dawson  
Superintendent  
North Lamar Independent School District  
3201 Lewis Ln.  
Paris, TX 75462

Re: Religious Comments at Assembly and Religious Addiction Recovery Programming

Dear Superintendent Dawson:

I am writing on behalf of Texas members of the Freedom From Religion Foundation (FFRF), to alert you to constitutional concerns occurring at North Lamar High School. FFRF is a national nonprofit organization with over 17,000 members including over 800 members in Texas. Our purpose is to protect the constitutional principle of separation between state and church.

We have been informed that Principal Paul Allen recently held an assembly at North Lamar High School in which he preached religious matters to students and promoted a high power-based addiction recovery program called Zone 32. Mr. Allen made overt religious statements and recited passages from the bible, including “Christ died for the just and the unjust.” Quoting baseball player Josh Hamilton, Mr. Allen said, “Humble yourself before god. Resist the devil, and he will flee from you.” Furthermore, Mr. Allen implied that, “people that don’t have god in their life, and people that don’t believe in something more” are manufacturing or selling addictive substances. Finally, Mr. Allen indicated that the nature of the Zone 32 addiction program requires: “We’ve gotta find something for you to grab ahold of to make a difference and to be able to say no, and to withstand—to withstand the pressures that you face. You have to.”

Given the fact that he asked for student permission to discuss his religious beliefs and included the theatrics of proposing a resignation because of the speech, it is clear Mr. Allen was aware that he crossed the line and was intentionally promoting a Christian message.

## Religious Speech at Assembly

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). In *Lee v. Weisman*.

Religious messages at school sponsored events can certainly lead “an objective observer, acquainted with the [religious message] perceive it as a state endorsement...” *Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290, 308. 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 that they are insiders, favored members of the political community.’” *Id.* at 309-10 (citation omitted). Reciting bible passages and making religious statements during school assemblies turns any nonreligious North Lamar High School students into outsiders. This is especially relevant considering the fact that Mr. Allen stated that non-religious individuals manufacture and sell addictive substances to children.

The law is clear. Public schools must remain secular to protect the freedom of conscience of all students. It is coercive and inappropriate for a school official at a school function to promote religion to a captive group of impressionable students in attendance. Informing students that, “it’s our choice whether or not we let our god into our heart” does not minimize this violation. Parents, not public schools, are responsible for the religious or nonreligious upbringing of their children.

#### Religious Addiction Recovery Programs

In describing the nature of the Zone 32 addiction treatment program, Mr. Allen stated that in order to overcome or resist drug use: “We’ve gotta find something for you to grab ahold of to make a difference and to be able to say no, and to withstand—to withstand the pressures that you face. You have to.” This message parallels that of twelve step programs, such as Alcoholics Anonymous, which are religious in nature. Twelve step programs require recognition of a “greater power” and require participants to turn their lives over to God.

There is a substantial body of case law finding that twelve step programs are religious programs for purposes of First Amendment analysis. See *Cox v. United States*, 296 F.3d 89, 108 n.11 (2nd Cir. 2002) (“We are not alone in concluding that A.A.’s activities must be treated as religious for purposes of such Establishment Clause analysis...[T]o the best of our knowledge, no court presented with an Establishment Clause claim implicating A.A. or a comparable therapy program incorporating religious concepts has reached a contrary [conclusion]”). For example, the Seventh Circuit Court of Appeals found that Narcotics Anonymous was a religious program:

“The district court thought that the NA program escaped the “religious” label because the twelve steps used phrases like “God, as we understood Him,” and because the warden indicated that the concept of God could include the non-religious idea of willpower within the individual. We are unable to agree with this interpretation. A straightforward reading of the twelve steps shows

clearly that the steps are based on the monotheistic idea of a single God or Supreme Being. True, that God might be known as Allah to some, or YHWH to others, or the Holy Trinity to still others, but the twelve steps consistently refer to "God, as we understood Him." Even if we expanded the steps to include polytheistic ideals, or animistic philosophies, they are still fundamentally based on a religious concept of a Higher Power." *Kerr v. Farrey*, 95 F.3d 472, 479 -480 (7<sup>th</sup> Cir. 1996) (emphasis added).

We understand that addressing substance abuse is a vital concern to the school and to society. We ask that North Lamar High School address that concern through programming that is secular, not religious in nature.

We ask that the school district commence an immediate investigation into the conduct alleged and take immediate action to end school-sponsored religious messages at school assemblies. We ask that you inform us promptly in writing of the steps North Lamar Independent School District takes to remedy these constitutional concerns.

Sincerely,



Patrick Elliot  
Staff Attorney