

FREEDOM FROM RELIGION *foundation*

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September 20, 2017

SENT VIA EMAIL AND U.S. MAIL:
scollins@fayette.k12.in.us

Dr. Scott Collins
Superintendent
Fayette County School Corporation
1401 Spartan Drive
Connersville, IN 47331

Re: Religious email signature

Dear Superintendent Collins:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding a constitutional violation at Fayette County School Corporation. FFRF is a national nonprofit organization with more than 29,000 members across the country, including more than 400 members in Indiana. FFRF's purpose is to protect the constitutional principle of separation between state and church.

A concerned District community member contacted us to report that Fayette County School Corporation Executive Secretary Sarah Mullins' email signature on her District email address (smullins@fayette.k12.in.us) includes the New Testament quote and citation, "Hope anchors the soul. Hebrews 6:19."¹

We are writing to request that this religious message be removed from Mullins' official District email signature.

The Establishment Clause of the First Amendment prohibits government sponsorship of religious messages. The Supreme Court has said time and again that the "First Amendment mandates government neutrality between religion and religion, and between religion and nonreligion." *McCreary Cnty., Ky. v. Am. Civil Liberties Union of Ky.*, 545 U.S. 844, 860 (2005); *Wallace v.*

¹ Hebrews 6 is a particularly inappropriate chapter for the school to quote, as some prominent Christian sects rely on it to condemn apostates to burn in hell. *See* Hebrews 6:4–8 (NIV) ("It is impossible for those who have once been enlightened . . . and who have fallen away, to be brought back to repentance . . . land that produces thorns and thistles is worthless and is in danger of being cursed. In the end it will be burned.").

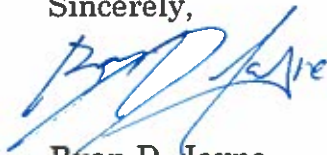
Jaffree, 472 U.S. 38, 53 (1985); *Epperson v. Arkansas*, 393 U.S. 97, 104 (1968); *Everson v. Bd. of Educ. of Ewing*, 330 U.S. 1, 15–16 (1947). This principle is violated when a government employee promotes religious messages on behalf of the school district.

The statements of a government employee, through her government email, are attributable to her employer. It is inappropriate and unconstitutional for the District or its agents to promote a religious message because doing so conveys government preference for religion over nonreligion and, in this case, Christianity over minority religions. The Supreme Court has ruled, “[t]he Establishment Clause, at the very least, prohibits government from appearing to take a position on questions of religious belief.” *Cnty. of Allegheny v. Am. Civil Liberties Union Greater Pittsburgh Chapter*, 492 U.S. 573, 593–94 (1989).

Non-Christian District students and parents should not be made to feel excluded and like “outsiders, not full members of the political community,” *McCreary*, 545 U.S. at 860 (citations omitted), because Fayette County School Corporation employees are professing their personal religious preferences while speaking on behalf of the District. About 44% of young Americans are non-Christian.² Religion is a divisive force and there is no reason to entangle it with official District business.

Please ensure that Ms. Mullins removes all religious references from her email signatures. We request written assurances that this violation has been resolved so that we may notify our complainant.

Sincerely,



Ryan D. Jayne
Staff Attorney

² *America's Changing Religious Landscape*, PEW RESEARCH CENTER (May 12, 2015), available at www.pewforum.org/2015/05/12/americas-changing-religious-landscape/.