

# FREEDOM FROM RELIGION *foundation*

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

July 9, 2018

**SENT VIA EMAIL AND U.S. MAIL:  
driverdb@milwaukee.k12.wi.us**

Dr. Darienne Driver  
Superintendent  
Milwaukee Public Schools  
5225 W. Vliet Street  
Milwaukee, WI 53208

Re: Substitute teacher preaching to students

Dear Superintendent Driver:

I am writing on behalf of the Freedom From Religion Foundation. We wrote to you on February 26 regarding a complaint that we received from a local resident that a preacher, Jason Storms, was bragging on social media about proselytizing to students while working as a substitute teacher at an MPS school.<sup>1</sup> We are renewing our concerns, based on information from our records request to MPS.

We had requested that MPS investigate our complainant's concerns and provide assurances that Storms will not teach at MPS in the future. On March 1, we received a phone call and email from Denise Callaway, MPS Director of Communications & Outreach. Callaway denied that Storms had ever taught at any MPS school, repeatedly stated that FFRF's letter contained "false information," and demanded that FFRF retract its news release, place a notification on our website indicating "that the information was incorrect," and send a letter of apology to you and the Milwaukee Board of School Directors. She continued:

As an attorney, I am sure you are aware that MPS cannot issue a blanket statement that would potentially be a violation of the rights of an individual to seek employment, especially since I have no verification this claim was actually posted by Mr. Storm [sic]. As Mr. Storm has not had any communication with the district about employment, it would be inappropriate for the district to reach out to him in any capacity.

We were puzzled by the District's refusal to contact someone who bragged about preaching to students "for hours, while the state paid me" at an MPS school. Even if Mr. Storms had been lying, it would have been appropriate for the

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<sup>1</sup> FFRF's original letter is enclosed for your reference.

District to ask him to stop claiming that he was an MPS substitute using his position at MPS to promote religion.

Ms. Callaway also posted the following comment on a popular blog that covered the allegations regarding Mr. Storms<sup>2</sup>:

The information contained in this article is false as it relates to Milwaukee Public Schools. This individual has never worked for Milwaukee Public Schools in any capacity. The Freedom From Religion did not check facts before issuing a news release that contains false and incorrect information.

We have asked FFRF and Mr. Jayne to remove the information from their website, issue a correction, and apologize to the district. Please remove this false information from your blog and share with your readers and subscribers that this information is incorrect.

Sincerely,  
Denise Callaway  
MPS Director of Communications & Outreach

To date, Ms. Callaway has not edited or removed this comment, even after she received and forwarded an email on March 4 indicating that Mr. Storms directly responded to the comment, insisting that he was telling the truth and that he “taught at two public charter schools in Milwaukee.”<sup>3</sup>

After learning that Storms had specifically stated that he worked at Assata High School, we asked Assata for confirmation, but Assata stated that information about their substitutes was only available through the MPS main office. Since the MPS main office insisted Storms had never subbed at any MPS school, FFRF submitted a records request on March 6 to determine whether the District’s claim was accurate.

After more than three months, on June 22 we received records confirming that Storms did, in fact, work as a substitute at Assata High School on February 23 and February 26, covering for Mrs. Johnson’s English classes on both dates.<sup>4</sup> It seems likely that Storms also subbed at MPS charter schools prior to these dates

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<sup>2</sup> Comment on *Wisconsin Sub Brags About Preaching While Teaching At Public School*, Michael Stone (Mar. 1, 2018), PROGRESSIVE SECULAR HUMANIST, available at [www.patheos.com/blogs/progressivesecularhumanist/2018/03/wisconsin-sub-brags-preaching-teaching-public-school/](http://www.patheos.com/blogs/progressivesecularhumanist/2018/03/wisconsin-sub-brags-preaching-teaching-public-school/). A copy of Ms. Callaway’s comment is enclosed.

<sup>3</sup> Email dated Mar. 4, forwarded by Ms. Callaway to Andrew Nelson on Mar. 5. *See also* enclosed image.

<sup>4</sup> *See* enclosed records response.

(as he claimed<sup>5</sup>), but the District was unable to provide a record to clarify this point.<sup>6</sup>

The records we received also reveal that Ms. Callaway was aware, at least by March 2, that Storms had taught at Assata. She said via email:

Here's what we know . . . we have never conducted a background check on [Jason Storms]. The individual has stated to news media that he worked at Assata on February 23 and 26 and that was affirmed by Assata as the only dates he worked for the school in February. If he is telling the truth, he was in another MPS partnership school on February 8. We do not know which school he [w]as in that date or if his admitted behavior has happened in other schools. This individual is apparently employed by a company called Parallel, which provides substitute teacher services. Our partnership schools contract with Parallel.

We also received records indicating that at least four District community members or local residents had contacted the District with concerns about Mr. Storms, including one as early as February 19—one week prior to FFRF's letter. That individual was also told that "Jason Storms . . . has never been a substitute teacher in one of our schools or one of our instrumentality charters. He is not employed with MPS in any way." MPS has never addressed FFRF concerns, nor is there any indication that MPS has followed up with community complainants to correct its earlier statements.<sup>7</sup>

Given that records show Storms' claim was credible, we again request assurances that Storms will not be allowed to teach at any MPS school again, including being hired via Parallel. We also request assurances that in the future all new substitute teachers at MPS, and companies that MPS partnership schools contract with, be clearly informed that they are not permitted to promote religion while acting in their official capacity as MPS teachers.

Additionally, it is deeply concerning that MPS was apparently not aware of who had subbed at its partnership school, stating that "MPS conducts all background checks"<sup>8</sup> despite this instance to the contrary. It is troubling that an MPS spokesperson vehemently denied that the District had ever employed Storms, demanding that FFRF issue an apology even for asking the District to investigate the allegation and take appropriate action.

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<sup>5</sup> See enclosed image.

<sup>6</sup> See enclosed records response (indicating that "there is no one record that responds to" FFRF's request for "Any record listing every substitute teacher that taught at every MPS charter school in February 2018.").

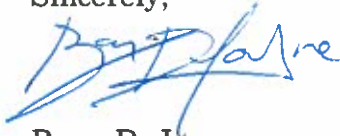
<sup>7</sup> Emails show that the District did tell future complainants that Storms had worked at Assata, but there is no indication that the District has corrected its prior contrary statements.

<sup>8</sup> Email dated Mar. 1, from MPS Media Manager Andrew Nelson.

The inaction and denial are even more alarming given that Assata is an alternative school serving at-risk students. Parents of students in Mrs. Johnson's English class would be justifiably distressed that the District was unaware of who was teaching their children, much less of the unconstitutional conduct that occurred in the classroom, even after the teacher was caught bragging about the incident on social media and the District received multiple complaints about the conduct.

We ask that MPS issue a statement to correct the public record, remove Ms. Calloways' blog post comment on this issue, and provide a written response with assurances that Storms will not substitute at MPS again and detailing the steps the District will take to ensure that other substitute teachers are properly trained on their students' constitutional right to a secular public school.

Sincerely,



Ryan D. Jayne  
Staff Attorney

Enclosure



**Jason Storms**

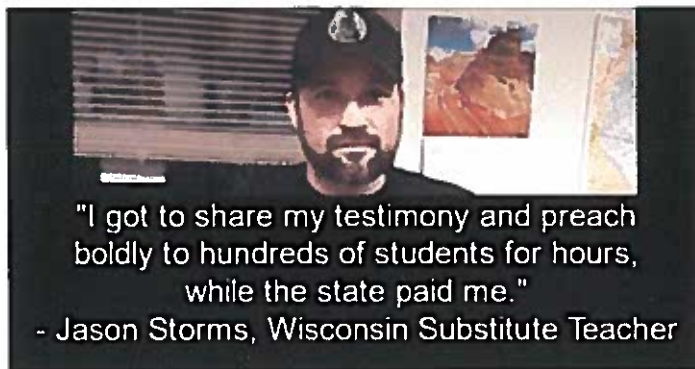
23 hrs · 🌐



The latest article, by Patheos' Secular Humanist wing. Has almost 2k shares now. I think they doth protest too much 😊

Here are the facts. I have taught at two public charter schools in Milwaukee. I did not engage in proselytizing. I never attempted to get any child to join my church or convert to my particular denomination. I did not break the law. There is nothing illegal or unconstitutional with a teacher sharing their personal story or discussing their faith with students in a non-coercive manner. (In fact, public schools explicitly taught the precepts of Christianity for 150 years, and then men who penned the First Amendment encouraged this.)

FFRF and their secular humanist minions are bullies whose aggressive vitriol reveal that they care much more about advancing secular humanism and eradicating Christianity than they do about helping children in Milwaukee become successful in life. Perhaps the thousands of Christian parents and students in Milwaukee would like to hear more about what these secular humanists intentions really are? (Read the comments in the article) (FYI secular humanism is a recognized religion by the Federal Gov't, so many commenting acknowledge that their religion of secular humanism is being taught in public schools.)



### Wisconsin Sub Brags About Preaching While Teaching At Public School

Wisconsin substitute teacher Jason Storms brags about abusing his authority as a teacher by preaching to public school students.

PATHEOS.COM



👍❤️👍 72

25 Shares

18 Comments

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**Carrie Tubbs** I am happy you shared, God should never be something to hide especially in classrooms.

Like 23h



**Jason Storms** I agree Carrie, our Wisconsin state constitution acknowledges God Almighty but yet we are told we can't do it in the classroom?

Like 23h



**Carrie Tubbs** I applaud you! Stand firm with it, !

Like 23h





Denise Callaway 4 months ago

The information contained in this article is false as it relates to Milwaukee Public Schools. This individual has never worked for Milwaukee Public Schools in any capacity. The Freedom From Religion did not check facts before issuing a news release that contains false and incorrect information.

We have asked FFRF and Mr. Jayne to remove the information from their website, issue a correction, and apologize to the district. Please remove this false information from your blog and share with your readers and subscribers that this information is incorrect.

Sincerely,  
Denise Callaway  
MPS Director of Communications & Outreach

Reply Share



**Office of Board Governance**  
5225 W. Wat St., Room 213, Milwaukee, WI 53208  
(414) 475-8284 - Fax: (414) 475-8071  
mps.milwaukee.k12.wi.us  
governance@milwaukee.k12.wi.us

June 27, 2018

Freedom From Religion Foundation  
Mr. Ryan Jayne  
PO Box 750  
Madison, WI 53701

Dear Mr. Jayne:

On approximately March 6, 2018, you made a request for public records. Specifically, you asked for:

1. Any record listing every substitute teacher who taught at Assata High School in February, 2018
2. Any record listing every substitute teacher that taught at every MPS charter school in February 2018 if that record includes the name Jason Storms or the Wisconsin DPI Entity Number 818856
3. Any record listing District substitute teachers (including substitute teachers at District charter schools and partnership schools) that were employed through Parallel Education Division between February 1, 2018 and March 6, 2018.
4. Any records, including email communications, related to the District's investigation of Jason Storms teaching at MPS schools since February 26, 2018.

In response to Item 1, the school has provided the following list:

1. Richard Kadamani, date was 2/19 (coverage for Mr. Imen - Art classes)
2. Amanda Berenguel Smolku, dates were 2/20, 2/21, 2/22, 2/23 (coverage for Mrs. Wosku - Social Studies classes) and 2/26, 2/27 (Ms. Robinson - Science classes)
3. Jason Storm, dates were 2/23 and 2/26 (coverage for Mrs. Johnson - English classes)

In response to Items 2, there is no one record that responds to this request. In order to obtain this information, we would have to contact each charter school and create a record. Per Wis. Stat. §19.35(1)(c), we are not obligated to create a new record in order to respond to a request.

In response to Item 3, there are no responsive records within the central office of MPS. With respect to this item, it is important to note that Assata is a partnership school. As such, they coordinate their own hiring, including the hiring of substitute teachers.

In response to Item 4, responsive emails have been transmitted to [ryan@ffrf.org](mailto:ryan@ffrf.org).

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Confidence. Quality. Triumph.

# FREEDOM FROM RELIGION *foundation*

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

February 26, 2018

**SENT VIA EMAIL AND U.S. MAIL:**  
**driverdb@milwaukee.k12.wi.us**

Dr. Darienne Driver  
Superintendent  
Milwaukee Public Schools  
5225 W. Vliet Street  
Milwaukee, WI 53208

**Re:** Substitute teacher preaching to students

Dear Superintendent Driver:

I am writing on behalf of the Freedom From Religion Foundation to alert you to a constitutional violation involving a substitute teacher in your district. FFRF is a Wisconsin-based national nonprofit organization with more than 32,000 members across the country, including more than 1,300 in Wisconsin. FFRF's purposes are to protect the constitutional principle of separation between state and church, and to educate the public on matters relating to nontheism.

A concerned local resident contacted us to report that Mr. Jason Storms posted the following message on social media on February 8, 2018:

I just received my license to substitute teach in Milwaukee Public Schools. Had my first day in the classroom today. I discovered a newfound appreciation for the good hard-working teachers out there, and also reaffirmed my disgust with the public education system.

On a positive note, I got to share my testimony and preach boldly to hundreds of students for hours, while the state paid me. The principal told me she heard nothing but positive things. The fun thing about substitute teaching is it is very flexible. I can go in as much or as little as I want, hope to be able to do this at least a couple times a month. #PreachTheGospel #MakeDisciples

(emphasis added). Please see the enclosed image. We request that you immediately investigate Storms' promotion of religion in the classroom. Since Storms admittedly uses his position to "boldly" preach to students and to "make disciples," instead of focusing on the substitute lesson plans or otherwise teaching students appropriate secular lessons, we request assurances that Storms will not teach at Milwaukee Public Schools again. We also request assurances that in the future all new substitute teachers at MPS will be clearly informed that they are not permitted to promote religion while acting in their official capacity as MPS teachers.

As you are certainly aware, 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 Twp. 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 (2000) (quoting *Weisman*, 505 U.S. at 589).

It is unconstitutional and completely inappropriate for a public school teacher, even a substitute, to "share [his religious] testimony," "preach the gospel," or seek to "make disciples" in the classroom. Parents expect that public school teachers will act in accordance with the Constitution and refrain from proselytizing students. "Families entrust public schools with the education of their children, but condition their trust on the understanding that the classroom will not purposely be used to advance religious views that may conflict with the private beliefs of the student and his or her family." *Edwards v. Aguillard*, 482 U.S. 578, 584 (1987).

If MPS allows substitute teachers into the classroom without being informed of their constitutional obligations under the First Amendment, this must be corrected immediately. However, even if Storms was not properly trained in this area, his open "disgust with the public education system," and his bragging about preaching to students "for hours, while the state paid me" demonstrate that he is not suited to be an MPS substitute teacher even if he were to provide assurances that he would stop preaching to students.

We respectfully request assurances that Jason Storms will not be employed as a substitute teacher at MPS in the future. Further, a formal apology to the parents of any affected students is warranted, since parental trust was so brazenly betrayed. Finally, we request assurances that all new District substitute teachers will be properly trained in their constitutional obligations as employees of a public school. We look forward to a written response at your earliest convenience so that we may notify our complainant that this serious and flagrant First Amendment violation will not reoccur.

Sincerely,



Ryan D. Jayne  
Staff Attorney

Enclosure





**Jason Storms**

February 8 at 9:52pm · 1L



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