

# FREEDOM FROM RELIGION *foundation*

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

May 23, 2018

SENT VIA EMAIL & U.S. MAIL: [superintendent@mps.k12.al.us](mailto:superintendent@mps.k12.al.us)

Dr. Ann Roy Moore  
Superintendent  
Montgomery Public Schools  
P.O. Box 1991  
Montgomery, AL 36102

Re: Religious Assembly in Public School

Dear Superintendent Moore:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding serious constitutional violations occurring in Montgomery Public Schools. FFRF is a national nonprofit organization with 33,000 members across the country, including members in Alabama. Our 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 district community member has reported that Robert E. Lee High School held a religious assembly for its students on May 3, 2018. It is our understanding that staff members were told ahead of time that this assembly would have “religious undertones.” Our complainant reports that this assembly was a Christian rap group that performed Christian music and proselytized to students. We understand at the beginning of the performance, one of the performers told the students, “We gonna be singing about Jesus, and if yall ain’t comfortable with that, you can just go on back to class.” Our complainant reports that multiple students said they were extremely uncomfortable during the entire assembly and that they had wanted to leave but felt they would have been singled out. Our complainant reported that this assembly was mandatory and that all teachers were present so there was no supervised place for students who wanted to leave to go.

It is our understanding that the group that performed is called the “Flatline Movement.” Please see the enclosed screenshot. The group’s website reveals that Flatline Movement is a Christian ministry that “take[s] the Gospel to the streets of Montgomery and other cities throughout Alabama through the use of Christian rappers, singers, motivational speakers, mime dancers and skits followed by preaching the word of God.”<sup>1</sup> We understand the primary founder, Dewayne Rembert “**left his corporate job and started driving a school bus for the public school system so that he could build friendships and relationships with a significant number of kids. Serving as a bus driver opened up opportunities for his ministry in numerous places**

---

<sup>1</sup> <https://www.flatlinemovement.org/about>

**around Montgomery.”<sup>2</sup>** This admission of using his position within the public school system to target children for religious proselytizing should be extremely concerning to the District.

It is our understanding this group may have been invited to perform by Leroy Barrow, an employee in Montgomery Public Schools. Public Facebook discussions between Barrow and Rembert show them discussing the religious nature of this program. Rembert thanks Barrow for allowing the group to come. Barrow responds, “with The Spirit that you are being governed and driven by, I don’t see too many people tell you No regarding the things you are trying to do unless they are jealous, spiritually ignorant or just an agent of Lucifer.” In another exchange, Barrow notes that Rembert’s lyrics “have a real Godly message.” Please see the enclosed screenshots.

We understand this religious group also performed at Jefferson Davis High School on May 4, 2018 and Sidney Lanier High School on May 11, 2018.

This type of event is blatantly unconstitutional. It is well settled that public schools may not advance or promote religion. *See generally, Lee v. Weisman*, 505 U.S. 577; *Wallace v. Jaffree*, 472 U.S. 38; *Epperson v. Arkansas*, 393 U.S. 97; *Sch. Dist. of Abington Twp. v. Schempp*, 374 U.S. 203; *Engel v. Vitale*, 370 U.S. 421. The Supreme Court has held that “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.*, 530 U.S. at 310 (quoting *Lee*, 505 U.S. at 589). In *Lee* the Supreme Court extended the prohibition of school sponsored religious activities beyond the classroom to all school functions. Thus, promotion of religion as part of a school assembly violates the Establishment Clause.

Holding a school assembly with religious content by Christian performers gives the appearance that Montgomery Public Schools endorses those speakers religious message. The “[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 an accompanying message to adherents that they are insiders, favored members of the political community.’” *Santa Fe*, 530 U.S. at 309-10 (quoting *Lynch v. Donnelly*, 465 U.S. 668, 688 (1984) (O’Connor, J., concurring)). It is inappropriate to take away instructional time from students to expose them to Christian proselytizing. This also excludes the 38% of millennials who are nonreligious.<sup>3</sup>

These proselytizing assemblies are not only a violation of student and parental rights, they needlessly subject the school district to significant legal liability. In 2011, after the Chesterfield County School District failed to take action to ensure religious performances would not continue in the district, it was sued by the ACLU. *See Anderson v. Chesterfield County School Dist.*, No. 4:11-03300, (S.C. Dist. Ct. Jan. 24, 2012 Consent Decree) (Issuing an injunction against school involvement in religious activities following religious assembly and ordering the school to pay the plaintiffs’ attorney fees and costs).<sup>4</sup>

---

<sup>2</sup> *Id.*

<sup>3</sup> Robert P. Jones & Daniel Cox, *America’s Changing Religious Identity*, PUBLIC RELIGION RESEARCH INSTITUTE (Sept. 6, 2017), available at [www.prrri.org/wp-content/uploads/2017/09/PRRI-Religion-Report.pdf](http://www.prrri.org/wp-content/uploads/2017/09/PRRI-Religion-Report.pdf).

<sup>4</sup> [https://www.aclu.org/sites/default/files/field\\_document/signed\\_south\\_carolina\\_consent\\_decree.pdf](https://www.aclu.org/sites/default/files/field_document/signed_south_carolina_consent_decree.pdf)

Montgomery Public Schools has a constitutional obligation not to promote religion. Parents, not the school district, are responsible for determining the religious or nonreligious upbringing of their children. We request that Montgomery Public Schools protect the rights of conscience of all its students and employees and ensure that future school assemblies do not contain religious messages. We request specific assurances that "Flatline Movement" will not be allowed to present at a school assembly again and that future school events will be vetted to ensure compliance with constitutional requirements. Please inform us in writing of the steps that the District takes to remedy these serious constitutional violations.

Sincerely,

A handwritten signature in blue ink that reads "Chris Line". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Christopher Line  
*Patrick O'Reiley Legal Fellow*  
*Freedom From Religion Foundation*

Enclosures



**Flatline Movement**

May 3 at 3:24pm · 🌐

Lord!!! 🔥🔥🔥🔥 !! !! 100

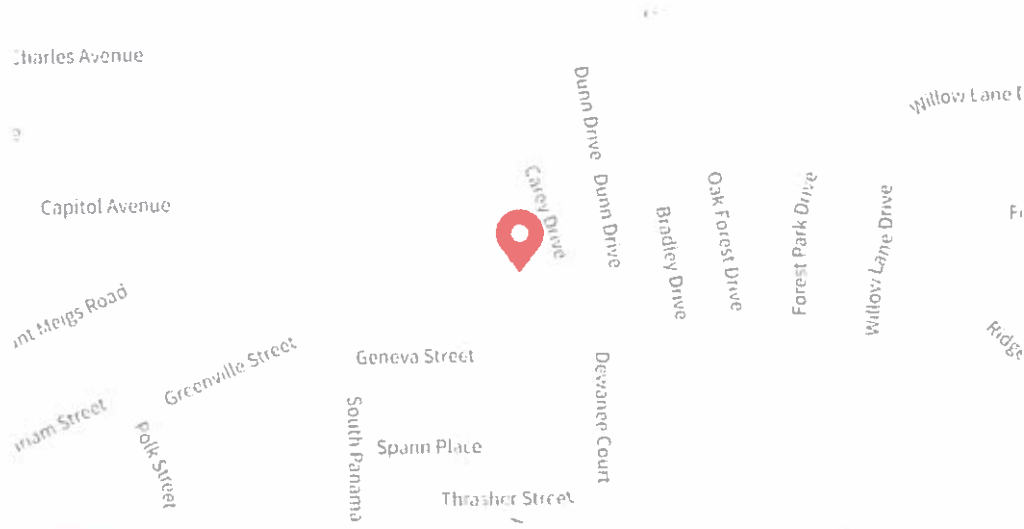




Fee-Lo Dewayne Baker is at [Robert E. Lee High School \(Montgomery, Alabama\)](#).

May 3 at 4:54pm · Montgomery, AL · 🌐

Super dope time at Lee high school!!!! Kids were awesome and plenty seeds were sown! Corvoursier Cleveland (Big Yae) Dewayne Rembert Wallace McTear (K Allico)



**Robert E. Lee High School (Montgomery, Alaba...**  
High School · Montgomery, AL  
4,317 people checked in here

Save



Leroy Barrow They were great 👍❤️ 2

Like · Reply · 2w



Dewayne Rembert Amen Bro! Thanks for allowing us to come!!!

Like · Reply · 2w



1



Leroy Barrow Dewayne Rembert, with The Spirit that you are being governed and driven by, i dont see too many people telling you No regarding the things you are trying to do unless they are jealous, spiritually ignorant or just an agent of Lucifer 😊 keep up that Work my brother.

Like · Reply · 2w · Edited



2



Dewayne Rembert Leroy Barrow !!!! WOW!!!!!! Praise God Bro!!

Like · Reply · 2w



2



**Leroy Barrow** This guy was good with his rapping skills. He has major showmanship and his lyrics actually have a real Godly message.

Like · Reply · 2w · Edited



**Dewayne Rembert** Yes bro! We are at Jeff Davis tomorrow

Like · Reply · 2w



**Dewayne Rembert** Praise God!!!!  
K. Allico 🔥🔥

Like · Reply · 2w



**Leroy Barrow** Cant wait to record with you Bro.Rembert

Like · Reply · 2w



**Dewayne Rembert** You next bro!! #OldMan 🙌 1

Like · Reply · 2w



**Leroy Barrow** I got something for the people by His Grace, Lets get it!!!!!!!!!!!!for God!!!!

Like · Reply · 2w



**Dewayne Rembert** Leroy Barrow 🙌🙌🔥

Like · Reply · 2w