

FREEDOM FROM RELIGION *foundation*

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June 7, 2018

SENT VIA EMAIL & U.S. MAIL: jhatfield@oneidaschools.org

Dr. Jeanny Hatfield
Director of Schools
Oneida Special School District
195 North Bank Street
Oneida, TN 37841

Re: Unconstitutional Religious Assembly in Oneida Special School District

Dear Director Hatfield:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding a constitutional violation that occurred in the Oneida Special School District (OSSD). FFRF is a national nonprofit organization with 33,000 members across the country, including members in Tennessee and a local chapter, FFRF East Tennessee. 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 student reported that on November 14, 2017, Oneida High School allowed a local pastor to preach and proselytize to students at a mandatory assembly. It is our understanding that students are required to attend monthly character assemblies and that these assemblies are typically secular in nature. However, our complainant reports that at an assembly in November 2017, a local pastor began an assembly that was supposed to be on the secular topic of “friendship” by asking students to repeat the phrase, “God is good all the time, and all the time God is good.” He then instructed students to turn to the person next to them and tell them that Jesus loves them. Our complainant further reports he then told biblical stories and tried to relate them to the topic of friendship, including telling students that one of the qualities of a good friend is “someone who has God in their heart and can help you with your walk of faith.” He also instructed students on how they can be “saved,” and noted that, “nobody can change the world if they don’t have God in their heart.”

We write to ensure that future Oneida High School assemblies do not include religious proselytizing.

As I’m sure you know, it is inappropriate to take away instructional time from students to expose them to Christian proselytizing. 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. Ark.*, 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 *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, holding prayers at public high school graduations an impermissible establishment of religion. Thus, religious proselytizing as part of a school assembly is in violation of the Establishment Clause.

Students are a vulnerable and captive audience. When a mandatory school assembly includes religious messages, students will reasonably conclude that the school endorses those messages. 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 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)). This excludes the 38% of millennials who are nonreligious.¹

We request that Oneida Special School District ensure that all future assemblies are secular in nature and do not contain a proselytizing message or agenda. Please notify us in writing of the steps the District is taking to remedy this matter.

Sincerely,



Christopher Line
Patrick O’Reiley Legal Fellow
Freedom From Religion Foundation

¹ 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.