

# FREEDOM FROM RELIGION *foundation*

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

November 10, 2017

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

[sgauntt@westsideschools.org](mailto:sgauntt@westsideschools.org)

Mr. Scott Gauntt  
Superintendent  
Westside Consolidated School District  
1630 Highway 91 W  
Jonesboro, AR 72404

Re: Prayer at Westside Elementary School Thanksgiving performance

Dear Superintendent Gauntt:

I am again writing on behalf of the Freedom From Religion Foundation (FFRF) regarding a constitutional violation occurring in Westside Consolidated School District. We were contacted by a concerned parent of Westside Elementary School student.

It is our understanding that next week, students at Westside Elementary School will perform a Thanksgiving-themed program featuring song and poems. We understand that students were sent home with a list of lyrics to memorize and instructions telling parents to practice with their children. One of the assigned pieces is a prayer that reads:

Thank you for the world so sweet, Thank you for the food we eat,  
Thank you for the birds that sing, Thank you God for everything.<sup>1</sup>

We write to ask that this prayer, and any other religious messages, be removed from Westside Elementary School's Thanksgiving performance.

As you know, public schools have an obligation to remain neutral toward 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). School sponsorship of a religious message is impermissible "because it sends the ancillary message to . . . 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.'" *Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290, 309-10 (2000) (quoting *Lynch v. Donnelly*, 465 U.S. at 668 (O'Connor, J., concurring)).

It is a violation of the Establishment Clause for a public school to teach a prayer to students. The school's intent to teach the prayer as part of a holiday celebration provides no defense. One federal Court of Appeals has already rejected a school's argument that reciting

---

<sup>1</sup> Please see the enclosed image.

“Thank You for The World So Sweet” had a secular purpose and held that the primary purpose of reciting this prayer in a public school was to praise and thank a deity. See *DeSpain v. DeKalb Sch. Dist.*, 384 F.2d 836, 839 (7th Cir. 1967). This holding was reached despite the fact that the school *removed* the word “God” from the prayer. *Id.* at 837.

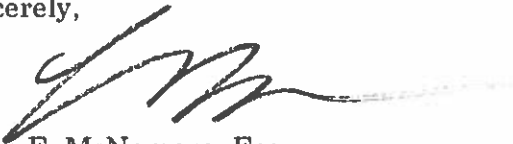
Please note that a school does not violate the Free Exercise Clause or the free speech protections of the First Amendment by adopting a policy that prohibits elementary school teachers from teaching “Thank You For The World So Sweet” to students. *Stein v. Oshinsky*, 348 F.2d 999, 1002 (2d Cir. 1965), *cert. denied*, 382 U.S. 957 (1965) (holding that school administrators “acted well within their powers in concluding that plaintiffs must content themselves with having their children say these prayers before nine or after three”). We ask that Westside Consolidated School District adopt this same policy, which recognizes “the wisdom of having public educational institutions stick to education and keep out of religion, with all the bickering that intrusion into the latter is likely to produce.” *Id.*

Moreover, inducing young and impressionable children to give thanks to god is a usurpation of parental authority. Only parents have the right to direct their child’s religious upbringing, or lack thereof – not public schools. See *Sante Fe*, 530 U.S. at 310 (“[T]he preservation and transmission of religious beliefs and worship is a responsibility and a choice committed to the private sphere.”) (quoting *Lee*, 505 U.S. at 589). Such a practice alienates the students, teachers, and members of the community whose religious beliefs are inconsistent with the message being promoted by the school, particularly the 24% of all Americans, and 38% of Americans born after 1987, who are not religious.<sup>2</sup>

We ask that staff at Westside Elementary School be reminded of their obligations to remain neutral toward religion while acting in their official capacity. Any and all references to god or religion should be removed from the Thanksgiving program.

Please inform us in writing at your earliest convenience of the steps you are taking to protect the rights of conscience of your students and their parents, who alone have the right to direct the religious, or non-religious, upbringing of their children.

Sincerely,



Colin E. McNamara, Esq.  
*Robert G. Ingersoll Legal Fellow*  
*Freedom From Religion Foundation*

---

<sup>2</sup> Robert P. Jones & Daniel Cox, *America’s Changing Religious Identity*, Public Religion Research Institute (2017), available at: <https://www.prrri.org/wp-content/uploads/2017/09/PRRI-Religion-Report.pdf>

### Five Fat Turkeys

Five fat turkeys are we. We slept all night in a tree,  
When the cook came around we couldn't be found,  
So that's why we're here you see.

### Thank You

Thank you for the world so sweet, Thank you for the food we eat,  
Thank you for the birds that sing, Thank you, God, for everything.

### Pumpkin Song

The pumpkin ran away, before Thanksgiving Day,  
Said he, "They'll make a pie out of me if I should stay."

### Mr. Turkey

Mr. Turkey, Mr. Turkey Run away, run away  
If you are not careful You will be a mouthful  
Thanksgiving Day, Thanksgiving Day!

### Pumpkin Stew

Pumpkin stew. Pumpkin stew. What shall we put in the pumpkin stew?  
Pumpkin stew. Pumpkin stew. What shall we put in the pumpkin stew?  
Pumpkin stew. Pumpkin stew. What shall we put in the pumpkin stew?

The students of the 1<sup>st</sup> Grade will be presenting a  
Program on Tuesday, November 14<sup>th</sup>. Please help  
work on learning the words to the songs and poem  
next couple of weeks if you can. They are going to

---

## Parents Make a Difference!

Please send \$2 in an envelope with your child's name  
teacher's name on it to help pay for the props the  
The children are working so hard learning this pi  
think you are really going to enjoy it!! See yo