

FREEDOM FROM RELIGION *foundation*

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

October 31, 2017

SENT VIA MAIL & EMAIL:
jeffrey.moss@beaufort.k12.sc.us

Dr. Jeffrey Moss
Superintendent
Beaufort County School District
2900 Mink Point Blvd.
Beaufort, SC 29902

Re: Unconstitutional religious mentor partnership

Dear Dr. Moss:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding an egregious constitutional violation within the Beaufort County School District. We were contacted by a concerned parent. FFRF is a national nonprofit organization with 29,000 members across the country, including South Carolina members. Our purpose is to protect the constitutional principle of separation between state and church.

It is our understanding that the Beaufort County School District partners with a religious organization, Real Champions of the Lowcountry, to provide mentors and religious instruction to students at Okatie Elementary School. The school coordinates one-on-one mentoring by Real Champions volunteers during the school day. We understand that students are regularly removed from classrooms in the morning to participate in Real Champions activities.

Real Champions is an evangelical organization that seeks to proselytize. The Real Champions Statement of Faith includes the following:

We believe that the church is the spiritual body of which Christ is the head, and that God has ordained the church to minister to individuals and families by sharing the love of God and the message of repentance and salvation through the blood of Jesus Christ...

We believe that the ultimate purpose in living is to know and glorify God and to attain eternal life through Jesus Christ our Lord, beginning within our own families and then reaching out to a suffering humanity that does not know of His love and sacrifice...

We believe that we are called to communicate the Gospel to everyone in our generation and nurture disciples, carrying out The Great Commission that our Lord Jesus Christ commanded.

Please see the enclosed “About Us” webpage.

Real Champions mentors are recruited by Grace Coastal Church.¹ The mission of Real Champions includes empowering youth “spiritually.”² The volunteer/mentor application makes clear the evangelical purpose of the organization:

The **Christ-Centered Mentor**: has accepted **Christ as Lord and Savior** studies and tries personally to apply **GOD’s word**; is striving to know **GOD** intimately and become more like **Christ**; seek **GOD’s will** for his/her life; is deeply committed to loving the members of the body of **Christ**; expresses that **Love** by allowing the **Holy Spirit** to work in, as well through him/her; help other become responsible followers of **Christ**.

Please see the enclosed Volunteer/Mentor Information Form (emphasis in original).

Okatie Elementary School sent home permission slips seeking student participation in the Real Champions program. Those permission slips say:

Real Champions is a faith based program encouraging your child to excel following the school’s character development platform. Being a faith based mentor program Real Champions will use Bible passages and prayer to encourage your student to achieve success.

The permission slip requests permission for children to participate in a “weekly faith based mentor program” and also permission for Real Champions to have access to the child’s academic and discipline records at the school. Please see the enclosed Mentor Group Permission Form.

The District cannot allow its schools to be used as religious recruiting grounds. 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). It is inappropriate and unconstitutional for the District to offer religious instructors unique access to its students.

The partnership between a religious mentorship program and the Beaufort County School District impermissibly advances religion, communicates a message of school district endorsement of religion, and excessively entangles the school district and religion. Public schools have an obligation to stay separate from religion because “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* at 589).

The school’s pairing of students with mentors who are affiliated with evangelical Christianity constitutes an endorsement of religion. This “[s]chool 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 an accompanying message to adherents that

¹ <http://www.gracecoastalchurch.com/real-champions>

² <http://www.pkministrywebs.info/rc/index.html>

they are insiders, favored members of the political community.” Id. at 309-10. Courts have struck down school practices that affiliate public schools with religious groups and religious instruction. See *McCullum v Bd. of Educ.*, 333 U.S. 203 (1948); *Doe v. Porter*, 370 F.3d 558 (6th Cir. 2004).

A program involving religious volunteers in schools, where clergy were enlisted to “counsel groups of students regarding secular topics,” was found unconstitutional. *Doe by Doe v. Beaumont Indep. Sch. Dist.*, 240 F.3d 462, 464 (5th Cir. 2001) (reversing and remanding the case to the district court, which then held the program unconstitutional in *Oxford v. Beaumont Indep. Sch. Dist.*, 224 F. Supp. 2d 1099 (E.D. Tex. 2002)). The Fifth Circuit in *Beaumont* recognized the “legal high wire” that the district was walking and warned of the Establishment Clause violations that could arise in a program of this nature. *Doe v. Beaumont* at 465. The district court then found the “Clergy in the Schools” program impermissibly endorsed religion, even when accounting for other secular programs in the district and the secular goals of the program. *Oxford v. Beaumont* at 1159. While it is laudable to help provide mentors to District students, partnering with a religious group is an inappropriate means of doing so.

It is irrelevant that permission forms were provided to parents. Courts have summarily rejected arguments that voluntariness excuses a constitutional violation. See *Lee*, 505 U.S. at 596 (“It is a tenet of the First Amendment that the State cannot require one of its citizens to forfeit his or her rights and benefits as the price of resisting conformance to state-sponsored religious practice.”); *Mellen v. Bunting*, 327 F.3d 355, 372 (4th Cir. 2003) (“VMI cannot avoid Establishment Clause problems by simply asserting that a cadet’s attendance at supper or his or her participation in the supper prayer are ‘voluntary.’”); *Karen B. v. Treen*, 653 F.2d 897 (5th Cir. 1981)(Finding required express written permission by parents for students to participate in prayer did not cure Establishment Clause violations).

FFRF is committed to defending the rights of students in public schools. Given how young and impressionable these students are, this violation of the Constitution is particularly egregious. The school system must immediately stop this violation to avoid unnecessary and costly legal action.

The Beaufort County School District must cease all programming related to Real Champions. Please respond in writing letting us know what steps you are taking to address this matter.

Sincerely,



Patrick C. Elliott
Senior Counsel

Enc.

CC: Ms. Jennifer Staton
Jennifer.Staton@beaufort.k12.sc.us

**Real Champions of the Lowcountry
Mentor Group
Permission Form
2017/18 School year**

Dear Parent/Guardian:

Your child is invited to participate in the Real Champions of the Lowcountry Mentoring Group at Okatie Elementary School. Real Champions is a faith based program encouraging your child to excel following the school's character development platform. Being a faith based mentor program Real Champions will use Bible passages and prayer to encourage your student to achieve success.

Real Champions is under the direction of community volunteer, Mr. Walter Wheeler. A team of mentors lead by Mr. Wheeler will meet with participating students once a week. Through group and individual interactions Real Champions seeks to assist you in your child's behavioral development.

In order for your child to participate, complete the information below and return this form to the school office by the end of the week.

Student Name: 

_____ I give permission for my child to participate in the weekly faith based mentor program sponsored by Real Champions.

_____ I give permission for the team leader of the Real Champions Mentoring group to have access to my child's academic and discipline records while participating in the program at Okatie Elementary School.

Parent Name: _____
(Please print)

Parent Contact Phone Number: _____

Parent email: _____

Parent Signature: _____

Date: _____



R - Respect
 E - Effort
 A - Accountability
 L - Loyalty

The Christ-Centered Mentor: has accepted Christ as Lord and Savior studies and tries personally to apply GOD's word; is striving to know GOD intimately and become more like Christ; seek GOD's will for his/her life; is deeply committed to loving the members of the body of Christ; expresses that Love by allowing the Holy Spirit to work in, as well through him/her; help other become responsible followers of Christ.

Volunteer/ Mentor Information Form

Name of volunteer _____

1. Street address _____ Apt. No. _____

City _____ State _____ Zip _____

2. Volunteer mentor's phone number (_____) _____ - _____

3. Alternate phone number (_____) _____ - _____

4. Date of birth ____/____/____ (month/day/year)

5. Gender (circle) Male Female

6. Emergency contact _____ Phone _____

7. Race/Ethnicity (circle) African American Hispanic Caucasian
 Asian Other (specify) _____

8. Volunteers marital status (circle) Single Married Divorced Widowed

9. Does the Volunteer have children living with him/her (circle) Yes No

If "yes" how many under the age of 12 _____

School(s) _____

If "yes" how many over the age of 12 _____

School(s) _____



- R - Respect
- E - Effort
- A - Accountability
- L - Loyalty

10. What is the highest level of school that the volunteer complete?

- Less that high school
- High school diploma
- Some college
- 4 year degree
- High school / GED
- Vocational/Technical/Business school
- Associate (2 years)
- Master's
- Doctorate

11. Volunteer's employment status

- Full-time employment
- Unemployed
- Part-time employment
- Homemaker
- Student
- Retired

12. When is Volunteer mentor available for mentoring? (circle all that apply)

Mon Tue Wed Thurs Fri Sat Sun

13. Church affiliation _____

14. Professional/Trade skills _____

15. Will Volunteer mentor agree to a nationwide criminal background check? _____

16. Driver's License number _____ State _____

17. Social Security number _____

18. Will mentor agree to at least a one year commitment to this program? _____

19. Will mentor agree to at least 4 hours / month commitment to this program? _____

Important: All Real Champion Mentors are subject to reference checks which may include character references, child abuse registry checks, driving record checks, and criminal record checks where legally permissible. All Real Champion Mentors must receive pre-match mentor training provided by Real Champions of the Lowcountry and/or local school districts.

Signature _____ Date _____

All information on this form is true and correct to the best of my knowledge.

About Us>Our Foundation



Real Champions was established in the upstate of South Carolina in 2001. The mission of Real Champions of the Lowcountry was derived from the foundational values of Real Champions.

OUR VISION: We vision, as "Real Champions", to leave a legacy for others that endures beyond our "on the field, court or marketplace" successes.

Our strategy for achieving this vision involves coaching people to use their gifts and talents to their fullest God-given ability, by speaking to various ministries and groups worldwide, and by partnering with businesses to develop effective leaders.

Real Champions Statement of Faith

We believe the Bible to be the Inspired and infallible Word of God and is the final and sole authority for all Christian life and practice.

We believe in the one living God, who eternally exists in three Persons: the Father, the Son, and the Holy Spirit.

We believe that Jesus Christ was conceived by the Holy Spirit, born of the Virgin Mary. He led a sinless life, took on Himself all our sins, died and rose again, and is seated at the right hand of the Father as our mediator and advocate and that he is returning to earth in power and glory.

We believe in the ministry of the Holy Spirit, who indwells, convicts, regenerates, enlightens and empowers believers for Godly living.

We believe that the church is the spiritual body of which Christ is the head, and that God has ordained the church to minister to individuals and families by sharing the love of God and the message of repentance and salvation through the blood of Jesus Christ.

We believe in salvation by grace through faith in Jesus Christ, apart from human merit, works, or ceremonies, and that all men everywhere are lost and face the judgment of God, and need to come to a saving knowledge of Jesus Christ through His shed blood on the cross.

We believe that the ultimate purpose in living is to know and glorify God and to attain eternal life through Jesus Christ our Lord, beginning within our own families and then reaching out to a suffering humanity that does not know of His love and sacrifice.

We believe that we are called to communicate the Gospel to everyone in our generation and nurture disciples, carrying out The Great Commission that our Lord Jesus Christ commanded.



Our Leadership

We vision, as "Real Champions", to leave a legacy for others that endures beyond our "on the field, court or marketplace" successes.

Our strategy for achieving this vision involves coaching people to use their gifts and talents to their fullest God-given ability, by speaking to various ministries and groups worldwide, and by partnering with businesses to develop effective leaders.

"Real Champions Play to Win in the game that really counts."

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Our Mission

It is the mission of Real Champions of the Lowcountry to empower our youth spiritually, emotionally, physically, intellectually, so that they may face every situation and challenge ahead of them with positive life choices that enable them to maximize their personal potential.

Contact Us

P.O. Box 3438
Bluffton, SC 29910

Tel: 843.540.4023

E-mail: carlmartin@realchampions.org