

FREEDOM FROM RELIGION *foundation*

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

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SENT VIA EMAIL & U.S. MAIL: hnguyen@hhhlawyers.com

Hieu M. Nguyen
Harben, Hartley & Hawkins, LLP
340 Jesse Jewell Parkway
Wells Fargo Center, Suite 750
Gainesville, GA 30501

Re: Religious Assembly in the Bryan County School District

Dear Mr. Nguyen:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding a constitutional violation that occurred in the Bryan County School District. It is my understanding that you represent the district. Please let me know if that is not the case.

We first wrote to the district in 2015 after it allowed an evangelical Christian ministry called “Faith Force” to recruit students by performing in all of its elementary schools. It is our understanding that since 2015, “Faith Force” has not performed again in the district. Now, a concerned district parent has reported that another evangelical Christian ministry called “Heroes Overcome” was recently given access to recruit district students during the school day by putting on assemblies in several schools. Our complainant reports that schools also sent home flyers inviting children to attend religious programming put on by the group at local churches.

The mission of Heroes Overcome is explicitly laid out on the group’s website, “Our mission as heroes is to help everyone discover the hero within themselves, with the Power of the Gospel of the Ultimate Hero Jesus Christ.”¹ The website further explains, “Jesus Christ is the only real hero! He is king and ruler of all things. His mission was to leave heaven and come to this earth, to save us from all evil (your sin, my sin), and to teach us to love one another. Jesus gave up His life for you, and He loves you very much. He believer you are created perfect, to be the hero He created you to be!”²

It is inappropriate to take away instructional time from students to expose them to a Christian proselytizing group, regardless of any secular message the group claims to be promoting. As you are 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. 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).

¹ <https://heroesovercome.com/our-mission>

² *Id.*

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, recruitment for religious programming as part of a school assembly is in violation of the Establishment Clause.

Students are a vulnerable and captive audience. 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)). This excludes the 38% of millennials who are nonreligious.³

We are aware that some Christian missionaries insinuate themselves into public schools by camouflaging their purposes. It is incumbent that public officials do due diligence when approached by outside groups with vested interests in pitching their messages to a captive audience of public school students. However, in this case, it would have taken only a cursory glance at the Heroes Overcome website to verify its religious agenda. It is difficult for us to understand how this event could have been approved.

Bryan County Schools has established a pattern of opening its doors to religious proselytizers using district schools to fulfill their religious missions. We request that Bryan County Schools refrain from sponsoring inappropriate and unconstitutional assemblies in the future, and that the district ensure no future assemblies from outside groups contain an underlying proselytizing message or agenda. Please notify us in writing of the steps the district takes to remedy this matter.

Sincerely,



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

Enclosure

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

BECAUSE JESUS IS OUR SUPERHERO!



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