

FREEDOM FROM RELIGION *foundation*

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November 3, 2017

SENT VIA EMAIL AND U.S. MAIL:

thomsos@ccsd15.net

Dr. Scott B. Thompson
Superintendent, CCSD 15
Joseph M. Kiszka Educational Service Center
580 North 1st Bank Drive
Palatine, IL 60067-8110

Re: Church representatives entering school to promote religious events and FOIA Request

Dear Superintendent Thompson:

I am writing on behalf of the Freedom From Religion Foundation regarding a constitutional violation occurring in your school district. FFRF is a national nonprofit organization with more than 29,000 members across the country, including more than 900 members in Illinois and a local chapter, FFRF Metropolitan Chicago Chapter. FFRF's 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 contacted us to report that CCSD 15 allows outside adults to meet with students one-on-one at several District elementary schools, typically over lunch. We understand that these adults are affiliated with Kids Hope USA, a faith-based organization that connects "one church" with public schools under the posture of providing "mentorship." Kids Hope USA believes the most effective aspect of its program is that it prays for students.¹

While we understand that these adults ostensibly discuss only secular topics, and do not inform students that "prayer partners" secretly pray for them, our complainant reported that adults in your District have abused their access to students to advertise for a religious event. In fact, Kids Hope USA's website suggests that promoting religious events is a fundamental goal of its program:

Principals are advised that parents may choose to someday send their children to events at the church, only after parental permission is granted. The scope of a Kids Hope USA program remains focused on the one hour that takes place at school.²

¹ See, e.g., [youtube.com/watch?v=opFECdCHhs0](https://www.youtube.com/watch?v=opFECdCHhs0) (video answering the question, "Why does it matter that a prayer partner is included in the mentoring relationship?").

² www.kidshopeusa.org/partnerships/Church_State/.

Regardless of parental permission, it is inappropriate and unconstitutional for the District to allow church representatives unique access to invite students to religious events, during the school day on school property, after developing a personal one-on-one relationship with those students. No outside adults should be provided carte blanche access to minors—a captive audience—in a public school. This predatory conduct is inappropriate and should raise many red flags. The District may not allow its schools to be used as recruiting grounds for churches during the school day.

As a preliminary matter, 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); *McCollum v Bd. of Educ.*, 333 U.S. 203 (1948). 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. 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 classrooms to all school functions, holding prayers at public high school graduations an impermissible establishment of religion. Similarly, promoting religion as part of a school-sponsored mentorship program violates the Establishment Clause.

Allowing outside adults to promote religious events to a student through a District-sponsored mentorship program gives the appearance that the District endorses that religious event. “School 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 Indep. Sch. Dist.*, 530 U.S. at 309–10 (quoting *Lynch v. Donnelly*, 465 U.S. 668, 688 (1984) (O’Connor, J., concurring)). It is inappropriate to encourage a one-on-one relationship between students and outside adults when the District is aware that the adult has an ulterior motive to expose them to Christian proselytization, regardless of whether parental permission is required.

Certainly you would not allow your teachers to use class time, and leverage their relationship with their students, to encourage students to attend a particular worship service, even if they required parents to sign permission slips. This situation is no different. By inviting outside adults to interact with students during the school day, the District creates the appearance of endorsement for anything those adults say to students.

Finally, the District’s relationship with Kids Hope USA itself raises constitutional concerns. If District students require adult mentorship, the District should initiate its own mentorship program—one that does not favor “one church,” does not involve “prayer partners,” and is not exclusive to one religion—rather than partnering with a faith-based group to provide adults who are all representatives of the same church. Please see the attached records request related to this school/church partnership.

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*, 505 U.S. 577, 589 (1992)). Elementary school students are young, impressionable, and vulnerable to social pressure, particularly pressure exerted from an adult. Providing religious recruits one-on-one time with students constitutes “a utilization of the tax-established and tax-supported public school system to aid religious groups to spread their faith.” *McCullum*, 333 U.S. at 210.

Allowing non-school persons into schools during the school day to invite kids to Christian religious events demonstrates an unlawful preference not only for religion over non-religion, but also Christianity over all other faiths. This practice alienates those non-Christian students, teachers, and members of the public whose religious beliefs are inconsistent with the message being endorsed by the school. We request that the District investigate these concerns and take reasonable steps to ensure that mentors do not promote religion, including the promotion of religious events. Please notify us in writing of the steps the District takes to avoid violating the Constitution and its students’ rights of conscience.

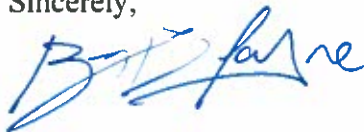
Request for Public Records

Pursuant to the Illinois Freedom of Information Act (ILCS § 140/1.1 et. seq.), I request copies of the following:

1. All contracts or other agreements between Consolidated Community School District 15, or any CCSD 15 school, and Kids Hope USA or any church associated with the Kids Hope USA mentorship program; and
2. Any CCSD 15 policies relating to outside adults entering CCSD schools for the purpose of one-on-one mentoring meetings with students.

If your office does not maintain these public records, please forward this request and let me know the proper custodians of these records. If these records are available in electronic format (preferred), they may be emailed to ryan@ffrf.org. Thank you in advance for your time and attention to this matter.

Sincerely,



Ryan D. Jayne
Staff Attorney