

# FREEDOM FROM RELIGION *foundation*

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July 26, 2019

**SENT VIA U.S. MAIL & EMAIL: [jbbarnett@dekalbk12.org](mailto:jbbarnett@dekalbk12.org)**

Jason Barnett  
Superintendent  
DeKalb County Schools  
306 Main Street West  
Rainsville, AL 35986

Re: Unconstitutional Religious Promotion

Dear Superintendent Barnett:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding a constitutional violation occurring in DeKalb County Schools. FFRF is a national nonprofit organization with more than 31,000 members across the country, including members in Alabama. 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 DeKalb County Schools parent has reported that Fyffe High School is holding a “Back to School Worship Service” in the school’s gym on August 4, 2019. Our complainant reports that this event is being organized and promoted by school faculty members. We also understand that this event is being promoted on the school’s official Facebook page, “Please join us in praying for God’s protective hand to be over our schools, facilities, and students.” Please see the enclosed screenshot.

We write to ensure that DeKalb County Schools does not allow its employees to organize or participate in religious events while acting as district representatives.

Organizing and promoting religious worship events unconstitutionally entangles school personnel with an exclusively religious—often exclusively Christian—message. Public school teachers and administrators may not lead, direct, or ask students to engage in prayer or otherwise endorse religion. The Supreme Court has continually struck down teacher or school-led prayer in public schools. *See, e.g. Engel v. Vitale*, 370 U.S. 421 (1962) (declaring prayers in public schools unconstitutional); *Sch. Dist. of Abington Twp. v. Schempp*, 374 U.S. 203 (1963) (declaring unconstitutional devotional Bible reading and recitation of the Lord’s Prayer in public schools); *Sante Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290 (2000) (striking down a school policy that authorized students to vote on whether to hold a prayer at high school football games); *Lee v. Weisman*, 505 U.S. 577 (1992) (ruling prayers at public high school graduations an impermissible establishment of religion); *Wallace v. Jaffree*, 472 U.S. 38 (1985) (overturning law requiring daily “period of silence not to exceed one minute . . . for meditation or daily prayer”).

DeKalb County Schools has an obligation under the law to make certain that “subsidized teachers do not inculcate religion.” *Lemon v. Kurtzman*, 403 U.S. 602, 619 (1971). The District should make certain that its representatives are not unlawfully and inappropriately indoctrinating students in religious matters by encouraging them to engage in prayer during an event designed to blur the lines between religion and the public schools.

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 an 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)). DeKalb County Schools should be particularly mindful of ostracizing non-Christians, given that over 47% of young Americans are non-Christian, either practicing a minority religion or no religion at all.<sup>1</sup>

The District must heed the Supreme Court’s declaration 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.*, 530 U.S. at 310 (quoting *Lee*, 505 U.S. at 589). Parents, not district administrators, have the right to dictate the religious or nonreligious upbringing of their children.

DeKalb County Schools must make certain that its teachers and administrators are not unlawfully and inappropriately indoctrinating students in religious matters. Faculty must not organize future worship services within the district and district resources must not be used to advertise future religious events. We request an immediate investigation and response in writing outlining the steps the District is taking to protect the right of conscience of its minority religious and nonreligious students and families.

Sincerely,



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

Enclosure

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<sup>1</sup> 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](http://www.prrri.org/wp-content/uploads/2017/09/PRRI-Religion-Report.pdf).



**Fyffe High School**

Yesterday at 8:46 AM · 🌐



## **Back to School Worship Service**

Please join us in praying for God's protective hand to be over our schools, facilities, and students.

**August 4, 2019 at 6:00 pm  
Fyffe High School - New  
Gym**

For more information contact: Charles Mitchell 256-997-2938

Jon Mayes 256-899-6961 or Jake Ridgeway 256-717-9282