

FREEDOM FROM RELIGION *foundation*

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January 30, 2015

SENT VIA EMAIL AND U.S. MAIL
velvet.riggins@docoschools.org

Ms. Velvet Riggins
Board Chair
Dougherty County School Board
P.O. Box 665
Albany, GA 31702

Re: Gideon Bible Distribution Illegal in Public Schools

Dear Ms. Riggins:

I am writing on behalf of the Freedom From Religion Foundation to protest a disturbing report we have received alleging that Gideons will be allowed to distribute bibles in Dougherty County Schools, and to urge the School Board to reconsider. FFRF is a national nonprofit organization, which works to safeguard the constitutional principle of separation between state and church. We represent over 21,700 supporters across the country, including over 400 members in Georgia, and a local chapter, Freedom From Religion Metropolitan Atlanta.

It is our information and understanding that the Dougherty County School Board is going to allow the Gideon Society to distribute bibles at Dougherty County schools. We understand this is against the advice of Tommy Coleman, the school board attorney. This disregard for the Board's constitutional obligations is inexcusable.

If you persist in this folly, FFRF will request permission to distribute our own atheist and freethought literature in Dougherty County Schools. We will also invite other groups, such as the Satanic Temple, to distribute their literature.

It is unconstitutional for public school districts to permit the Gideon Society to distribute bibles as part of the public school day. Courts have uniformly held that the distribution of bibles to students at public schools during instructional time is prohibited. *See Berger v. Rensselaer Central Sch. Corp.*, 982 F.2d 1160 (7th Cir. 1993) (held that classroom distribution of Gideon bibles to fifth-graders violated the Establishment Clause of the First

Amendment to the United States Constitution); *see also Tudor v. Bd. of Educ. of Rutherford*, 14 N.J. 31 (1953), *cert. denied*, 348 U.S. 816 (1954) (finding unconstitutional a school board resolution permitting the distribution of bibles by Gideons). In striking down a school district's policy permitting Gideons to distribute bibles in classrooms, the Seventh Circuit stated, "the Gideon Bible is unabashedly Christian. In permitting distribution of 'The New Testament of Our Lord and Savior Jesus Christ' along with limited excerpts from the Old Testament, the schools affront not only non-religious people but all those whose faiths, or lack of faith, does not encompass the New Testament." Berger, 982 F.2d at 1170.

The Gideons International is self-described as an interdenominational association of Christian business and professional men who are members of Protestant/evangelical churches. Their website states that they are "dedicated to telling people about Jesus through sharing personally and by providing Bibles and New Testaments." The Gideon website openly refers to community schools as a prime target. They traditionally distribute New Testament bibles.¹

Public schools have a constitutional obligation to remain neutral toward religion and to protect the rights of conscience of young and impressionable students. When a school distributes religious literature to its students, or permits evangelists to distribute religious literature to its students, it entangles itself with that religious message. As well as alienating non-Christian students, teachers, and members of the public whose religious beliefs are inconsistent with the message being promoted by the school, such bible distribution alienates the one in five Americans, and one in three young adults, who now identify as nonreligious.²

The District may not allow Gideons, or any other religious groups, to enter school property to distribute religious literature. In allowing Gideons to distribute bibles to elementary school students, the District is impermissibly endorsing religion by placing its "stamp of approval" on the religious messages contained in the bible.

The Board may be considering opening a public "forum" for the distribution of materials. If this is your intention, FFRF will seek to distribute atheist literature and invite other groups, such as the Satanic Temple, to distribute their own literature. The Orange County School Board in Orlando, FL decided to open a similar forum. We sued and won the right to distribute our own literature. *FFRF v. Orange County School Board*, No. 6:13-cv-00922-GKS-KRS (M.D. Fla. July 3, 2014)(order dismissing complaint as moot after Defendant unconditionally

¹ *See, generally*, The Gideons International, <http://www.gideons.org> (last visited May 8, 2014).

² "Nones on the Rise," Pew Research Center, The Pew Forum on Religion & Public Life (October 9, 2012).

allowed distribution of Plaintiff's literature). At our request, the Satanic Temple sought to distribute its own educational religious literature at the schools. It appears that the Board has now correctly decided to rescind its policy and will no longer allow any outside groups to distribute religious literature.

Of course, the best approach is for the District to only distribute school-sponsored materials.

Please inform us in writing at your earliest convenience of the steps you are taking to remedy this serious constitutional violation so that we may assure our complainant that the violation will not recur.

Sincerely,

A handwritten signature in blue ink, appearing to read "A. Seidel", is written over the word "Sincerely,".

Andrew L. Seidel
Staff Attorney

ALS:rdj