

# FREEDOM FROM RELIGION *foundation*

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

March 12, 2018

**SENT VIA EMAIL AND U.S. MAIL:  
doanm@u40gw.effingham.k12.il.us**

Mr. Mark Doan  
Superintendent  
Effingham CUSD #40  
P. O. Box 130  
Effingham, IL 62401

Re: Promotion of creationist event

Dear Superintendent Doan:

I am writing on behalf of the Freedom From Religion Foundation regarding a constitutional violation involving district promotion of a religious event. FFRF is a national nonprofit organization with more than 32,000 members across the country, including more than 1,000 members in Illinois. 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 parent contacted us to report that School Board President Jeff Michael arranged for Christ's Church, where he is a pastor, to give a presentation about dinosaurs to students at Central Grade School during school hours. We understand that during this presentation, student were given flyers promoting a weekend presentation at the school that promised to show students a "mobile museum" of dinosaur fossils. This weekend presentation was hosted by the Creation Truth Foundation.

A copy of a second flyer, promoting this event to the community at large, is enclosed for your review. The flyer advertises the school presentation as a "free event looking at the world of dinosaurs and the fossils they left behind," while it advertises a separate presentation at Christ's Church as involving "how [dinosaurs] are described in the Bible." However, we understand that the Creation Truth Foundation promoted biblical creationism at both weekend events.

Local media reported that the flyer sent home with students made "no mention of the Creation Truth Foundation, simply listing the event and some of the fossils on display."<sup>1</sup> Board President Michael reportedly explained that the

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<sup>1</sup> Graham Milldrum, *Some parents thought creationist event was sponsored by school*, DAILY NEWS (Jan. 30, 2018), available at <https://goo.gl/785y9J>.

religious content of the school presentation was hidden because “we have limited free speech in a public school,” and that he thought mentioning the religious content of the school presentation would have been constitutionally problematic.<sup>2</sup>

As an initial matter, we understand that an outside group rented school facilities for the weekend presentation. Assuming this was done pursuant to a neutral policy, and the outside group paid reasonable rent for the space, we are not objecting to that rental or the content of the weekend presentation. However, we are concerned about the promotion of this religious event during school hours.

It is unconstitutional for a public school district to allow outside adults to promote a religious event to a captive audience of students during a school-sponsored presentation. While public schools certainly may host qualified presenters to teach students about dinosaurs, those presenters may not use this access to students to promote a presentation on biblical creationism, verbally or with flyers. Hiding the religious nature of the weekend presentation only makes the conduct seem more predatory because non-Christian students and parents will not realize the religious, anti-science nature of the event until the event is already underway.

We request assurances that the District will not allow the promotion of religious events at any future District-sponsored presentations. Specifically, if Christ’s Church or the Creation Truth Foundation rent school facilities again in the future for a similar creationist event, the District may not allow any promotion of that event during school hours, with or without a disclaimer about the event’s religious content.

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). 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).

We are aware that some Christian missionaries insinuate themselves into public schools through camouflaging their purposes and by professing to be experts in a secular field. It is incumbent on public officials to do “due diligence” when approached by outside groups with vested interests in pitching their message to a captive audience of public school students, even when those adults are affiliated with the school board president. In fact, the District should be especially cautious with respect to representatives of Christ’s Church since their promotion of religion during the school day gives the appearance that Michael is

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<sup>2</sup> *Id.*

deliberately using his position as school board president to promote his church's religious mission.

Though teaching students about dinosaurs through fossils is appropriate and commonplace, presentations about science should be led by scientists or other qualified experts. Inviting ministers or other church representatives to discuss topics like evolution or paleontology raises an obvious specter of creationism. When the same presenters also offer weekend presentations teaching creationism—which is to say, teaching that evolution and paleontology are false—the appearance of a religious purpose is overwhelming.

Teaching creationism or any of its offshoots, such as intelligent design, is religious instruction rather than science, because creationism is not based in fact. Courts have routinely found that such teachings are religious, despite many new and imaginative labels given to the alternatives. The Supreme Court struck down teaching of “scientific creationism” in public schools, *Edwards v. Aguillard*, 482 U.S. 578 (1987), and federal courts have consistently rejected creationism and its ilk in public schools ever since. Public school science lessons should never be taught by adults with an anti-science mission.

The District has a constitutional obligation to remain neutral toward religion. Parents, not the school district, are responsible for determining the religious or nonreligious upbringing of their children. We request that the District investigate these concerns and take reasonable steps to ensure that future District presentations do not include the promotion of religious events. We specifically discourage the use of unqualified church representatives instead of science educators to teach students about paleontology, including the fact that dinosaur fossils are hundreds of millions of years old. Please notify us in writing of the steps the District takes to avoid violating the Constitution and its students' rights of conscience.

Sincerely,



Ryan D. Jayne  
Staff Attorney

Enclosure

**TWO EVENTS:**

CENTRAL GRADE SCHOOL

10421 US-45, EFFINGHAM  
SATURDAY, JAN. 27, 2018  
10:00 A.M.

FREE EVENT LOOKING AT THE WORLD  
OF DINOSAURS AND THE FOSSILS  
THEY LEFT BEHIND.

CHRIST'S CHURCH

2511 S. VETERANS DR., EFFINGHAM  
SUNDAY, JAN. 28, 2018  
8:00 A.M. | 9:30 A.M. | 11:00 A.M.

FREE EVENT LOOKING AT THE WORLD  
OF DINOSAURS AND HOW THEY ARE  
DESCRIBED IN THE BIBLE.

FOR MORE INFORMATION ABOUT THESE EVENTS  
CALL CHRIST'S CHURCH AT 217-377-5705  
OR VISIT [CHRISTSCURCH.COM](http://CHRISTSCURCH.COM).

YOU WILL BE ABLE TO EXPLORE AND EXPERIENCE THE WORLD OF  
DINOSAURS WITH THE MOBILE MUSEUM OF EARTH'S HISTORY LOOK  
AT 28 OF THE WORLD'S MOST EXCITING FOSSILS. BROUGHT TO US  
BY THE CREATION TRUTH FOUNDATION ([CREATIONTRUTH.COM](http://CREATIONTRUTH.COM)).

THE MOBILE MUSEUM FEATURES:

- 5 FOOT SKULL OF TYRANNOSAURUS REX
- 21 FOOT LONG TRICERATOPS
- 20 FOOT LONG ALBERTOSAURUS
- 11 FOOT WIDE PTERANODON
- 10 INCH DINOSAUR EGG
- 10 INCH CAPROBITTE
- PLUS A LOT MORE.

