

# FREEDOM FROM RELIGION *foundation*

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October 4, 2019

**SENT VIA EMAIL & U.S. MAIL**

**fjohnstone@wilsonworley.com**

Frank Johnstone  
Wilson Worley PC  
2021 Meadowview Lane  
2nd Floor, Eastman Credit Union Bldg  
PO Box 88  
Kingsport, TN 37662

Re: Unconstitutional Church-School Partnership

Dear Mr. Johnstone:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding a constitutional violation occurring in Kingsport City Schools. As you may recall FFRF is a national nonprofit organization with more than 30,000 members across the country, including about 400 members and a local chapter in Tennessee. 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 local community member reached out to FFRF to inform us that John Adams Elementary School has entered into an official partnership with Christ Fellowship Church to set up a “mentoring ministry program” for students. This program allows church personnel to come into the school during the school day to interact with students. The Christ Fellowship Church has stated that the purpose of the program is for students to “see how and where God has all of this designed for them... [so that] ultimately they can see the love of Christ” Current mentors have described their roles as being a type of missionary work, and “an opportunity for me to share Jesus’ love.”

The District cannot allow its schools to be used as recruiting grounds for churches. 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 Ed.*, 333 U.S. 203 (1948). It is inappropriate and unconstitutional for the district to offer religious leaders unique access to its students during the school day, which signals school endorsement of religion.

Courts have repeatedly struck down public school practices that affiliate public schools with religious groups and religious instruction. *See, e.g., Doe ex rel. Doe v. Beaumont Indep. Sch. Dist.*, 173 F.3d 274 (5th Cir. 1999) (ruling that school partnership with clergy for counseling purposes violated Establishment Clause); *HS v. Huntington Cnty. Cmty. Sch. Corp.*, 616 F. Supp. 2d 863 (N.D. Ind. 2009) (issuing

preliminary injunction against school that allowed trailers on school property for religious instruction because to do so conveyed a message of support and endorsement of religion); *Doe by Doe v. Shenandoah Cnty. Sch. Bd.*, 737 F. Supp. 913 (W.D. Va. 1990) (issuing temporary restraining order against school finding that buses used for religious instruction parked in front of the school gave the appearance of school involvement and that school employees took part in recruitment efforts); *Doe v. Human*, 725 F. Supp. 1499 (W.D. Ark. 1989), *aff'd without opinion*, 923 F.2d 857 (8th Cir. 1990) (issuing preliminary injunction against school practice of having outsiders teach voluntary bible instruction in school)

This “[s]chool 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)).

The partnership between Christ Fellowship Church and John Adams Elementary School impermissibly advances religion, communicates a message of school district endorsement of religion and is marked by excessive entanglement between the school district and the church. 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.” *Id.* at 310 (quoting *Lee*, 505 U.S. 577, 589 (1992)).

The District must dissociate itself from Christ Fellowship Church. Please respond in writing letting us know what steps you are taking to address this matter.

Sincerely,



Dante CH Harootunian  
*Patrick O'Reiley Legal Fellow*  
*Freedom From Religion Foundation*

Enclosure



**Christ Fellowship**

August 15 · 🌐



From our Engage Ministry |

"Have you ever been a mentor or been mentored? Does walking in the life of a child to show the love of Jesus, influence in a positive direction, and offer an opportunity to be all God designed for them to be pull on your heart strings? If you answer YES then please apply now for our mentoring ministry program. We would love to have you." APPLY HERE:

<https://cfchurchforms.wufoo.com/.../christ-fellowship-studen.../>



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