

# FREEDOM FROM RELIGION *foundation*

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

October 11, 2019

**SENT VIA EMAIL & U.S. MAIL: [denise.yonts@letcher.kyschools.us](mailto:denise.yonts@letcher.kyschools.us)**

Denise Yonts  
Superintendent  
Letcher County Public Schools  
224 Parks Street  
Whitesburg, KY 41858

Re: Unconstitutional Religious Displays

Dear Superintendent Yonts:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding multiple constitutional violations occurring in Letcher County Public Schools. FFRF is a national nonprofit organization with more than 30,000 members across the country, including members and a chapter in Kentucky. 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 area resident has reported multiple instances of Letcher County Public Schools promoting and endorsing religious messages. Our complainant reports that Fleming Neon Middle School has a display in its hallway that says, "Jesus is my savior You cant scare me!" We also understand that Martha Jane Potter Elementary posted a prayer on its official Facebook page on August 12, 2019. Please see the enclosed photos.

The District violates the Constitution when it allows its schools to display religious symbols or messages, including messages posted on official social media channels. Public schools may not advance, prefer, or promote religion. *See 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). This display violates this basic constitutional prohibition by creating the appearance that the District prefers religion over nonreligion and Christianity over all other faiths.

Courts have continually held that school districts may not display religious messages or iconography in public schools. *See, e.g., Stone v. Graham*, 449 U.S. 39 (1980) (ruling that the Ten Commandments may not be displayed on classroom walls); *Lee v. York County*, 484 F.3d 689 (4th Cir. 2007) (ruling that a teacher may be barred from displaying religious messages on classroom bulletin boards); *Washegesic v. Bloomingdale Pub. Schs.*, 33 F. 3d 679 (6th Cir. 1994) (ruling that a picture of Jesus may not be displayed in a public school).

The Supreme Court has repeatedly noted that "[s]chool 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. v. Doe*, 530 U.S. 290, 309 (2000) (quoting *Lynch v. Donnelly*, 465 U.S. 668, 688 (1984) (O’Connor, J., concurring)). This message is particularly impermissible when it is presented to such young and impressionable students.

These religious displays are particularly inappropriate given that about 38% of Americans born after 1987 are not religious.<sup>1</sup> The displays alienate those nonreligious students, families, teachers, and members of the public whose religious beliefs are inconsistent with the messages being promoted by the District.

In recognition of the District’s constitutional obligation to remain neutral toward religion, please remove the display from Fleming Neon Middle School and ensure that District schools do not post religious messages on their official social media pages in the future. Please reply in writing with the steps the District is taking to remedy these constitutional violations.

Sincerely,




Christopher Line  
Staff Attorney  
*Freedom From Religion Foundation*

Enclosures

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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.prii.org/wp-content/uploads/2017/09/PRRI-Religion-Report.pdf](http://www.prii.org/wp-content/uploads/2017/09/PRRI-Religion-Report.pdf).



Jesus  
is my  
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You cant  
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## A PRAYER FOR OUR STUDENTS

DEAR GOD,  
THANK YOU FOR THE GIFT OF  
EDUCATION IN EVERY FORM.  
AS OUR CHILDREN PREPARE TO START A NEW YEAR  
MAY CONFIDENCE BE THEIR FOUNDATION,  
MAY GRACE BE THEIR GUIDE AND  
MAY HOPE BE THEIR COMPASS TOWARD A BRIGHT FUTURE.  
I PRAY THEY WOULD HAVE EYES TO SEE  
THE NEEDS OF THOSE AROUND THEM  
AND A HEART TO LOVE WELL.  
MAY THEY FACE EACH DAY WITH POSITIVITY  
KNOWING THAT NO MATTER  
WHAT COMES THEIR WAY,  
THEY DO NOT HAVE TO FACE IT ALONE.

AMEN

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