

# FREEDOM FROM RELIGION *foundation*

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

***hiled@lickingvalley.k12.oh.us***

Mr. David Hile  
Superintendent  
Licking Valley Local School District  
1379 Licking Valley Road NE  
Newark, OH 43055

Re: Constitutional Concerns over Jubilee Gang Assembly

Dear Superintendent Hile:

Our national organization, which works to protect the constitutional principle of separation between state and church, received another troubling report regarding religion in Licking Valley public schools. As you know, we've previously written to you about religious t-shirts with the Licking Valley High School marching band and high school coaches praying with the team. While we haven't received a response to either letter, we are happy to know the school district took swift corrective action.

I write again to alert you to an assembly that was put on by a religious organization at Licking Valley Elementary School. Our complainant reports that in September a group called Jubilee Gang presented an assembly at the elementary school. Jubilee Gang is described as a "fast paced multi media ministry to children..."<sup>1</sup> They continue to describe themselves as "very entertaining but 100% about ministry." The ministry states:

"It is our desire to see as many Men, Woman [sic], Boys, and Girls make a legitimate decision to follow Jesus and be BORN AGAIN. To stir up believers to be all they can be for God, Reach out to the world around them with the Good news of the Gospel, & to develop the Character of Jesus in their lives."<sup>2</sup>

Jerry Moyer, the founder of the organization, is described as "one of the top Children's Evangelist in America" and is said to be "able to communicate the gospel in a way that is simple enough for a child to understand..."<sup>3</sup>

Licking Valley Local Schools should refrain from hosting assemblies by overtly religious organizations and ministries in the future. Jubilee Gang's entire purpose and reason for being is to bring children to Christianity. It's hard to see any "secular" programming this organization

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<sup>1</sup> <http://www.jubileegang.com>

<sup>2</sup> <http://www.jubileegang.com/about.html>

<sup>3</sup> <http://www.jubileegang.com/>

could provide to public schools that would be presented without an ulterior motive. Indeed, Jubilee Gang boasted on their blog:

“In Newark, Ohio we did a public school assembly and were priveledged [sic] to encourage over 350 children to be all they can be in life. Then, we did a Sunday morning at More Life Church and had 7 children come forward to be born again.”<sup>4</sup>

We have concerns that invitations to Sunday’s event were distributed to the children at the assembly. Recruitment for religious programming as part of a school assembly is a violation of the Establishment Clause.

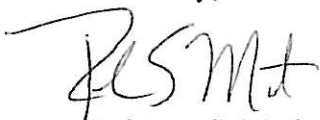
It is well settled that public schools may not advance or promote religion. *See generally, Lee v. Weisman*, 505 U.S. 577 (1992); *Wallace v. Jaffree*, 472 U.S. 38 (1985); *Epperson v. Arkansas*, 393 U.S. 97 (1967); *Sch. Dist. of Abington Twshp. v. Schempp*, 374 U.S. 203 (1963); *Engel v. Vitale*, 370 U.S. 421 (1962). Moreover, “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 (2001)(quoting *Lee v. Weisman*, 505 U.S. at 589). In *Lee v. Weisman*, 505 U.S. 577 (1992), the Supreme Court extended the prohibition of school sponsored religious activities beyond the classroom to all school functions.

The assembly presented by Jubilee Gang is especially concerning given the young age of many of the students in attendance. Additionally, regardless of the motives of the presenters or those who invited them, allowing an evangelical Christian organization access to your student body gives the appearance that Licking Valley Local School District endorses the program’s message. The “[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 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 (2001)(quoting *Lynch v. Donnelly*, 465 U.S. at 668)(O’Connor, J., concurring).

It is inappropriate to take away instructional time from students to expose them to a Christian proselytizing group, regardless of any secular message the group claims to be promoting. Students are a vulnerable and captive audience.

We request that the district refrain from sponsoring inappropriate assemblies in the future, and that you ensure no future assemblies or presentations from other groups contain an underlying proselytizing message or agenda. Please notify us in writing of the steps your District has taken to remedy this matter.

Sincerely,



Rebecca S. Markert  
Staff Attorney

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<sup>4</sup> <http://jubileegang.blogspot.com/>