

FREEDOM FROM RELIGION *foundation*

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November 26, 2014

SENT BY U.S. MAIL & ELECTRONIC MAIL

hiled@lickingvalley.k12.oh.us

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

Re: Football Team Chaplain

Dear Mr. Hile:

Our national organization previously sent you three letters about religion in Licking Valley Local School District (District). Unfortunately, I write again because another concerned citizen contacted the Freedom From Religion Foundation about more religion in the Licking Valley High School (LVHS) football program. We expect a written response to these concerns.

It is our information and understanding that LVHS high school football program includes a chaplain. Our complainant reports that a youth pastor, Jeff Hawkins, is allowed access to the team players to “evangelize every Thursday after practice, and every Friday before games.” We understand he stays for the games acting as a “water boy.” Our complainant reports that on November 7th, before LVHS played Maysville, the chaplain led the team in prayer in the locker room. Our complainant reports that he’s held the role of team chaplain since 1996.

The appointment of team chaplains, formal or de facto, for a public high school athletic team violates the Constitution.

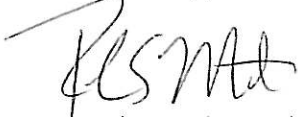
As you are aware, it is illegal for a public school to organize, sponsor, or lead prayers at public high school athletic events. Accordingly, public high school football teams cannot appoint or employ a chaplain, seek out a spiritual leader for the team, or agree to have a volunteer team chaplain, because public schools may not advance or promote religion. *See generally, Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290 (2000); *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). In all of the aforementioned cases, the federal courts have struck down prayer in public schools because it constitutes a government endorsement of religion, which violates the Establishment Clause of the First Amendment.

School endorsement of Christianity is particularly troubling for those parents and students who are not Christians or are nonbelievers. 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. School Dist.*, 530 U.S. at 309-10 (quoting *Lynch v. Donnelly*, 465 U.S. at 668, 688 (1984)(O’Connor, J., concurring)).

FFRF is deeply troubled that in the last few months we have heard from several different residents about religion in the District schools. We are pleased that the District took swift action to correct the violations with coaches participating in team prayer circles. That was not enough. The football program appears to have a culture of religion, particularly Christianity, that is not only inappropriate, but also unconstitutional in a public school. The entire program must be evaluated to ensure every aspect complies with constitutional dictates. Furthermore, a training for all public school employees on their obligations under the Constitution is in order.

The District must take appropriate action to divorce the school from any chaplaincy. Please notify us in writing of the steps your District has taken to remedy these matters.

Sincerely,

A handwritten signature in black ink, appearing to read 'RSM', is written over a horizontal line.

Rebecca S. Markert
Staff Attorney