

FREEDOM FROM RELIGION *foundation*

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August 31, 2018

SENT VIA EMAIL & U.S. MAIL: ptlucas@k12.wv.us

Patricia Lucas
Superintendent
Logan County Schools
506 Holly Avenue
Logan, WV 25601

Re: Multiple Constitutional Violations

Dear Superintendent Lucas:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding multiple constitutional violations occurring in Logan County Schools (LCS). FFRF is a national nonprofit organization with 32,000 members across the country, including members in West Virginia. 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 parent has reported multiple constitutional violations that recently occurred in Logan County Schools. We've written to LCS regarding these same issues in the past. We ask that you investigate the following violations and take concrete action to ensure that these violations will not continue to occur.

Unconstitutional Prayer at Athletic Events

Our complainant reported that on August 23, 2018, Logan High School broadcasted a Christian prayer over the loudspeaker prior to a football game against Man High School. We wrote to LCS in 2017 regarding this same violation occurring at Man High School and you responded on April 16, 2018 that you had provided Man High School with a copy of LCS' policy on religious observances. We understood this to mean that you had resolved this issue, but apparently that was not the case.

As you are aware, it is illegal for a public school to sponsor religious messages at school athletic events. The Supreme Court has continually struck down school-sponsored prayer in public schools. *See, e.g., Lee v. Weisman*, 505 U.S. 577 (1992) (ruling prayers at public school graduations an impermissible establishment of religion); *Wallace v. Jaffree*, 472 U.S. 38 (1985) (overturning law requiring daily "period of silence not to exceed one minute . . . for meditation or daily prayer."); *Abington Twp. Sch. Dist. v. Schempp*, 374 U.S. 203 (1963) (declaring unconstitutional devotional Bible reading and recitation of the Lord's Prayer in public schools); *Engel v. Vitale*, 370 U.S. 421 (1962) (finding prayers in public schools unconstitutional).

Moreover, the Supreme Court has specifically struck down invocations given over the loudspeaker at public school athletic events, even when student-led. *Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290, 320 (2000) (striking down a school policy that authorized students to vote on whether to have a prayer at high school football games). The Court reasoned that because the football game was a school-sponsored event, hosting prayer was a constitutional violation. *Id.* at 307. Even if student-led, the Court said prayers at a “regularly scheduled school-sponsored function conducted on school property” would lead an objective observer to perceive it as state endorsement of religion. *Id.* at 308.

Like the prayer practices in *Santa Fe*, the prayers at District football games are also inappropriate and unconstitutional. Not only is the District endorsing these prayers by allotting time for them at the start of games, but it is also providing the prayer-giver with the public address system needed to impose these prayers on all students and community members at games. Public school events must be secular to protect the freedom of conscience of all students. A reasonable District student would certainly perceive the prayers “as stamped with her school’s seal of approval.” *Id.*

LCS must take immediate action to end the practice of scheduling prayer at all school-sponsored events and end the use of District equipment to project prayers to the public.

Unconstitutional Religious Assembly and Distribution

We first wrote to Logan County Schools regarding religious assemblies occurring in its schools during the school day in 2016. We received a response on May 23, 2016 from then-Superintendent Phyllis Doty informing us that “steps have been taken to ensure that all principals are fully aware of the legal obligations school systems have to remain neutral towards religion.” Despite this assurance, religious assemblies have continued to occur in the district.

Our complainant reported that on August 24, 2018, their child came home with a religious pamphlet from Man Middle School entitled, “The Romans Road Plan of Salvation & The Epistle to the Romans.” It includes full excerpts from the bible, including topics titled, “Blood Redemption,” “Repentance,” and “Believe God’s Book.” The “Believe God’s Book” section declares, “We must accept the Word of God, the Bible, as the only immutable truth.” Please see the enclosed photos. Our complainant reports that this was distributed to students following a “Christian magic show” that took place at the school. We understand that the group that put on this show proselytized to students and then distributed these religious pamphlets and other Christian themed materials. We understand this event took place during the school day.

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. It is well settled that public schools may not advance or promote religion. *See generally, Lee*, 505 U.S. 577; *Wallace*, 472 U.S. 38; *Epperson v. Ark.*, 393 U.S. 97 (1967); *Schempp*, 374 U.S. 203; *Engel*, 370 U.S. 421.

Moreover, “the preservation and transmission of religious beliefs and worship is a responsibility and a choice committed to the private sphere.” *Santa Fe*, 530 U.S. 290, 310 (quoting *Lee*, 505 U.S. at 589). In *Lee*, the Supreme Court extended the prohibition of school sponsored religious activities beyond the classroom to all school functions, holding prayers at public high school

graduations an impermissible establishment of religion. Thus, religious programming as part of a school assembly is in violation of the Establishment Clause.

Students are a vulnerable and captive audience. 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 an accompanying message to adherents that they are insiders, favored members of the political community.’” *Santa Fe*, 530 U.S. at 309-10 (quoting *Lynch v. Donnelly*, 465 U.S. 668, 688 (1984) (O’Connor, J., concurring)). This excludes the 38% of millennials who are nonreligious.¹

Public schools have a constitutional obligation not to promote religion. When a school hosts a religious assemble and distributes religious literature to its students, it has unconstitutionally entangled itself with a religious message – in this case, a Christian message. This alienates those non-Christian students, teachers, and members of the public whose religious beliefs are inconsistent with the message being promoted by the school.

We request that LCS refrain from sponsoring inappropriate and unconstitutional assemblies in the future, that you ensure no future assemblies from outside groups contain an underlying proselytizing message or agenda, and that religious materials are no longer distributed to students. LCS should also take immediate action to end the practice of scheduling prayer at all school-sponsored events and end the use of District equipment to project prayers to the public. Please inform us in writing of the steps the District takes to remedy these serious violations of the First Amendment so that we may inform our complainant.

Sincerely,



Christopher Line
Patrick O’Reiley Legal Fellow
Freedom From Religion Foundation

Enclosures

¹ Robert P. Jones & Daniel Cox, *America’s Changing Religious Identity*, PUBLIC RELIGION RESEARCH INSTITUTE (Sept. 6, 2017), available at www.prrri.org/wp-content/uploads/2017/09/PRRI-Religion-Report.pdf.

The Romans Road
Plan of Salvation
&
The Epistle to the
Romans



The Seed of Life

NOT FOR SALE

THE EPISTLE OF PAUL, THE APOSTLE.

TO THE ROMANS

CHAPTER 1

1 PAUL, a servant of Jesus Christ, called to be an apostle, separated unto the gospel of God.

2 (Which he had promised afore by his prophets in the holy scriptures.)

3 Concerning his Son Jesus Christ our Lord, which was made of the seed of David according to the flesh;

4 And declared to be the Son of God with power, according to the spirit of holiness, by the resurrection from the dead;

5 By whom we have received grace and apostleship, for obedience to the faith among all nations, for his name:

6 Among whom are ye also called of Jesus Christ.

7 To all that be in Rome, beloved of God, called to be saints: Grace to you and peace from God our Father and the Lord Jesus Christ.

8 First, I thank my God through Jesus Christ for you all that your faith is spoken of throughout the whole world.

9 For God is my witness, whom I serve with my spirit in the gospel of his Son, that without ceasing I make mention of you always in my prayers.

10 Making request, if by any means now at length I might have a prosperous journey by the will of God to come unto you.

11 For I long to see you, that I may impart unto you some spiritual gift, to the end ye may be established.

12 That is, that I may be comforted together with you by the mutual faith both of you and me.

13 Now I would not have you ignorant, brethren, that oftentimes I purposed to come unto you, but was let hindered; that I might have some fruit among you also, even as among other Gentiles.

14 I am debtor both to the Greeks, and to the Barbarians; both to the wise, and to the unwise.

15 So, as much as in me is, I am ready to preach the gospel to you that are at Rome also.

16 For I am not ashamed of the gospel of Christ: for it is the power of God unto salvation to every one that believeth, to the Jew first, and also to the Greek.

17 For therein is the righteousness of God revealed from faith to faith: as it is written, The just shall live by faith.

18 For the wrath of God is revealed from heaven against all ungodliness and unrighteousness of men, who hold the truth in unrighteousness;

19 Because that which is known of God is manifested in them, for God hath showed it unto them.

20 For the invisible things of him from the creation of the world are clearly seen, being understood by the things that are made, even his eternal power and Godhead, so that they are without excuse.

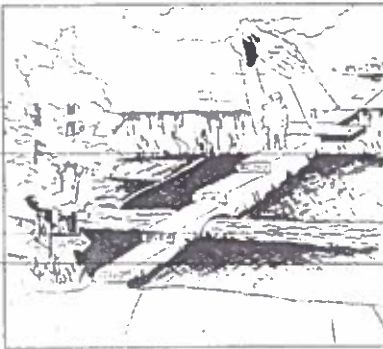
21 Therefore they, when they knew God, they glorified him not as God, neither were thankful; but became vain in their imaginations, and their foolish heart was darkened.

22 Professing themselves to be wise, they became fools.

23 And changed the glory of the

That if thou shalt confess with thy mouth the Lord Jesus, and shalt believe in thine heart that God hath raised him from the dead, thou shalt be saved. For with the heart man believeth unto righteousness; and with the mouth confession is made unto salvation. (Romans 10:9&10)

For whosoever shall call upon the name of the Lord shall be saved. (Romans 10:13)



like also, that it was unputed to him.

24 But for us also, to whom it shall be imputed, if we believe on him that raised up Jesus our Lord from the dead:

25 Who was delivered for our offences, and was raised again for our justification.

CHAPTER 5

1 THOUGH we being justified by faith, we have peace with God through our Lord Jesus Christ.

2 By whom also we have access by faith into this grace wherein we stand, and rejoice in hope of the glory of God.

3 And not only so, but we glory in tribulations also: knowing that tribulation worketh patience;

4 And patience, experience; and experience, hope;

5 And hope maketh not ashamed: because the love of God is shed abroad in our hearts by the Holy Ghost which is given unto us.

6 For when we were yet without strength, in due time Christ died for the ungodly.

7 For scarce for a righteous man will one die: yet peradventure for a good man some would even dare to die.

8 But God commendeth his love toward us, in that, while we were yet sinners, Christ died for us.

9 Much more then, being now justified by his blood, we shall be saved from wrath through him.

10 For if, when we were enemies, we were reconciled to God by the death of his Son, much more, being reconciled, we shall be saved by his life.

11 And not only so, but we also joy

in God through our Lord Jesus Christ, by whom we have now received the atonement.

12 Wherefore, as by one man sin entered into the world, and death by sin; and so death passed upon all men, for that all have sinned.

13 (For until the law sin was in the world: but sin is not imputed when there is no law.

14 Nevertheless death reigned from Adam to Moses, even over them that had not sinned after the similitude of Adam's transgression, who is the figure of him that was to come.

15 But not as the offence, so also is the free gift. For if through the offence of one man be dead, much more the grace of God, and the gift by grace, which is by one man, Jesus Christ, hath abounded unto many.)

16 And not as it was by one that sinned, so is the gift: for the judgment was by one to condemnation, but the free gift is of many offences unto justification.

17 For if by one man's offence death reigned by one, much more they which receive abundance of grace and of the gift of righteousness, shall reign in life by one Jesus Christ.)

18 Therefore as by the offence of one judgment came upon all men to condemnation; even so by the righteousness of one the free gift came upon all men unto justification of life.

19 For as by one man's disobedience many were made sinners, so by the obedience of one shall many be made righteous.

20 Moreover the law entered, that the offence might abound: but where

CHAPTER 7

5 But the gift of God is eternal life through Jesus Christ our Lord.

CHAPTER 7

1 KNOW ye not, brethren, (for I speak to them that knew the law,) how that the law hath dominion over a man as long as he liveth?

2 So for the woman which hath an husband is bound by the law to her husband so long as he liveth; but if the husband be dead, she is freed from the law of her husband.

3 So then if, while her husband liveth, she be married to another man, she shall be called an adulteress: but if her husband be dead, she is free from that law; so that she is no adulteress, though she be married to another man.

4 Wherefore, my brethren, ye also are become dead to the law by the body of Christ; that ye should be married to another, even to him who is raised from the dead, that we should bring forth fruit unto God.

5 For when we were in the flesh, the motions of sin, which were by the law, did work in our members to bring forth fruit unto death.

6 But now we are delivered from the law, that being dead wherein we were held; that we should serve in newness of spirit, and not in the oldness of the letter.

7 What shall we say then? Is the law unprofitable? God forbid. Nay, I had not known sin, but by the law: for I had not known lust, except the law had said, Thou shalt not covet.

8 But sin, taking occasion by the commandment, wrought in me all manner of concupiscence. For without the law sin was dead.

9 For I was alive without the law

mer: but when the commandment came, sin revived, and I died.

10 And the commandment, which was ordained to life, I found to be unto death.

11 For sin, taking occasion by the commandment, deceived me, and by it slew me.

12 Wherefore the law is holy, and the commandment holy, and just, and good.

13 Was then that which is good made death unto me? God forbid. But sin, that it might appear sin, working death in me by that which is good; that sin by the commandment might become exceeding sinful.

14 For we know that the law is spiritual: but I am carnal, sold under sin.

15 For that which I do I allow not: for what I would, that do I not: but what I hate, that do I.

16 If then I do that which I would not, I consent unto the law that it is good.

17 Now then it is no more I that do it, but sin that dwelleth in me.

18 For I know that in me (that is, in my flesh,) dwelleth no good thing: for to will is present with me, but how to perform that which is good I find not.

19 For the good that I would I do not: but the evil which I would not, that I do.

20 Now if I do that I would not, I consent no more: for the law is good.

21 For I delight in the law of God after the inward man:

22 But I see another law in my members, warring against the law of

Blood Redemption

At this point you may be thinking: "Paul certainly seems to say that eternal life is free, but I still can't believe I can obtain something of such value for nothing. There's still no such thing as a free lunch." Congratulations, you have correctly analyzed the situation. Eternal life is so valuable no one can afford it.

Now, I want to tell you an old story. God created man with a free choice of will to serve God or serve himself. Man chose poorly and rebelled against God. God had already established the penalty for rebellion as eternity in hell but He loved mankind and did not want to destroy him. The solution, was God's decision to send His only begotten Son into the world. He lived and died as a man to pay the penalty for each of us.

But God commendeth his love toward us, in that, while we were yet sinners, Christ died for us.
(Romans 5:8)

Jesus lived a sinless life for 33^{1/2} years and then was hung on a cross by the Roman soldiers of His day. The blood He shed on that cross was the very blood of God and is sufficient to wash all our sins away if we request it. Jesus was buried in a tomb but proving Himself to be God Almighty in the flesh. He conquered death and hell and arose from the dead.

6

Repentance

If you have not successfully passed the temptation to follow the Path of Sin, now is the time to turn from your sin. The act of turning away from sin is called repentance and this is absolutely necessary to get the gift of eternal life Paul spoke of on the previous page.

"Or despisest thou the riches of his goodness and forbearance and longsuffering; not knowing that the goodness of God leadeth thee to repentance?"
(Romans 2:4)



7

the Gentiles, which followed not after righteousness, have attained to righteousness, even the

righteousness which is of faith. 31 But Israel, which followed after the law of righteousness, hath not attained to the law of righteousness.

32 Wherefore? Because they sought it not by faith, but as it were by the works of the law. For they stumbled at that stumblingstone;

33 As it is written, Behold, I lay in Sion a stumblingstone and rock of offence: and whosoever believeth on him shall not be ashamed.

CHAPTER 10

BRETHRENS, my heart's desire and prayer to God for Israel is, that they might be saved.

2 For I bear them record that they have a zeal of God, but not according to knowledge.

3 For they being ignorant of God's righteousness, and going about to establish their own righteousness, have not submitted themselves unto the righteousness of God.

4 For Christ is the end of the law for righteousness to every one that believeth.

5 For Moses describeth the righteousness which is of the law, That the man which doeth those things shall live by them.

6 But the righteousness which is of faith speaketh on this wise, Say not in thine heart, Who shall ascend into heaven? (that is, to bring Christ down from above:)

7 Or, Who shall descend into the deep? (that is, to bring up Christ again from the dead.)

8 But what saith it? The word is nigh thee, even in thy mouth, and in thy heart: that is, the word of faith,

which we preach:

9 That if thou shalt confess with thy mouth the Lord Jesus, and shalt believe in thine heart that God hath raised him from the dead, thou shalt be saved.

10 For with the heart man believeth unto righteousness; and with the mouth confession is made unto salvation.

11 For the scripture saith, Whosoever believeth on him shall not be ashamed.

12 For there is no difference between the Jew and the Greek: for the same Lord over all is rich unto all that call upon him.

13 For whosoever shall call upon the name of the Lord shall be saved.

14 How then shall they call on him in whom they have not believed? and how shall they believe in him of whom they have not heard? and how shall they hear without a preacher?

15 And how shall they preach, except they be sent? as it is written, How beautiful are the feet of them that preach the gospel of peace, and bring glad tidings of good things!

16 But they have not all obeyed the gospel. For Esaias saith, Lord, who hath believed our report?

17 So then faith cometh by hearing, and hearing by the word of God.

18 But I say, Have they not heard? Yes verily, their sound went into all the earth: and their words unto the ends of the world.

19 But I say, Did not Israel know?

First Moses saith, I will provoke you to jealousy by them that are no people, and by a foolish nation I will anger you.

20 But Esaias is very bold, and saith, I was found of them that

© See Rom 10 (3) Page 23

23 Additional Information Page 11

CHAPTER 12

fell, severity: but toward thee, goodness; if thou continue in his goodness: otherwise thou also shall be cut off.

23 And they also, if they abide not still in unbelief, shall be grafted in: for God is able to graft them in again.

24 For if thou wert cut out of the olive tree which is wild by nature, and wert grafted contrary to nature into a good olive tree: how much more shall these, which be the natural branches, be grafted into their own olive tree?

25 For I would not, brethren, that ye should be ignorant of this mystery, lest ye should be wise in your own conceits; that blindness in part is happened to Israel, until the fulness of the Gentiles be come in:

26 And so all Israel shall be saved: as it is written, There shall come out of Sion the Deliverer, and shall turn away ungodliness from Jacob;

27 For this is my covenant unto them, when I shall take away their sin.

28 As concerning the gospel, they are enemies for your sakes; but as touching the election, they are beloved for the fathers' sakes.

29 For the gifts and calling of God are without repentance.

30 For as ye in times past have not believed God, yet have now obtained mercy through their unbelief.

31 Even so have these also now not believed, that through your mercy they also may obtain mercy.

32 For God hath concluded them all in unbelief, that he might have mercy upon all.

33 O the depth of the riches both of the wisdom and knowledge of God! how unsearchable are his

judgments, and his ways past finding out!

34 For who hath known the mind of the Lord? or who hath been his counsellor?

35 Or who hath first given to him, and it shall be recompensed unto him again?

36 For of him, and through him, and to him, are all things: to whom be glory for ever. Amen.

CHAPTER 12

BENEFICIAL you therefore, brethren, by the mercies of God, that ye present your bodies a living sacrifice, holy, acceptable unto God, which is your reasonable service.

2 And be not conformed to this world: but be ye transformed by the renewing of your mind, that ye may prove what is that good, and acceptable, and perfect, will of God.

3 I or I say, through the grace given unto me, to every man that is among you, not to think of himself more highly than he ought to think; but to think soberly, as God hath dealt to every man the measure of faith.

4 For as we have many members in one body, and all members have not the same office;

5 So we, being many, are one body in Christ, and every one members one of another.

6 Having then gifts differing according to the grace that is given to us, whether prophecy, let us prophesy according to the measure of the

proportion of faith;

7 Or ministry, let us wait on our ministering: or he that teacheth, on teaching;

8 Or he that exhorteth, let him

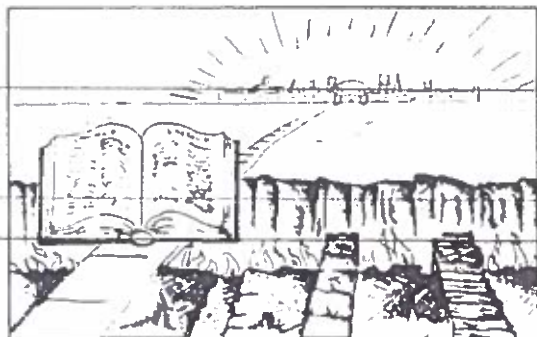
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Believe God's Book

As your guide, I must warn you that the philosophies of this world lead to a dead end. We must accept the Word of God, the Bible, as the only immutable truth. Unless you do this, you will get lost in a maze and may never get back to the Romans Road.

**"But what saith it? The word is nigh thee,
even in thy mouth, and in thy heart:
that is, the word of faith, which we preach;"
(Romans 10:8)**

**"So then faith cometh by hearing,
and hearing by the word of God."
(Romans 10:17)**



than when we believed.

12 The night is far spent, the day is at hand; let us therefore cast off the works of darkness, and let us put on the armour of light.

13 Let us walk honestly, as in the day; not in rioting and drunkenness, not in chambering and wantonness, not in strife and envying.

14 But put ye on the Lord Jesus Christ, and make not provision for the flesh, to fulfil the lusts thereof.

CHAPTER 14

HIM that is weak in the faith receive ye, but not to doubtful disputations.

2 For one believeth that he may eat all things; another, who is weak, eateth herbs.

3 Let not him that eateth despise him that eateth not; and let not him which eateth not judge him that eateth: for God hath received him.

4 Who art thou that judgest another man's servant? to his own master he standeth or falleth. Yea, he shall be holden up: for God is able to make him stand.

5 One man esteemeth one day above another: another esteemeth every day alike. Let every man be fully persuaded in his own mind.

6 He that regardeth the day, regardeth it unto the Lord; and he that regardeth not the day, to the Lord he doth not regard it. He that eateth, eateth to the Lord, for he giveth God thanks; and he that eateth not to the Lord he eateth not, and giveth God thanks.

7 For none of us liveth to himself, and no man dieth to himself.

8 For whether we live, we live unto the Lord; and whether we die, we die unto the Lord; whether we live

CHAPTER 14

therefore, or die, we are the Lord's.
9 For to this end Christ both died, and rose, and revived, that he might be Lord both of the dead and living.

10 But why dost thou judge thy brother? or why dost thou set at naught thy brother? for we shall all stand before the judgment seat of Christ.

11 For it is written, As I live, saith the Lord, every knee shall bow to me, and every tongue shall confess to God.

12 So then every one of us shall give account of himself to God.

13 Let us not therefore judge one another any more: but judge this rather, that no man put a stumblingblock or an occasion to fall in his brother's way.

14 I know, and am persuaded by the Lord Jesus, that there is nothing unclean of itself: but to him that esteemeth any thing to be unclean, to him it is unclean.

15 But if thy brother be grieved with thy meat, now walkest thou not charitably. Destroy not him with thy meat, for whom Christ died.

16 Let not then your good be evil spoken of:

17 For the kingdom of God is not meat and drink; but righteousness, and peace, and joy in the Holy Ghost.

18 For he that in these things serveth Christ is acceptable to God, and approved of men.

19 Let us therefore follow after the things which make for peace, and things wherewith one may edify another.

20 For meat destroy not the work of God. All things indeed are pure; but it is evil for that man who eateth with offence.