

FREEDOM FROM RELIGION *foundation*

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February 26, 2018

SENT VIA EMAIL AND U.S. MAIL:
driverdb@milwaukee.k12.wi.us

Dr. Darienne Driver
Superintendent
Milwaukee Public Schools
5225 W. Vliet Street
Milwaukee, WI 53208

Re: Substitute teacher preaching to students

Dear Superintendent Driver:

I am writing on behalf of the Freedom From Religion Foundation to alert you to a constitutional violation involving a substitute teacher in your district. FFRF is a Wisconsin-based national nonprofit organization with more than 32,000 members across the country, including more than 1,300 in Wisconsin. FFRF's 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 local resident contacted us to report that Mr. Jason Storms posted the following message on social media on February 8, 2018:

I just received my license to substitute teach in Milwaukee Public Schools. Had my first day in the classroom today. I discovered a newfound appreciation for the good hard-working teachers out there, and also reaffirmed my disgust with the public education system.

On a positive note, **I got to share my testimony and preach boldly to hundreds of students for hours, while the state paid me.** The principal told me she heard nothing but positive things. The fun thing about substitute teaching is it is very flexible. I can go in as much or as little as I want, hope to be able to do this at least a couple times a month. **#PreachTheGospel**
#MakeDisciples

(emphasis added). Please see the enclosed image. We request that you immediately investigate Storms' promotion of religion in the classroom. Since Storms admittedly uses his position to "boldly" preach to students and to "make disciples," instead of focusing on the substitute lesson plans or otherwise teaching students appropriate secular lessons, we request assurances that Storms will not teach at Milwaukee Public Schools again. We also request assurances that in the future all new substitute teachers at MPS will be clearly informed that they are not permitted to promote religion while acting in their official capacity as MPS teachers.

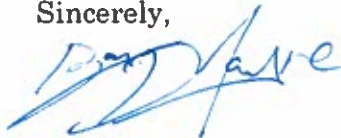
As you are certainly aware, it is well settled that public schools may not advance or promote religion. *See generally Lee v. Weisman*, 505 U.S. 577 (1992); *Wallace v. Jaffree*, 472 U.S. 38 (1985); *Epperson v. Arkansas*, 393 U.S. 97 (1967); *Sch. Dist. of Abington Twp. v. Schempp*, 374 U.S. 203 (1963); *Engel v. Vitale*, 370 U.S. 421 (1962). 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 (2000) (quoting *Weisman*, 505 U.S. at 589).

It is unconstitutional and completely inappropriate for a public school teacher, even a substitute, to “share [his religious] testimony,” “preach the gospel,” or seek to “make disciples” in the classroom. Parents expect that public school teachers will act in accordance with the Constitution and refrain from proselytizing students. “Families entrust public schools with the education of their children, but condition their trust on the understanding that the classroom will not purposely be used to advance religious views that may conflict with the private beliefs of the student and his or her family.” *Edwards v. Aguillard*, 482 U.S. 578, 584 (1987).

If MPS allows substitute teachers into the classroom without being informed of their constitutional obligations under the First Amendment, this must be corrected immediately. However, even if Storms was not properly trained in this area, his open “disgust with the public education system,” and his bragging about preaching to students “for hours, while the state paid me” demonstrate that he is not suited to be an MPS substitute teacher even if he were to provide assurances that he would stop preaching to students.

We respectfully request assurances that Jason Storms will not be employed as a substitute teacher at MPS in the future. Further, a formal apology to the parents of any affected students is warranted, since parental trust was so brazenly betrayed. Finally, we request assurances that all new District substitute teachers will be properly trained in their constitutional obligations as employees of a public school. We look forward to a written response at your earliest convenience so that we may notify our complainant that this serious and flagrant First Amendment violation will not reoccur.

Sincerely,



Ryan D. Jayne
Staff Attorney

Enclosure



Jason Storms

February 8 at 9:50pm · 11



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