

# FREEDOM FROM RELIGION *foundation*

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**SENT VIA U.S. MAIL AND EMAIL TO: [frank.taylor@atchisonlaw.com](mailto:frank.taylor@atchisonlaw.com)**

Frank G. Taylor  
The Atchison Firm, P.C.  
3030 Knollwood Drive  
Mobile, AL 36693

Re: Continued Religious Promotion at Mandatory Staff Meetings

Dear Mr. Taylor:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding a serious constitutional violation that occurred again in Mobile County Public Schools (MCPS). As you will recall, we wrote to you last year after Pastor Vint Norris delivered a sermon during a mandatory MCPS staff meeting on August 2, 2018. You informed us that “the administration has addressed this issue,” but multiple MCPS staff members have reported that a sermon was delivered at this year’s mandatory staff meeting.

Multiple MCPS staff members have reported that on August 2, 2019, all MCPS employees were required to attend an institute “pep rally” to kick off the new school year. We understand that as part of this mandatory staff event, a student named “Pastor Jordan” delivered a prayer followed by a five-minute-long sermon:<sup>1</sup>

Now at this time let us pray. Please bow your heads. Lord as we come before You this morning, we lift up the Mobile County Public School System, asking You to lead, guide, and protect and direct in the way You will have us to go. God, You not only grant wisdom to lead us, but You are wisdom Yourself. Continue to bless the Mobile County Public School System in the name of the Father, in the name of the Son, in the name of the Holy Spirit, everybody say Amen.

This prayer was followed by a long sermon which included multiple bible verses and sectarian religious messages.

We ask that MCPS stop violating its employees’ constitutional rights by scheduling prayer at District meetings and events, and request assurances that this unconstitutional conduct will no longer occur.

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<sup>1</sup> <https://www.facebook.com/natalie.majorpeoples/videos/2502901333074457/>

As you are aware, MCPS has a constitutional obligation not to promote religion. The Supreme Court has said time and again, “[t]he touchstone for our analysis is the principle that the ‘First Amendment mandates governmental neutrality between religion and religion, and between religion and nonreligion.’” *McCreary Cnty., Ky. v. Am. Civil Liberties Union of Ky.*, 545 U.S. 844, 860 (2005) (quoting *Epperson v. Arkansas*, 393 U.S. 97, 104 (1968); *Everson v. Bd. of Educ. of Ewing*, 330 U.S. 1, 15-16 (1947); *Wallace v. Jaffree*, 472 U.S. 38, 53 (1985)) (emphasis added). The district must respect that “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 *Lee v. Weisman*, 505 U.S. 577, 589 (1992) (O’Connor, J., concurring)). By imposing prayer on its employees at district-sponsored events, the district is violating these constitutional limits on government religious endorsement.

Federal courts have held that mandatory meetings for government employees cannot promote religion. See *Milwaukee Deputy Sheriff’s Ass’n v. Clarke*, 588 F.3d 523, 525-26 (7th Cir. 2009) (holding religious speech by a sheriff, bible readings, and distribution of Christian literature during mandatory employee meetings unconstitutional under the Establishment Clause); *Warnock v. Archer*, 380 F.3d 1076, 1080-81 (8th Cir. 2004) (prohibiting public school district from orchestrating or supervising prayers at mandatory teacher meetings and in-service training).

Besides the legal issues, there are many good policy reasons to end this prayer practice. Prayer at government-sponsored events is unnecessary, inappropriate, and divisive. While individuals are certainly free to pray privately or to worship on their own time in their own way, calling upon MCPS employees to participate in prayer is coercive and beyond the scope of a secular employer. Such prayer creates acrimony, makes minorities feel like political outsiders in their own place of work, and shows unconstitutional governmental preference for religion over nonreligion. Not only is it rude and insensitive for a government institution to inflict Christian prayer on all employees despite their personal beliefs, but it may also constitute workplace harassment.

These prayers inappropriately alienate non-religious employees and employees who practice a minority religion. Their participation in these mandatory meetings is adversely affected by these prayers, which turn them into outsiders in their workplace. Please end the practice of prayer at all district meetings and events. Please inform us in writing of the actions the District is taking to remedy this situation so we may notify our complainants.

Sincerely,



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