

FREEDOM FROM RELIGION *foundation*

P.O. BOX 750 · MADISON, WI 53701 · (608) 256-8900 · WWW.FFRF.ORG

October 31, 2014

SENT BY MAIL AND EMAIL TO: jkaufman@mtvernonisd.net

Mr. John Kaufman
Superintendent
Mt. Vernon Independent School District
501 Highway 37 South
Mt. Vernon, TX 75457

Re: Pervasive religious endorsement within MVISD

Dear Superintendent Kaufman:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) to alert you to several constitutional violations occurring with Mt. Vernon ISD (District). FFRF is a nonprofit organization with more than 21,500 members nationwide, including over 900 in Texas. Our purpose is to protect the constitutional principle of the separation between state and church.

A concerned member of the District community contacted us to report multiple issues with District schools and employees overtly promoting religion. We write to ask that the District address each of these issues in order to ensure that its schools remain neutral toward religion as required by the Establishment Clause of the First Amendment.

Crosses and Religious Promotion in Classrooms

Our complainant reports that in one Mt. Vernon Elementary School kindergarten classroom, Ms. Stuart "has approximately ten crosses displayed on the wall next to her desk." Several of these crosses have specific bible verses printed on them, such as "The Lord your God will be with you Wherever you go. Joshua 1:9." See enclosed photo (1). In the District's high school, Ms. Campbell has a poster of "BIBLE VERSES FOR TEACHERS" (all from the New Testament) displayed at the front of her Spanish classroom. See enclosed photo (2).

Public schools have a duty to ensure that "subsidized teachers do not inculcate religion" or use their positions of authority to promote a particular religious viewpoint. *Lemon v. Kurtzman*, 403 U.S. 602, 619 (1971). The Supreme Court has recognized that "[f]amilies 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). When teachers place Latin crosses or bible quotes on classroom walls, they have unconstitutionally entangled the school with a religious message, specifically a Christian message.

Courts have continually held that school districts may not display religious messages or iconography in public schools. *See generally, Stone v. Graham*, 449 U.S. 39 (1980) (ruling that the Ten Commandments may not be displayed on classroom walls); *Washegesic v. Bloomington Pub. Schs.*, 813 F. Supp. 559 (W.D. Mi. 1993), *aff'd* 33 F. 3d 679 (6th Cir. 1994) (ruling that a picture of Jesus may not be displayed in a public school); *Ahlquist v. City of Cranston ex rel. Strom*, 840 F. Supp. 2d 507 (D.R.I. 2012) (striking down a prayer mural in a high school auditorium).

FFRF and the ACLU of Ohio recently sued and settled a lawsuit over a Jesus portrait in a Jackson, Ohio public school, where the legal issues were virtually identical to those presented in the case of Latin crosses in classrooms. The Jackson, Ohio school district ended up paying \$95,000 in court costs and legal fees, and of course the portrait was removed. In *Ahlquist*, the ACLU sued a school district after it refused to remove prayer murals from its school addressed to "Our Heavenly Father." 840 F. Supp. 2d 507. Following the district court's ruling, the prayer murals were removed and the school district agreed to pay the ACLU \$150,000 in legal fees. These are straightforward cases of religious endorsement that need to be addressed by the District.

Religious Quotes in School Hallways

We understand that the high school hallways contain several quotes painted on the walls. Some of these either quote directly from the bible or otherwise promote the bible or religion. The quotes include, "WITHIN THE COVERS OF THE BIBLE ARE THE ANSWERS FOR ALL THE PROBLEMS MEN FACE," attributed to Ronald Reagan, "REPUTATION IS WHAT MEN AND WOMEN THINK OF US, CHARACTER IS WHAT GOD AND ANGELS KNOW OF US," attributed to Thomas Paine, and a quote from the New American Standard Bible, Proverbs 12:27. Our complainant has also observed "a quote from Jesus of Nazareth with a specific bible verse painted in one of the elementary hallways and another in a junior high hallway." A picture of one quote from Mt. Vernon High School is enclosed (3).

As with the Latin crosses and bible quotes on classroom walls, religious endorsements are similarly impermissible in public school hallways. In fact, because these quotes are on permanent display, they create an even stronger impression that the District is endorsing religion over nonreligion, Christianity over all other faiths, and in one case, the New American Standard Bible over all other translations. All of these endorsements violate the Constitution.

The Thomas Paine quote is not only pious, but almost certainly misattributed,¹ as Paine was not a pious man. Paine was a deist who took no stock in the biblical account of heaven, angels, or anything else. In reference to the bible, Paine writes, "As to written or printed books, by whatever name they are called, they are the works of man's hands, and carry no evidence in themselves that God is the Author of any of them."² His view on the virgin birth is that "[T]here is nothing in the works of God that is evidence that He begat a son, nor anything in the system of

¹ The first published variant of the quote, according to wikiquote.org, comes from an anecdote about an anonymous Boston woman in 1889 and is often misattributed to different authors, including Thomas Paine and Horace Mann. *See* www.en.wikiquote.org/wiki/Horace_Mann (follow link for "2 Misattributed" and read bullet point #7). *See also* <http://goo.gl/3zLL3f> (page 455, bottom of first column to top of second).

² THOMAS PAINE, THE AGE OF REASON 1-2 (Daniel Edwin Wheeler ed., Vincent Parke and Co. 1906) (1795).

creation that corroborates such an idea, and, therefore, we are not authorized in believing it.”³ He held that same position as to all other biblical accounts that could not be verified by the natural world, including the existence of angels.

For a more pro-education quote of Paine’s, why not consider this gem from *The Age of Reason*: “One good schoolmaster is of more use than a hundred priests.”⁴

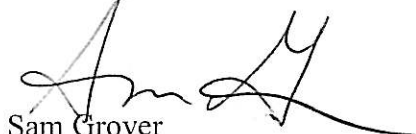
Religious T-shirts Sold at School

We understand that in the main entrance to the Mt. Vernon Elementary building a t-shirt is on display for sale that reads “FAITH – Family – TIGERS” with a Latin cross replacing the letter “t” in the word “faith.” See enclosed photo (4).

The Supreme Court has repeatedly noted, “School 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 Indep. Sch. Dist. v. Doe*, 530 U.S. 290, 309 (2000) (quoting *Lynch v. Donnelly*, 465 U.S. 668, 688 (1984) (O’Connor, J., concurring)). Public school employees cannot sell, ask students to wear, or themselves don religious T-shirts. Doing so alienates those non-Christian members of your community whose religious beliefs are inconsistent with the message being promoted by the school. It is particularly inappropriate for the almost 20% of the U.S. population who identify as non-religious, including 32% of adults under 30.⁵

Given the variety and pervasiveness of the violations reported to us, we recommend that the District not only address the specific violations reported here, but also make an effort to educate all District employees about their obligation to remain neutral toward religion under the Establishment Clause. Please reply in writing outlining the steps that the District is taking to protect the right of conscience of its students.

Sincerely,



Sam Grover
Staff Attorney

Enclosures

³ *Id.* at 125-26.

⁴ *Id.* at 22.

⁵ Pew Research Center, *Nones on the Rise: One-in-Five Adults Have No Religious Affiliation*, The Pew Forum on Religion & Public Life (October 9, 2012), available at <http://www.pewforum.org/Unaffiliated/nones-on-the-rise.aspx>.



BIBLE VERSES FOR TEACHERS

1 Thessalonians 5:24

"The One who calls you is faithful and He will do it."

1 Corinthians 15:58

"Wherefore, my beloved brethren, be ye steadfast, unmovable, always abounding in the work of the Lord, forasmuch as ye know that your labor is not vain in the Lord."

Galatians 5:22-23

"But the fruit of the Spirit is love, joy, peace, longsuffering, gentleness, goodness, faith, meekness, temperance: against such there is no law."

Ephesians 3:16-19

"I pray that out of His glorious riches He may strengthen you with power through His Spirit in your inner being, so that Christ may dwell in your hearts through faith. And I pray that you, being rooted and established in love, may have power, together with all the saints, to grasp how wide and long and high and deep is the love of Christ, and to know this love that surpasses knowledge—that you may be filled to the measure of all the fullness of God."

Romans 12:7

"If your gift is serving others, serve them well. If you are a teacher, teach well."

1 Corinthians 15:58

"Wherefore, my beloved brethren, be ye steadfast, unmovable, always abounding in the work of the Lord, forasmuch as ye know that your labor is not vain in the Lord."

We always thank God for all of you, mentioning you in our prayers.

1 Thessalonians 1:2

**"WITHIN THE COVERS OF THE BIBLE ARE THE ANSWERS
FOR ALL THE PROBLEMS MEN FACE."**

RONALD REAGAN



FAITH
Family
TIGERS

Shirts

10.00