

FREEDOM FROM RELIGION *foundation*

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SENT BY MAIL & EMAIL TO: kathryn.leroy@polk-fl.net

Ms. Kathryn LeRoy
Superintendent
Polk County Public Schools
115 South Floral Avenue
Bartow, FL 33831

Re: Bible distribution at Bartow Senior High

Dear Superintendent LeRoy:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) to object to the distribution of bibles to students within Polk County Public Schools (PCPS). FFRF is a national nonprofit organization with more than 23,000 members across the country, including nearly 1,200 members in Florida and a state chapter, the Central Florida Freethought Community. Our purpose is to protect the constitutional separation between state and church.

A concerned former student contacted us to report that when he graduated from Bartow High School bibles were distributed after the graduation ceremony to students by the principal, Ron Pritchard. Pritchard has since retired but our complainant reports that bibles are still being distributed at Bartow High School graduation ceremonies.

Courts have uniformly held that the distribution of bibles to students during the school day is prohibited. *See Roark v. South Iron R-1 Sch. Dist.*, 573 F.3d 556 (8th Cir. 2009) (permanently enjoining distribution of bibles to school children on school property); *Berger v. Rensselaer Central Sch. Corp.*, 982 F.2d 1160 (7th Cir. 1993) (holding that classroom distribution of Gideon bibles to fifth-graders violated the Constitution); *Tudor v. Bd. of Educ. of Rutherford*, 14 N.J. 31 (1953), *cert. denied*, 348 U.S. 816 (1954) (finding unconstitutional a school board resolution permitting the distribution of bibles by Gideons). Graduation is an important school-sponsored event that has the same constitutional requirements as a normal school day.

Public schools have a constitutional obligation to remain neutral toward religion and to protect the rights of conscience of young and impressionable students. When a school distributes religious literature to its students it entangles itself with that religious message. As well as alienating non-Christian students, teachers, and members of the public whose religious beliefs are inconsistent with the message being promoted by the school, such bible distribution alienates the 35% of millennials—those born after 1981, i.e., your students—who are nonreligious.¹

¹ *America's Changing Religious Landscape*, Pew Research Center (May 12, 2015), available at www.pewforum.org/2015/05/12/americas-changing-religious-landscape/.

PCPS may not allow its teachers or administrators to distribute religious literature to students. Even if the students are not forced to accept these bibles, the school sends a clear message to the children in its charge 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. Sch. Dist. v. Doe*, 530 U.S. 290, 309-10 (2000) (quoting *Lynch v. Donnelly*, 465 U.S. 668, 688 (1984) (O’Connor, J., concurring)).

In many cases, this divisive message regarding a school’s preference for religion over nonreligion is taken up by students within the school, resulting in the bullying of those students who choose to exercise their conscience by not accepting a bible. Bullying is rampant in schools and on social media; schools should be striving to create an inclusive, secular environment in which to educate students without forcing them to compromise their personal beliefs. Forcing an adult’s religious ideas on students and tacitly encouraging those students to do the same to their peers is predatory and impermissible.

Please take steps to ensure that religious materials are not being illegally distributed to students by PCPS employees, or others during school events. We request that all district administrators and teachers be informed that their duty to remain neutral toward religion obligates them to prohibit religious literature distributions on school grounds. Please notify us in writing of the steps taken to ensure that this violation does not take place in the future.

Sincerely,



Andrew L. Seidel
Staff Attorney

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