

FREEDOM FROM RELIGION *foundation*

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

February 27, 2019

SENT VIA EMAIL & U.S. MAIL: qualityeducation@qeschools.org

Mr. Simon Johnson
Chief Executive Officer
Quality Education Academy
5012 D Lansing Drive
Winston-Salem, NC 27105

Re: Unconstitutional Religious Promotion and Endorsement by Quality Education Academy

Dear Mr. Johnson:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding serious constitutional violations occurring at Quality Education Academy (QEA). FFRF is a national nonprofit organization with more than 31,000 members across the country, including more than 700 members in North Carolina and a local chapter, Triangle Freethought Society. 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 area resident has reported that Quality Education Academy regularly promotes and endorses religion to its students. Our complainant reports that QEA is a public charter school that is being run like a private Christian school. Our complainant also reports that each Wednesday, QEA holds a school-wide assembly where the entire school population prays together and chants "We believe in God." We understand that all students are expected to participate in this religious exercise.

We understand that prayer is a regular part of QEA events. For example, an awards ceremony that took place on November 15, 2017, opened with a Christian prayer:

Please bow your heads and close your eyes. Dear Heavenly Father, we come for you today and thank you for everything you have given us. I ask for each and every person here to keep safely. In Jesus' name I do pray, amen.¹

The fact that QEA is being run as a Christian school is confirmed in QEA's Parent/Student Handbook. QEA's mission refers to developing each student's "spiritual" potential to the fullest and mentions utilizing "churches in the education of children."² The handbook explicitly states, "We the students of QEA believe in God."³ The handbook even includes a list of "Ten Commandments," the first of which is "We believe in GOD, the creator of all things."⁴

Quality Education Academy cannot operate as a private Christian school if it wants to continue receiving public funding and recognition as a public charter school by the state of North Carolina. We write to request assurances that QEA will cease promoting and endorsing religion to students by ending its practice of including Christian prayer at school events, removing any religious references from its policies and handbooks, and by operating as a secular school as is required by the First Amendment and North

¹ <https://www.youtube.com/watch?v=83-GkvlPL54&feature=youtu.be>

² <http://66.132.136.179/uploads/QEAESHandbook1516.pdf>

³ *Id.*

⁴ *Id.*

Carolina's laws governing charter schools.

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); *Engel v. Vitale*, 370 U.S. 421 (1962); *Sch. Dist. of Abington Twp. v. Schempp*, 374 U.S. 203 (1963). As a public school, QEA may not promote and endorse religious beliefs. QEA's actions violate the principle 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*, 505 U.S. at 589).

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) (finding unconstitutional a statute allowing the teaching of creationism, a religious belief, in classrooms).

Furthermore, North Carolina's laws governing charter schools are clear on this matter. "A charter school shall be nonsectarian in its programs...and all other operations." N.C. Gen. Stat. Ann. § 115C-218.50. North Carolina legislature carefully crafted its laws to respect constitutional mandates. QEA must respect them as well.

Quality Education Academy must provide a secular environment to its students. It must ensure that the school is not promoting prayer, religious programming, or religious indoctrination. We request assurances that QEA will cease its promotion of religion and ensure that its school environment is in compliance with federal and state legal requirements. Please reply in writing with the steps that QEA will take to address these constitutional violations.

Sincerely,

A handwritten signature in blue ink that reads "Chris Line". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

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

Cc: Dave Machado, Director of Charter Schools via dave.machado@dpi.nc.gov
Eric Davis, Chairman of NC State Board of Education via eric.davis@dpi.nc.gov