

FREEDOM FROM RELIGION *foundation*

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May 16, 2016

SENT VIA EMAIL AND U.S. MAIL:
jar@franczek.com

Mr. John A. Relias, Esq.
Franczek Radelet
300 South Wacker Drive, Ste. 3400
Chicago, IL 60606

Re: Public school principal promoting religion

Dear Mr. Relias:

I am writing on behalf of the Freedom From Religion Foundation. Earlier this year we wrote to you to request that Rich Township School District 227 remove the prohibition against Satanic symbols, literature, and activities from the district's student handbook. We maintain that the handbook violates the constitution by singling out a religious minority for disparate treatment, but we are writing about another matter that requires the district's immediate attention.

Several of our local members have reported that Rich South High School Principal Michael McGrone regularly promotes religion while acting in his official capacity as principal. The Chicago Tribune reports:

McGrone has promoted prayer in school. In addition to frequent references to Jesus, McGrone has brought a woman he called "Mother Henderson" to pray with students in the cafeteria. In a video he posted on his Facebook page in January, McGrone handed her the microphone and she repeated for several minutes, "Alleluia, praise Jesus."

"This is how we 'stop the killing' allow God back in school!!," McGrone wrote in his Facebook post. "Prayer works."

... "Is (prayer) considered crossing the line?" McGrone said. "I would agree in part, but in so many ways I cannot deny who I am and what got me to be principal."¹

As you know, public schools may not endorse or promote religion. Given McGrone's admission that he was aware that his activities violated the law, and his description of his unconstitutional behavior as "who I am and what got me to be principal," we see no reasonable alternative to terminating his employment with the district.

¹ Erin Gallagher, *For better or worse, new principal changing culture at Rich South High School*, CHICAGO TRIBUNE, May 2, 2016, available at <http://www.chicagotribune.com/news/ct-sta-rich-south-principal-st-0513-20160512-story.html>.

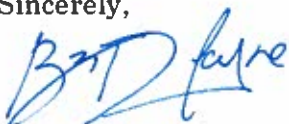
McGrone has demonstrated that he will continue to use his position to promote his personal religion on behalf of the school district, even if he knows that doing so is unconstitutional.

First, It is well settled that public schools may not endorse or promote religious exercises, such as prayer. *See, e.g., Lee v. Weisman*, 505 U.S. 577 (1992); *Wallace v. Jaffree*, 472 U.S. 38 (1985); *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 (2001) (quoting *Lee*, 505 U.S. at 589). It is inappropriate and unconstitutional for district administrators to encourage students to pray, or to tell students that “prayer works.” Combined with “frequent references to Jesus,” there is no doubt that McGrone is personally promoting religion in general, and Christianity in particular, to the students under his care.

Second, It is inappropriate and unconstitutional for the district to offer religious leaders unique access to befriend and proselytize students during the school day on school property. No outside adults should be provided carte blanche access to minors—a captive audience—in a public school. The district may not allow its schools to be used as religious recruiting grounds during the school day. The courts have protected public school students from overreaching outsiders in similar situations. *See, e.g., Berger v. Rensselaer Sch. Dist.*, 982 F.2d 1160 (7th Cir. 1993) (holding that distribution of bibles by Gideons in school violated Establishment Clause). Courts have granted injunctions against schools for their complacency in such situations. *See, e.g., Roark v. S. Iron R-1 Sch. Dist.* 540 F. Supp.2d 1047, 1059 (E.D. Mo., 2008); *upheld in relevant part by* 573 F.3d 556, (8th Cir. 2009) (holding that school policy allowing evangelical Christian organization to distribute bibles in school violated Establishment Clause). Here, McGrone is not just complacent with Mother Henderson’s prayers and proselytizing of other people’s children, but actively promotes the activity by providing her a microphone, posting videos of her public school prayers online, and encouraging students to participate in the religious exercises.

McGrone is plainly unfit to work at a public school in the United States. His stated goal to “allow God back in school” shows a total disregard for his constitutional obligations, and he has admitted to promoting religion despite knowing it was illegal to do so. We request written assurances that the district will protect Rich South High School students’ rights of conscience by replacing McGrone with a principal who is willing to follow the law. Additionally, we request assurances that “Mother Henderson” will not be allowed access to students during the school day in the future.

Sincerely,

A handwritten signature in blue ink that reads "Ryan D. Jayne". The signature is stylized and cursive.

Ryan D. Jayne, Esq.
Diane Uhl Legal Fellow
Freedom From Religion Foundation