

# FREEDOM FROM RELIGION *foundation*

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October 5, 2015

**SENT VIA EMAIL AND U.S. MAIL:  
rpatton@rich227.org**

Mr. Ronald Patton  
Interim Superintendent  
Rich Township High School District 227  
20550 S. Cicero Avenue  
Matteson, Illinois 60443

Re: Student Handbook Religious Discrimination

Dear Superintendent Patton:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) to alert you to unconstitutional religious discrimination in a District student handbook. We were contacted by a concerned local citizen. FFRF is a nationwide nonprofit organization that works to protect the constitutional principle of separation between state and church. FFRF represents more than 23,000 members across the country, including over 750 members in Illinois and a state chapter, FFRF Metropolitan Chicago Chapter.

It is our understanding that two sections of Rich East High School's 2014–2015 student handbook reference Satanism.<sup>1</sup> The handbook's section on "Gangs and Related Activity" (p.19) prohibits:

- Street gangs, satanic cults, or any display that can be construed as gang affiliation;
- The wearing of gang insignia or satanic cult paraphernalia or symbols;
- [D]rawing gang and/or satanic cult symbols;
- [D]istribution of gang or satanic cult literature; and
- [R]elated gang and satanic activities.

The handbook's section on "School Dress" (p. 20) states that students "may not display and/or wear clothing, jewelry, or tattoos displaying obscenities, gang/satanic cult symbols . . . ."

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<sup>1</sup> See <http://www.rich227.org/Downloads/handbook%202014-2015%20w%20calendar.pdf>.

It is illegal for the District to prohibit students from wearing, drawing, or distributing a particular religion's symbols, or from participating in minority religious activities. We are writing to ask that this language be removed.

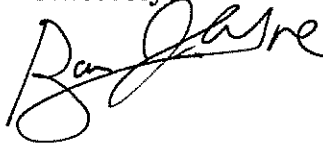
It is well settled that public schools may not advance, prefer, or promote religion. See *Lee v. Weisman*, 505 U.S. 577 (1992); *Wallace v. Jaffree*, 472 U.S. 38 (1985); *Epperson v. Arkansas*, 393 U.S. 97 (1967); *Sch. Dist. of Abington Twp. v. Schempp*, 374 U.S. 203 (1963); *Engel v. Vitale*, 370 U.S. 421 (1962). A school district shows preference for majority religions when it censors the symbols, literature, or activities of a minority religion.

In this case, the District is refusing religious minorities the same freedoms as students of majority religions. It is no defense to claim that the community may be worried about Satanist messages or symbols. Community feelings do not give the government the right to "prescribe what shall be orthodox in . . . religion, or other matters of opinion . . ." *W. V. State Bd. of Educ. v. Barnette*, 319 U.S. 624, 633–34 (1943) (Murphy, J., concurring).

While it is, of course, permissible to curb gang promotion or activities, public schools have a constitutional obligation to remain neutral toward religion. This neutrality is violated any time one religion is singled out for special treatment. Just as it would be illegal for a school to prohibit students from wearing or drawing symbols of Christianity, it is illegal to prohibit students from wearing or drawing symbols of Satanism.

Please ensure that future versions of all District student handbooks do not contain any language that singles out and censors a particular religion. If 2015–2016 handbooks have already been finalized, and still contain this language, they must be amended immediately. We request a written response at your earliest convenience of the actions taken to address this matter so that we may notify our complainant.

Sincerely,

A handwritten signature in black ink, appearing to read "Ryan Jayne", written in a cursive style.

Ryan D. Jayne  
Legal Fellow