

# FREEDOM FROM RELIGION *foundation*

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October 15, 2020

**SENT VIA EMAIL & U.S. MAIL: [debra.pace@osceolaschools.net](mailto:debra.pace@osceolaschools.net)**

Dr. Debra Pace  
Superintendent  
Osceola School District  
817 Bill Beck Blvd.  
Kissimmee, FL 34744

Re: Unconstitutional Religious Promotion

Dear Superintendent Pace:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding a constitutional violation occurring in the Osceola School District. FFRF is a national nonprofit organization with more than 33,000 members across the country, including more than 1,600 members in Florida and a local chapter, Central Florida Freethought Community. Our purposes are to protect the constitutional principle of separation between state and church, and to educate the public on matters relating to nontheism.

It is our understanding that the Osceola School District permits several outside adults to act as “character coaches” for various athletic teams throughout the District. We understand that Fellowship of Christian Athletes (FCA) Area Representative Eric Dimmick has been repeatedly granted access to the District’s student athletes, particularly the football team, during school-sponsored events. We understand that Mr. Dimmick and other “character coaches” have been allowed access to student athletes in team locker rooms and at practices. Mr. Dimmick describes himself as a “full time missionar[y].”<sup>1</sup> He has further elaborated:

Now, every day I get to see how God will use the ministry of FCA to potentially impact the lives of tens of thousands of students on dozens of campuses throughout Osceola County! With a team of coaches, teachers, churches, chaplains, and character coaches we are sharing the Gospel of Jesus Christ like never before on our campuses. My mission field is the classroom, locker room, field, track, pool, and court. I am truly living a dream come true! My love of sports, and heart for athletes and coaches teamed up with my love for Jesus and passion to share His love with others! There is nothing greater than witnessing a generation accept the invitation of Jesus Christ to follow Him!<sup>2</sup>

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<sup>1</sup> <https://my.fca.org/ericdimmick>

<sup>2</sup> *Id.*

Please see the enclosed screenshots, which show “character coaches” from various schools in the District, including images of “character coaches” preaching to student athletes.

Coaches may not grant outside adults access to school-sponsored activities to proselytize to students or agree to have a volunteer teach other people’s children that character centers on religious belief, because public schools may not advance or promote religion. *See generally, Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290 (2001); *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 Twshp. v. Schempp*, 374 U.S. 203 (1963); *Engel v. Vitale*, 370 U.S. 421 (1962).

When public school employees allow outside adults to subject students to religious proselytization, the District endorses a religious message, and it “employ[s] the machinery of the state to enforce a religious orthodoxy.” *Lee*, 505 U.S. at 592. The “[s]chool sponsorship of a religious message is impermissible because it send the ancillary message to . . . 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*, 530 U.S. at 309-10 (internal quotations omitted.) It excludes the 35% of Americans who are not Christian.<sup>3</sup>

It is inappropriate and unconstitutional for the District to offer religious leaders unique access to befriend and proselytize students during school events and on school property. No outside adults should be provided carte blanche access to minors—a captive audience—in a public school. This conduct is inappropriate and should raise many red flags. The District cannot allow its schools to be used as recruiting grounds for religious groups during school sponsored events.

Allowing church representatives regular, or even one-time, access during school hours to proselytize and recruit students for religious activities is a violation of the Establishment Clause. The courts have protected public school students from overreaching outsiders in similar situations. *See, e.g., Berger v. Rensselaer School District*, 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. South 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). This active, in-person contact with students is different from cases in which religious groups have been allowed to passively distribute literature to students or to send flyers to parents. *See, e.g., Peck v. Upshur Cty. Bd. of Ed.*, 155 F.3d 274, 281 (4th Cir. 1998) (upholding school board’s allowance of passive distribution of religious materials in part because the school board “preclude[d] religious speakers from delivering their messages to Upshur County students face-to-face.”).

It is especially important that coaches maintain arm’s length separation from the FCA and its events, given the FCA’s overt campaign to use coaches to promote Christianity to student

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<sup>3</sup> *In U.S., Decline of Christianity Continues at Rapid Pace*, PEW RESEARCH CENTER (Oct. 17, 2019), available at <https://www.pewforum.org/2019/10/17/in-u-s-decline-of-christianity-continues-at-rapid-pace/>.

athletes.<sup>4</sup> The FCA explicitly declares its intention to get coaches to “play the role as pastors,” which, if successful, would amount to a clear violation of the Establishment Clause by the District.

We ask that the District commence an investigation into the complaint alleged and take immediate action to ensure that its football program is no longer allowing outside adults, including FCA volunteers, to have access to its students to evangelize to students during school-sponsored events in violation of students’ constitutional rights. Please inform us in writing of the steps the District is taking to remedy this serious and flagrant violation of the First Amendment.

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  
Staff Attorney  
Freedom From Religion Foundation

Enclosures

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<sup>4</sup> See *To and Through the Coach*, Fellowship of Christian Athletes (March 13, 2019), Available at <https://fcaresources.com/video/and-through-coach> (“[the FCA has] begun to take more strategy, more structure, more intentionality to minister to the heart of the coach, to their family, and ultimately to their team... Getting to [students] as a total person—witnessing to them and helping them develop as spiritual men and women as well.” “[Coaches] play the role as pastors. They play the role as parents. They play the role as mentor.”).




**FCA Osceola County**

September 25 at 9:27 AM · 🌐

@desh\_4\_god taking the Good News of Jesus into the locker room at GHS! Year #3 for him as the teams FCA Character Coach!!! These brothers love Pastor Daryl!!!

So many young men have come to know Jesus as their Savior and are being taught weekly after practice how to carry themselves as sons of God!!!

Grateful for Coach Roberts allowing us this incredible opportunity to have FCA as a part of his team for over 7 seasons now!!!

LETS GO 



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FCA Osceola County

September 17 at 9:03 AM · 🌐



Had an inspiring game planning time with our brother @jotarmusik !!!

He's going to be the Character Coach for the Poinciana Eagles football team this season!

We'll be using The Core to take players and coaches on an 8 week discipleship journey that will engage, equip, and empower them to be the masterpieces God has created them to be!!!

It is going to be a great season at PHS!!!





FCA Osceola County

September 10 at 10:33 AM · 🌐

Breakfast with one of the humblest brothers on the planet!

Mr. Kyle as he's known is starting his 9th season as the FCA Character Coach for the OHS football team!

His commitment and consistency is an encouragement to all of us who know him.

We are looking for more male and female FCA Character Coaches for our athletic teams throughout Osceola County. Please DM or email us if you are interested in volunteering with FCA!

Galatians 5:13 Through love serve one another!





FCA Osceola County

2h · 🌐



Our brother Todd going through The Core with the players and coaches at CHS this past Friday!

Todd has a passion to share the truth of Jesus and he shows it every week by serving at CHS and throughout the Celebration community!

FCA in Osceola County is having an eternal impact because of the commitment of brothers like Todd!!!

LETS GO 🏈!!!





FCA Osceola County

September 28 at 10:27 AM · 🌐

Pastor Josh from @commpresyouth sharing a powerful testimony with the players and coaches at CHS on Friday!

"Life can feel overwhelming at times. Like we're trying to keep a bunches of plates spinning on our fingers. And we know deep down no matter how hard we try it's all going to come crashing down".

The good news in a world flooded with bad news is that Jesus has done for us what we could not do for ourselves.

Go check out [thefour.fca.org](http://thefour.fca.org) to have the Gospel shared in a simple yet life changing way!

LETS GO **100**!!!

