

FREEDOM FROM RELIGION *foundation*

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June 23, 2016

SENT VIA EMAIL & U.S. MAIL

revans@ses.k12.in.us

Dr. Robert Evans
Superintendent
Shelby Eastern Schools Corporation
2451 N 600 E
Shelbyville, IN 46176

Re: Promotion of religion at Morristown Jr./Sr. High School

Dear Dr. Evans:

I am writing on behalf of the Freedom From Religion Foundation to alert you to serious constitutional concerns with the “May God Bless You” display at Morristown Jr./Sr. High School as well as statements made by Principal Howell at the 2016 graduation ceremony. We were contacted by a concerned local resident. FFRF is a national nonprofit organization with more than 23,500 members across the country, including more than 350 in Indiana. Our purpose is to protect the constitutional principle of separation between state and church.

It is our understanding that the marquee outside of Morristown Jr./Sr. High School displays the message “CONGRATULATIONS CLASS OF 2016 MAY GOD BLESS YOU.” A photograph of this marquee message is enclosed for your review. Our complainant also reports that Principal Howell made specific references to the Christian bible during his graduation address.

As you are aware, public schools may not endorse a religious message. We request you remove the marquee message and ensure that school officials do not make religious statements at school events in the future. We also request records showing Principal Howell’s remarks during the 2016 Morristown Jr./Sr. High School Graduation.

The Establishment Clause of the First Amendment prohibits government sponsorship of religious messages. The Supreme Court has said time and again that the “First Amendment mandates government neutrality between religion and religion, and between religion and nonreligion.” *McCreary Cnty., Ky. v. Am. Civil Liberties Union of Ky.*, 545 U.S. 844, 860 (2005); *Wallace v. Jaffree*, 472 U.S. 38, 53 (1985); *Epperson v. Arkansas*, 393 U.S. 97, 104 (1968); *Everson v. Bd. of Educ. of Ewing*, 330 U.S. 1, 15–16 (1947). This constitutional mandate is stronger within the context of public schools.

Courts have continually held that school districts may not display religious messages or iconography on the walls of public schools. *See generally Stone v. Graham*, 449 U.S. 39 (1980) (ruling that the Ten Commandments may not be displayed on classroom walls); *Lee v. York Cnty.*, 484 F.3d 689 (4th Cir. 2007) (ruling that a teacher may be barred from displaying religious messages on classroom bulletin boards); *Washegesic v. Bloomington Pub. Schs.*, 33 F.3d 679 (6th Cir. 1994) (ruling that a painting of Jesus may not be displayed in a public school). Displaying a religious message on a public school marquee, such as “MAY GOD BLESS YOU,” is also unconstitutional.

It is similarly inappropriate for a district administrator to include religious references during a graduation address. Any non-Christian student would feel like a disfavored outsider when their school’s principal promotes a religious message from the Christian bible during a school-sponsored event. Although any promotion of religion is inappropriate in these circumstances, FFRF would like to know exactly what Principal Howell said during his remarks. Please see the records request below.

Regardless of the age of the students involved, by endorsing a belief in a god, the “[s]chool sponsorship of a religious message is impermissible because it sends 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 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 a school district committed to diversity and tolerance, it is inappropriate to ostracize students who do not believe in a god.

Pursuant to Indiana Open Records law (Ind. Code § 5-14-3-3), I hereby request a copy of the following:

A copy of the principal’s remarks made at the graduation ceremony – such as video or audio recordings.

I respectfully request a response within ten (10) days. If all or any part of this request is denied, I request a written statement of the grounds for denial. If your agency does not maintain these public records, please provide the names and addresses of the proper custodians of these records.

If any of these records are available through electronic media, they may be e-mailed to ryan@ffrf.org. If I can provide any clarification that will help expedite your attention to my request, please contact me at 608-256-8900.

In addition to this open records request, we ask that you remove the “MAY GOD BLESS YOU” message from the Morristown Jr./Sr. High School’s marquee and

disallow school officials from promoting religious messages at district events. Thank you for your attention to this serious constitutional issue. Please inform us in writing of the actions the district takes to remedy this concern, so we may inform our complainant that this matter has been resolved.

Sincerely,



Ryan Jeyne, Esq.
Dinae Uhl Legal Fellow
Freedom From Religion Foundation

RDJ:njn

Enclosure

