

FREEDOM FROM RELIGION *foundation*

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August 31, 2017

SENT BY MAIL AND EMAIL TO:

gregpaes@simpson.k12.ms.us

Mr. Greg Paes
Superintendent
Simpson County School District
111 Education Lane
Mendenhall, MS 39114

Re: Illegal school endorsement of religious event

Dear Superintendent Paes:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) to alert you to a serious violation of the First Amendment occurring in Simpson County School District. FFRF is a nationwide nonprofit organization with more than 29,000 members across the country including many members in Mississippi. Our purpose is to protect the constitutional principle of separation between state and church.

A concerned parent of a district student recently contacted us to report that Mendenhall Jr. High School principal Kirby Craft used a recorded message a few days before the start of the school year to invite district families to join him at the school for a prayer walk and to ask that everyone pray for the upcoming school year. Mendenhall Jr. High also advertised this prayer walk event on its homepage. A screen shot of that advertisement is enclosed.

We write to ensure that Simpson County School District does not allow its employees to organize or participate in future religious events while acting as district representatives.

Prayer walks unconstitutionally entangle school personnel with an exclusively religious—often exclusively Christian—message. Public school teachers and administrators may not lead, direct, or ask students to engage in prayer or otherwise endorse religion. The Supreme Court has continually struck down teacher or school-led prayer in public schools. *See, e.g. Engel v. Vitale*, 370 U.S. 421 (1962) (declaring prayers in public schools unconstitutional); *Sch. Dist. of Abington Twp. v. Schempp*, 374 U.S. 203 (1963) (declaring unconstitutional devotional Bible reading and recitation of the Lord's Prayer in public schools); *Sante Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290 (2000) (striking down a school policy that authorized students to vote on whether to hold a prayer at high school football games); *Lee v. Weisman*, 505 U.S. 577 (1992) (ruling prayers at public high school graduations an impermissible establishment of religion); *Wallace v. Jaffree*, 472 U.S. 38 (1985) (overturning law requiring daily "period of silence not to exceed one minute . . . for meditation or daily prayer").

Simpson County School District has an obligation under the law to make certain that "subsidized teachers do not inculcate religion." *Lemon v. Kurtzman*, 403 U.S. 602, 619 (1971). The district should make certain that its representatives are not unlawfully and

inappropriately indoctrinating students in religious matters by encouraging them to engage in prayer during an event designed to blur the lines between religion and the public schools. Regardless of what his intentions may have been, the reality is that through his actions Principal Craft has alienated students and families who do not subscribe to his personal religion. Before the school year has even started, Mendenhall Jr. High School has sent a message to its students and families that it endorses religion over nonreligion in violation of the First Amendment of the U.S. Constitution.

School 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. at 668 (O’Connor, J., concurring)). Simpson County Schools should be particularly mindful of ostracizing non-Christians, given that over 43% of millennials and younger Americans are non-Christian, either practicing a minority religion or no religion at all.¹

The district must heed the Supreme Court’s declaration 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.*, 530 U.S. at 310 (quoting *Lee*, 505 U.S. at 589). Parents, not district administrators, have the right to dictate the religious or nonreligious upbringing of their children.

Simpson County School District must make certain that its teachers and administrators are not unlawfully and inappropriately indoctrinating students in religious matters. Faculty must not organize future prayer walks within the district and district resources must not be used to advertise future religious events. We request an immediate investigation and response in writing outlining the steps you are taking to protect the right of conscience of the district’s minority religious and nonreligious students and families.

Sincerely,



Sam Grover
Associate Counsel

Enclosure

cc: Principal Kirby Craft, Mendenhall Junior High School via kcraft@simpson.k12.ms.us

¹ *America's Changing Religious Landscape*, PEW RESEARCH CENTER (May 12, 2015), available at www.pewforum.org/2015/05/12/americas-changing-religious-landscape/.

WELCOME TO MENDENHALL JUNIOR HIGH SCHOOL



School Menu ▾



Mendenhall Jr High

Mendenhall Junior High School will open its doors at 3 pm today, Sunday, August 6 for a prayer walk across campus. All prayer warriors are welcome to attend!

August 06, 2017, 9:35 AM