

FREEDOM FROM RELIGION *foundation*

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January 23, 2020

SENT VIA EMAIL & U.S. MAIL

mlamb@ssisd.net

Michael Lamb
Superintendent
Sulphur Springs Independent School District
631 Connally St.
Sulphur Springs, TX 75482

Re: Rent-free religious use of school grounds

Dear Superintendent Lamb:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) to follow up on a recent records request and bring your attention to a constitutional violation occurring in Sulphur Springs Independent School District (SSISD).

A concerned community member contacted us to report that an event called “Fields of Faith” has been repeatedly held at the high school football stadium in SSISD. We understand that this event is sponsored by a group called Illuminate Student Ministry (the Ministry). This group appears to be led by Caleb Phillips, FBC Sulphur Springs’ Middle School Minister, a man who is clearly not a student.¹

The records provided in response to our open records request² reveal that District policy mandates that “[n]onschool users shall be charged a fee for the use of designated District facilities.” This fee is \$250.00 per use. The records further indicate that District policy requires “any organization or individual approved for non-school use of District facilities shall be required to complete a written agreement” releasing the District from liability for injury to participants or property.

Because the records indicate that no applications, contracts, receipts, or payment history exist between the District and the Ministry, it appears that the Ministry is using these facilities free of charge (despite being led by a non-student adult) and without any written arrangement with the District—both of which are violations of District Policy.

¹ Illuminate Student Ministry’s Facebook page lists calebphillips@ssfbc.org as its contact information. FBC Sulphur Springs’ website lists Caleb Phillips as the Middle School Minister. *See* <https://www.ssfbc.org/staff>.

² All records referenced refer to those provided by the District on November 18, 2019 in response to FFRF’s Open Records Request of November 15, 2019. *See* enclosure.

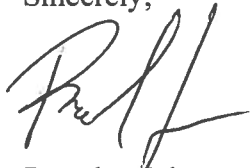
I write to request that SSISD either discontinue allowing Fields of Faith—or any other meetings associated with Illuminate Student Ministries—to be held on District property, or that the District require the Ministry to pay to use the property (including back pay for previous uses), as would any other group under the District’s stated policy.

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. Ark.*, 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). When the District allows a group special treatment on account of its religious leanings, it amounts to a clear statement of government endorsement of religion.

Public schools have a constitutional obligation to remain neutral toward religion. Preferential treatment of faith groups unconstitutionally entangles the District with a religious message—here, a Christian message. This alienates those non-Christian students, teachers, and members of the public whose religious beliefs are inconsistent with the religious messages being promoted by the church. It is particularly exclusionary to the 26% of Americans who are not religious.³

To avoid further Establishment Clause concerns, SSISD should charge the Ministry the \$250.00 per event fee required by its policies and collect rental fees from the Ministry for any instance it has used school property without paying. We also ask that the District ensure that all its faculty, staff, and administrators are aware of the full extent of the constitutional barrier between public schools and religion. Please inform us in writing of the steps the District is taking to remedy this constitutional violation.

Sincerely,



Brendan Johnson, Esq.
Robert G. Ingersoll Legal Fellow
Freedom From Religion Foundation

³ *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/>.