

FREEDOM FROM RELIGION *foundation*

P.O. BOX 750 • MADISON, WI 53701 • (608) 256-8900 • WWW.FFRF.ORG

October 5, 2016

SENT VIA EMAIL ONLY:
jcmhunter@hotmail.com

Mr. Jeff Mitchell
Superintendent
Wayne City CUSD #100
408 Mill St.
Wayne City, IL 62895

Re: District promotion of a religious event

Dear superintendent Mitchell:

I am writing on behalf the Freedom From Religion Foundation (FFRF) to alert you to a serious constitutional violation in your school district. FFRF is a national nonprofit organization with more than 23,000 members nationwide, including more than 700 in Illinois. FFRF's purpose is to protect the constitutional separation between state and church.

A concerned local resident informed us that on September 30, 2016 Wayne City High School's official Facebook account promoted a religious event. An image of this promotion is enclosed for your review. The Facebook notice states:

Bring your Bible to school! When: October 6th. We will be meeting in the library at 7:50 a.m. to pray over the day. Everybody is welcome to join in on this activity. We will be carrying our Bibles around school this day. This is not just a Wayne City school thing, it's happening Nation-wide.

Please note that this event is scheduled to take place **tomorrow, October 6th**. We request written assurances that District employees will not participate in this religious event, including the morning prayer meeting, and that District social media accounts will not promote religious events or practices in the future.

As you are certainly aware, 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). This Facebook posting violates this basic constitutional prohibition by creating the appearance that the school, and by extension the District, prefer religion to nonreligion and Christianity to all other religions.

Courts have continually held that school districts may not display religious messages or iconography in public schools. See, e.g., *Stone v. Graham*, 449 U.S. 39 (1980) (ruling that the Ten Commandments may not be displayed on classroom walls); *Lee v. York County*, 484 F.3d 689 (4th Cir. 2007) (ruling that a teacher may be barred from displaying

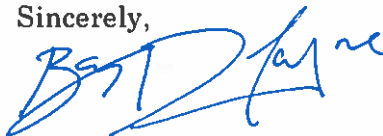
religious messages on classroom bulletin boards); *Washegesic v. Bloomington Pub. Schs.*, 33 F. 3d 679 (6th Cir. 1994) (ruling that a painting of Jesus may not be displayed in a public school). These restrictions clearly extend to the official Wayne City High School Facebook page, which any reasonable viewer would perceive as representing the views of the school. District social media pages may not promote religion, religious events, or religious rituals such as prayer.

Furthermore, it is unconstitutional for District staff to plan, promote, or participate in religious events. The promotion of a Christian event alienates those non-Christian students, families, teachers, and members of the public whose religious beliefs are inconsistent with the message being promoted by the school, including the 35 percent of young Americans who are not religious.¹ Any religious events must be entirely student-initiated and student-run. While the District cannot prohibit students from organizing or participating in a prayer event, the Supreme Court has stated that public school staff members must refrain from participating in the religious activities of students while acting within their governmental roles to avoid any perception of government endorsement of religion. *Bd. of Educ. of the Westside Cmty. Sch. v. Mergens*, 496 U.S. 226, 253 (1990).

Religion is a divisive force in public schools. The Supreme Court has repeatedly noted that “[s]chool sponsorship of a religious message is impermissible because it sends the ancillary message to members of the audience who are 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 (2000) (quoting *Lynch v. Donnelly*, 465 U.S. 668, 688 (1984) (O’Connor, J., concurring)).

To avoid further Establishment Clause concerns, the administrator of the Wayne City High School Facebook page must refrain from posting religious announcements in the future. We request that the September 30 post promoting the “Bring your Bible to School” day be removed. Additionally, an immediate Facebook notification is clearly warranted, explaining that the District does not endorse this, or any other, religious event. Finally, please ensure that District employees do not participate in tomorrow morning’s prayer event in any way. Please respond in writing at your earliest convenience with the steps taken to ensure this violation does not recur, so that we may notify our local complainant.

Sincerely,



Ryan D. Jayne, Esq.
Diane Uhl Legal Fellow
Freedom From Religion Foundation

Enclosure

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



Wayne City High School

September 30 at 1:23pm · 🌐

Bring your Bible to school! When: October 6th. We will be meeting in the library at 7:50 a.m. to pray over the day. Everybody is welcome to join in on this activity. We will be carrying our Bibles around school this day. This is not just a Wayne City school thing , it's happening Nation-wide.

Like Comment Share

93

Chronological ▾

121 shares



Barbara Clymer Lewis Great thing to do I love this.

Like · Reply · 1 · October 1 at 4:30pm



Sylvia Lane Super. GOD bless u all

Like · Reply · 1 · October 2 at 9:39pm



Cassandra Upchurch Harold Bumper Quick meant to tell you this Sunday

Like · Reply · 1 · October 3 at 6:08pm