

FREEDOM FROM RELIGION *foundation*

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March 17, 2017

SENT VIA U.S. MAIL & EMAIL TO: Mkuhrt@wfishd.net

Mr. Michael Kuhrt
Superintendent
Wichita Falls Independent School District
1104 Broad Street
Wichita Falls, TX 76301

Re: Religious proselytization by Wichita Falls ISD teachers

Dear Superintendent Kuhrt:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) to report another constitutional violation within Wichita Falls Independent School District (District), this time due a teacher-facilitated bible distribution. We have yet to receive a response to our January 12, 2017 letter concerning a high school marching band performance of "The Eighth Day." Please additionally address the following situation.

A concerned Wichita Falls community member contacted us to report that on February 24, 2017, at West Foundation Elementary School, several classes of students were taken out of their classrooms during instructional time and escorted by teachers to the edge of school property where representatives from the evangelical group Gideons International distributed bibles to the students.


We write to ensure that the District does not allow its employees to proselytize students in the future.

As you are aware, public school districts have a constitutional obligation to ensure that teachers do not use their positions as educators to promote their personal religious beliefs. Federal courts have consistently rejected the promotion of religious viewpoints in the classroom. *See, e.g., Pelozo v. Capistrano Unified Sch. Dist.*, 37 F.3d 517 (9th Cir. 1994) (holding that a school could prohibit a teacher from teaching creationism, finding that "to permit him to discuss his religious beliefs with students during school time on school grounds would violate the Establishment Clause"); *Webster v. New Lenox Sch. Dist. No. 122*, 917 F.2d 1004 (7th Cir. 1990) (ruling that a school board could limit a teacher's comments on creationism because the board had the responsibility to ensure that the teacher was not "injecting religious advocacy into the classroom"). Courts have upheld the termination of teachers who refuse to remain neutral on matters of religion while acting in their official capacities as government employees. *See, e.g., Grossman v. S. Shore Pub. Sch. Dist.*, 507 F.3d 1097 (7th Cir. 2007) (upholding termination of guidance counselor who prayed with students).

The teachers of West Foundation Elementary have no authority to take students out of the classroom for an event coordinated with a religious organization. Gideons International is a self-described “Association of Christian business and professional men and their wives dedicated to telling people about Jesus through associating together for service, sharing personal testimony, and by providing Bibles and New Testaments.”¹ When a school allows religious organizations to promote their religion, it alienates those minority religious and nonreligious students and families whose beliefs are inconsistent with the religious message, such as “becom[ing] fully devoted followers of Jesus Christ,” being promoted by the school. This proselytization is particularly egregious given the young, impressionable students being targeted by the Gideons.

Parents, not the school district, are responsible for determining the religious or nonreligious upbringing of their children. We request that the District investigate this situation and make it clear to its employees that they may not facilitate the distribution of religious materials to students in the future. Please inform us in writing of what action the District takes so that we may notify our complainant.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Grover', with a long horizontal line extending to the right.

Sam Grover
Staff Attorney

STG:kak

¹ <https://www2.gideons.org/about>