

# FREEDOM FROM RELIGION *foundation*

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October 30, 2019

**SENT VIA EMAIL & U.S. MAIL**  
**[sjefferies@wythek12.org](mailto:sjefferies@wythek12.org)**

Scott L. Jeffries  
Wythe County Public Schools  
1570 West Reservoir Street  
Wytheville, VA 24382

Re: Unconstitutional Religious Display

Dear Superintendent Jeffries:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding a constitutional violation occurring in Wythe County Public Schools. FFRF is a national nonprofit organization with more than 30,000 members across the country, including over 700 members in Virginia. FFRF's purpose is to protect the constitutional principle of separation between state and church and to educate the public on matters relating to nontheism.

A concerned community member contacted us to report that Fort Chiswell High School displays a religious prayer on a large placard in its cafeteria (photos enclosed). It reads "OUR FATHER: WE THANK THEE FOR THIS FOOD. BLESS IT TO THE NOURISHMENT OF OUR BODIES AND OUR LIVES TO THY SERVICE. AMEN."

FFRF contacted Wythe County Public Schools about the same plaque at Spiller Elementary School in 2017, and it was removed. The District must remove this plaque from all of its schools, along with any other remaining religious displays, and ensure that all of its staff members are aware of constitutional restrictions on religion in the public schools.

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. Bloomingdale Pub. Schs.*, 33 F. 3d 679 (6th Cir. 1994) (ruling that a picture of Jesus may not be displayed in a public school); *Ahlquist v. City of Cranston ex rel. Strom*, 840 F. Supp. 2d 507 (D.R.I. 2012) (striking down a Prayer Mural in a high school auditorium).

Federal courts have further held that vaguely worded language is not a sufficient defense, insofar as it can be inferred to promote a particular religion or even religion generally. *See generally Ahlquist*, 840 F. Supp. 2d at 521 (holding that the term "Heavenly Father," is an exclusively Christian formulation of a monotheistic deity, leaving out, *inter alia*, Jews, Muslims, Hindus, Buddhists, and atheists alike); *Engel v. Vitale*, 370 U.S. 421, 436 (1962) (ruling that an

“Almighty God” Prayer, though “brief and general” violated the Establishment Clause); *DeSpain v. DeKalb Cnty. Cmty. Sch. Dist.* 428, 384 F.2d 836 (7th Cir. 1967) (holding that a thankfulness verse was a prayer despite the fact that it did not mention “god” or contain religious imagery). This plaque begins with “Our Father,” which is a clear indication that the prayer is specifically Christian. See *Ahlquist*, 840 F. Supp. 2d at 521.

With regard to prayers specifically, the Supreme Court has continually worked to prevent school-sponsored prayer in public schools. See, e.g., *Abington Twp. Sch. Dist. v. Schempp*, 374 U.S. 203 (1963) (declaring unconstitutional devotional bible reading and recitation of the Lord’s Prayer in public schools); *Lee v. Weisman*, 505 U.S. 577 (1992) (ruling prayers at public 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.”); *Engel*, 370 U.S. 421 (finding prayers in public schools unconstitutional). The Supreme Court recognizes that “[f]amilies entrust public schools with the education of their children, but condition their trust on the understanding that the classroom will not purposely be used to advance religious views that may conflict with the private beliefs of the student and his or her family.” *Edwards v. Aguillard*, 482 U.S. 578, 584 (1987).

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).

This religious display is particularly inappropriate given that over a quarter of Americans are not religious.<sup>1</sup> The display alienates those students, families, teachers, and members of the public whose religious beliefs are inconsistent with the message being promoted by the school.

In recognition of the District’s constitutional obligation to remain neutral toward religion, please remove the prayer placard. Please reply in writing with the steps you are taking to remedy this constitutional violation.

Sincerely,



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

Enclosure

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<sup>1</sup> 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/>.

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