

FREEDOM FROM RELIGION *foundation*

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

March 7, 2014

SENT BY U.S. MAIL & EMAIL TO: ned_julian@scps.us

Ned Julian, Esq.
Seminole County School Board Attorney
400 E. Lake Mary Blvd
Sanford, Florida 32773-7125

Re: District Entanglement with The Venue Church

Dear Mr. Julian:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) to alert you to further constitutional violations occurring in Seminole County Public Schools.

We have received several reports of further illegal religious activity in your district, including a serious level of entanglement between The Venue Church and at least two schools in your district, Lake Brantley High School (LBHS) and South Seminole Middle School (SSMS). Each of these issues standing alone presents serious constitutional problems; in conjunction, they indicate a systemic lack of adherence to the strictures of the Establishment Clause in Seminole County Public Schools.

We will address these issues in turn. An open records request follows.

#1: Partnership with The Venue Church

It is our understanding that The Venue Church (the Church) has attempted to ingratiate itself with the district. We understand that the Church holds weekly services and other church events at LBHS and SSMS, and that the Church's goal is to "invest in students through interacting with the school to impact the community." It has no plans to invest in its own building. *See* Enclosure #1. "We are permanently planting churches in Central Florida Schools," the Church claims. Enclosure #2.

The Florida Supreme Court has held that it is impermissible for a church to permanently occupy a school with no intention to build its own building: "[I]f the use of the school building were permitted for prolonged periods of time, absent evidence of an immediate intention on the part of the Church to construct its own building, we think it could hardly be contemplated that the public school system or its property could be employed in the permanent promotion of any particular sect or denomination." *Southside Estates Baptist Church v. Bd. of Trustees*, 115 So. 2d 697, 700 (Fla. 1959).

Seminole County Public Schools must therefore sever its relationship with the Church, and going forward may not give special treatment to the Church and its administrators or promote the Church and its events.

#2: Administrator Endorsement

We understand that several District employees have publicly endorsed The Venue Church. School Board Chairperson Karen Almond and South Seminole Middle School Principal Mia Coleman-Baker both participated in a promotional video for the Church, using their official titles.¹ Coleman-Baker in particular extended SSMS's support in no uncertain terms, speaking on behalf of the school and saying, "South Seminole Middle School is pleased to be able to offer our location, right in the heart of our community... We are excited to welcome The Venue to support our students and families." The video appears to have been shot on campus as well. The Church then posted a picture stating it was "grateful for the personal support of our Principal [and] our School Board Member." Enclosure #3. In addition, the Church published a note sent by Brian Shafer, Dean of Students at LBHS, to Pastor Brian Pikalow, in which he stated that "my prayer is for the Venue Church @ Lake Brantley to continue prospering and grow and reach the community for Jesus Christ." Enclosure #4.

Public school employees are government actors and subject to the strictures of the Establishment Clause's separation of state and church. To that end, "a school can direct a teacher to 'refrain from expressions of religious viewpoints in the classroom and like settings.'" *Helland v. South Bend Comm. Sch. Corp.*, 93 F.3d 327 (7th Cir. 1993) (quoting *Bishop v. Arnov*, 926 F.2d 1066, 1077 (11th Cir. 1991)). Many federal courts around the country have prohibited religious messages or conduct by teachers. *See, e.g. Johnson v. Poway Unified Sch. Dist.*, 658 F.3d 954 (9th Cir. 2011) (restricting teacher's display of religious posters in the classroom), *cert. denied*, 132 S.Ct. 1807 (2012); *Lee v. York*, 484 F.3d 687 (4th Cir. 2007) (upholding school district's removal of religious postings on classroom bulletin boards). The District should make certain that its employees do not unlawfully and inappropriately endorse religion by participating in the promotion of a church, particularly while on school grounds.

Public schools have a constitutional obligation to remain neutral toward religion. When school officials endorse a particular church and invite its involvement in the school, they have unconstitutionally entangled themselves with that church. It is also a usurpation of parental authority – parents have the right to direct the religious, or non-religious, upbringing of their children, not public schools. Such a practice alienates those non-Christian students, teachers, and members of the public whose religious beliefs are inconsistent with the message being promoted by the school. It is particularly inappropriate for the almost 20% of the U.S. population who identify as non-religious, including 32% of the population under 30.²

¹ "The Venue Church - We're Coming to Casselberry!" available at <http://youtu.be/J7EZg2IcJeY>.

² Pew Research Center, *Nones on the Rise: One-in-Five Adults Have No Religious Affiliation*, The Pew Forum on Religion & Public Life (October 9, 2012), available at <http://www.pewforum.org/Unaffiliated/nones-on-the-rise.aspx>.

#3: Entanglement with Venue Pastors

The Church's pastors have apparently been given special access to the District's activities and employees. Pastor Andy Searles spoke to students at SSMS's "Teach In." Enclosure #5. The Church was permitted to have a table at SSMS's 50th Anniversary Celebration. Enclosure #6. Searles stated in a letter that he "had the opportunity to meet and pray with some of the Christian teachers on [the SSMS] campus this past Tuesday... This is going to become a regular part of my routine." Enclosure #7. Finally, Searles apparently serves on the Teacher of the Year Committee for the District. Enclosure #8.

Inviting the Church's staff to participate in District committees, letting the Church recruit at a school celebration, and permitting Church staff to come on campus to pray with staff is all highly inappropriate and further demonstrates the District's entanglement with and endorsement of the Church. Frequently allowing the Church this special access demonstrates the District's endorsement of not only religion over nonreligion, but also Christianity over all other faiths, and The Venue Church over all other denominations.

#4: Fellowship of Christian Athletes

Lake Brantley Fellowship of Christian Athletes (FCA) Twitter messages indicate that the formation of the club was announced at the first meeting of The Venue Church and LBHS, and that Pastor Brian Pikalow coordinates meetings of the executive officers. Enclosure #9 and #10. The Venue Church and FCA signs were posted together at an apparently coordinated "community give-back" event at LBHS. Enclosure #11.

The LBHS FCA clearly violates the federal Equal Access Act, which states that a school must "uniformly provide[]" that school clubs are "voluntary and student-initiated," and that "nonschool persons may not direct, conduct, control, or regularly attend activities of student groups." 20 U.S.C. § 4071(c)(1), (3), (5).

#5: Journey 365

We also understand that the District has promoted staff participation in the fitness program Journey 365 and its 50 Days of Fitness challenge, which was founded by Venue co-founder and pastor Todd Lamphere, and that the Church paid for some schools' staff members to do so. Enclosure #12. We also understand this program is religious. Its website states that it is a "national wellness initiative bringing premier health information and services through the local church to the surrounding community." Enclosure #13. One testimonial states: "This program not only changed my life physically, but more importantly spiritually. The amazing leaders I had made it a priority for me to grow in my faith and improve in my walk with Christ. Since 50 Days of Fitness, my walk with Christ has drastically changed and has continued to strengthen each and every day." Enclosure #14. In a video promoting the program to pastors, Pastor Lamphere states "People are spiritually sick, and the way that we're going to address their spiritual unhealthiness is by addressing their physical unhealthiness. And as we do that, we've earned the right to be able to share Jesus with them."³ In a video testimonial, one participant claims, "I believe a lot of

³ "A message for pastors," available at www.enjoythejourney365.com/churches.

the difference for me in this program has been that there are people praying for me.”⁴ Others allude to daily bible devotionals in a journal provided by the program.

The District should not promote this program, which clearly proselytizes to its participants. Again, this demonstrates public endorsement of a Christian program, in violation of the Establishment Clause.

#6: Church Sign

We are also informed that Greater Life Church rents Lawton Chiles Elementary School and has permanently posted an advertisement on a fence at the school. Enclosure #15. It is inappropriate for the District to permit advertisement of religious organizations or churches on school property. A reasonable observer would view the Christian church’s prominent, permanent advertisement located on public school grounds as District endorsement of that church’s views. These advertisements should be removed or displayed only during the churches’ actual rental time to avoid any further Establishment Clause concerns.

#7: Team Chaplains

Venue Pastor Todd Lamphere’s biography states that he was previously the chaplain of the Lyman High School and Lake Howell High School football teams. Enclosure #16. If it is still the practice of any district schools to have team chaplains, the practice must end. It is inappropriate and unconstitutional for the district to offer a Christian minister unique access to befriend and proselytize student athletes. Accordingly, public high school athletic teams cannot appoint or employ a chaplain, seek out a spiritual leader for the team, or agree to have a volunteer team chaplain, because public schools may not advance or promote religion. Non-school persons cannot be allowed to treat the school as a recruiting ground for their religious mission.

Conclusion

All of these actions demonstrate that Seminole County Public Schools is endorsing religion. This “[s]chool sponsorship of religious message[s] is impermissible because it sends the ancillary message to...nonadherents ‘that they are outsiders, not full members of the political community and accompanying message to adherents that they are insiders, favored members of the political community.’” *Santa Fe*, 530 U.S. at 309-10 (2001) (quoting *Lynch v. Donnelly*, 465 U.S. 668 (1984)) (O’Connor, J., concurring). These actions undeniably turn any non-believing or non-Christian student, teacher, staff member, or visitor into an outsider.

It is very clear that a religious atmosphere has been directed and cultivated in the school district. No doubt some of these problems arise because of the school’s unconstitutional relationship with The Venue Church and its pastors. We intend to address that relationship and other issues further after our open records request has been fulfilled.

⁴ “Orlando area participants speaking from experience,” *available at* www.enjoythejourney365.com/churches.

The allegations set forth above are violations of the Establishment Clause which the District must remedy immediately. Specifically, we require written assurances that the District is:

- 1) Severing all ties with The Venue Church, including the landlord-tenant relationship,
- 2) Ensuring that District employees do not provide official endorsements to The Venue Church or any other religious group,
- 3a) Ensuring that religious groups are not permitted to recruit at District events,
- 3b) Ensuring that The Venue Church pastors and other clergy members are not given special treatment to serve on District committees or to conduct religious activities with teachers on school grounds,
- 4) Ensuring the LBHS FCA and all other school clubs are truly student-initiated and student-run,
- 5) Ceasing all promotion of the Journey 365 program,
- 6) Removing the Greater Life Church sign at Lawton Chiles Elementary School, and any other similar signs at other schools,
- 7) Ending the position of Team Chaplain for all athletic teams, if it still exists, and
- 8) Holding district-wide training to ensure that "subsidized teachers do not inculcate religion." *Lemon v. Kurtzman*, 403 U.S. 602, 619 (1971).

It is not viewpoint discrimination to sever ties with the Church because of these violations. There is not simply a concern about state-church entanglement here, there are clear and consistent violations of the separation of church and state, and completely ending the relationship between the District and the Church should be the consequence of that entanglement.

Sincerely,



Andrew Seidel
Staff Attorney

Enclosures

ALS:mez

Enclosure #1 – Venue Pamphlet

The Venue Church

moving forward while giving back



What We Do

WE BELIEVE building strong community means making sure kids and schools thrive. The Venue Church has the luxury of investing time and effort year-round in students and schools since it is not investing in church buildings. If the school has a need--we have a need--without agenda or strings attached. It's that simple, and that powerful.

The Vision is Compelling. Try to imagine seeing a vibrant church serving every one of our Central Florida school zones over the next 10 years! Why? Because churches serving schools changes everything!

Our Mission Is Simple. It is to serve students and their families in the community by investing in their social, emotional, physical and spiritual wellbeing. By interacting with the community through the schools, the Venue Church gains the privilege of sharing the love of Jesus for eternal impact.

Our Strategy is Effective. We invest in students through interacting with the school to impact the community. By not investing in brick and mortar church buildings, The Venue Church has the flexibility to meet the needs of the community at the center of the community--the public school.

We begin by asking school administrators the Jesus Question: "What do you want me to do for you?", this establishes that the church is poised to serve in any way, with no strings and no agenda. We have an initial focus on filling gaps and meeting the most basic needs within the school helping to build relationship and overcoming barriers. We support whatever vibrant parachurch clubs are already on campus. We connect with the school principal to build trust and to ensure that the school's greatest priorities are being addressed. We develop positive relationships with office, custodial and other staff allowing for smooth implementation of plans and projects.

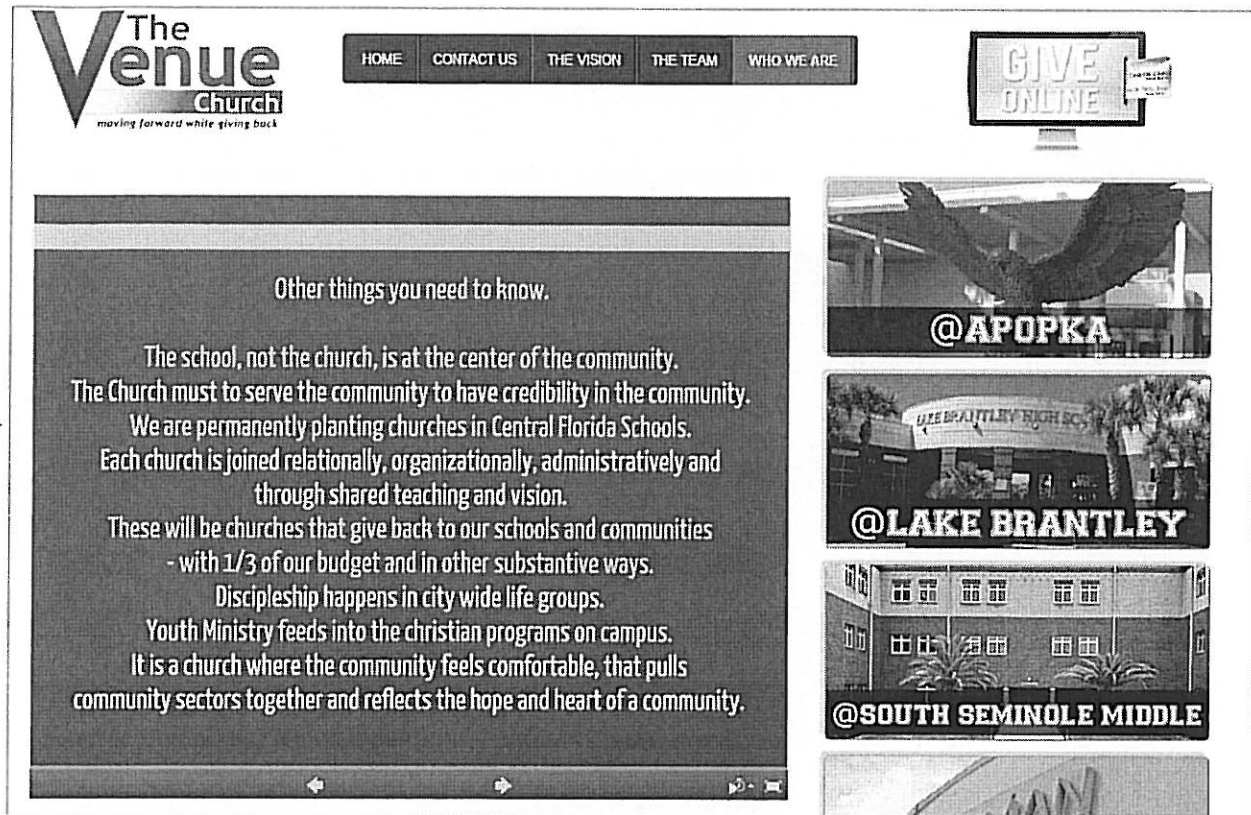
We fit in with the school's schedule and culture, and we carefully follow the rules, which shows humility and helps us earn the privilege of being heard. We avoid school politics so we can connect with all stake holder groups within the school community (administrators, teachers, auxiliary staff, parent and community groups, etc.). We proceed slowly, develop the partnership intentionally, and commit for the long haul which will ensure sustainability.

Where and When We Do It

Apopka High School Auditorium -
Sunday Morning 10:00am
Lake Brantley High School Auditorium -
Sunday Morning 10:00am
South Seminole Middle School -
Sunday Evening 5:00pm*
(*Soft-launch period only)



Enclosure #2 – Venue “Permanently Planting Churches”



The Venue Church
moving forward while giving back

HOME CONTACT US THE VISION THE TEAM WHO WE ARE

GIVE ONLINE

Other things you need to know.

The school, not the church, is at the center of the community.
The Church must to serve the community to have credibility in the community.
We are permanently planting churches in Central Florida Schools.
Each church is joined relationally, organizationally, administratively and through shared teaching and vision.
These will be churches that give back to our schools and communities - with 1/3 of our budget and in other substantive ways.
Discipleship happens in city wide life groups.
Youth Ministry feeds into the christian programs on campus.
It is a church where the community feels comfortable, that pulls community sectors together and reflects the hope and heart of a community.

@APOPKA

@LAKE BRANTLEY

@SOUTH SEMINOLE MIDDLE

Enclosure #3 – District Staff Supporting Church



The Venue at South Seminole Middle School, Casselberry
November 5th

So grateful for the personal support of our Principal, our School Board Member and our Mayor towards The Venue Church #GratefulForGreatLeaders!

Like • Comment • Share

Doug Prusak likes this.

Write a comment...

Enclosure #4 – Dean of Students Support for Church



The Venue Church · 577 like this

43 minutes ago · 📍

We love getting notes like this!

Dear Pastor Pikalow,

I would like to express my sincere gratitude to you and the Venue Church at Lake Brantley High School for the generous gift you gave to some of our extended families who were in need of some financial assistance. The gift that the Venue Church gave was able to reach out and touch 5 different families for the Christmas Holidays this year. I made sure that as each gift was given, the recipients knew where it came from. Five families were able to see the "light" just a little bit brighter this year because of your generous giving.

My prayer is for the Venue Church @ Lake Brantley to continue prospering and grow and reach the community for Jesus Christ. May God continue his blessings on you, your family, and this community as you keep taking those steps of faith for his service.

My best to all of you,

Brian Shafer
Dean of Students
Lake Brantley High School

Enclosure #5 – Pastor Searles at “Teach In”

Teach In Tues Nov 19th, 2013

[Back to Album](#) · [South Seminole Middle School's Photos](#) · [South Seminole Middle School's Page](#)

[Previous](#)



[Like](#) [Comment](#)



South Seminole Middle School
Mr. Andy Searles of Casselberry

[Like](#) · [Comment](#) · [Share](#) · November 20 · Edited

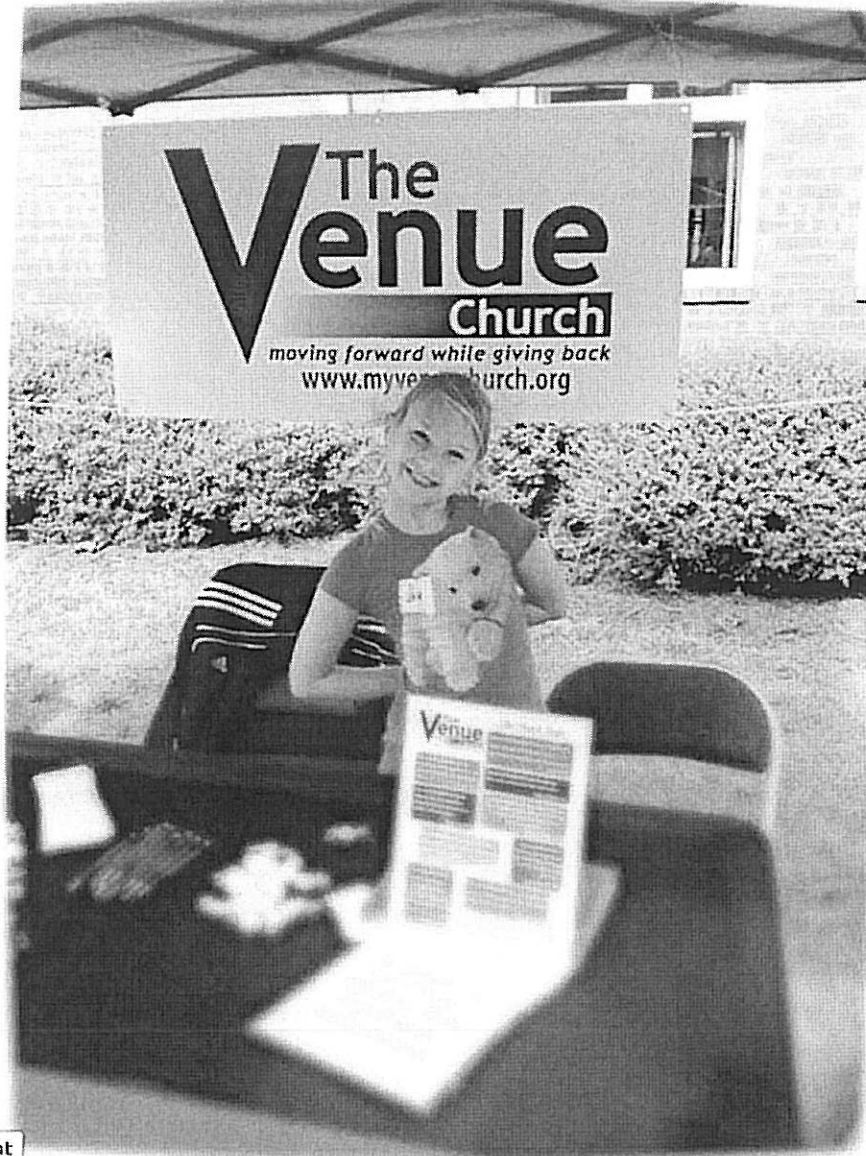
Album: Teach In Tues Nov 19th, 2013

Shared with: Public

Enclosure #6 – Church Table at School Celebration

The Venue Church added a new photo: "The Venue at South Seminole Middle..."

[Back to Album](#)




[Like](#) [Comment](#)



The Venue Church

The Venue at South Seminole Middle School, Casselberry helped to Celebrate the school's 50th Anniversary this past Saturday! Congratulations to all the students, teachers and faculty who have served the school so well!

From: The Venue Church added
"The Venue at South Seminole M
Timeline Photos

Shared with:  Public

Enclosure #7 – Pastor Searles Praying with Teachers on Campus

Where: Casselberry Art House. Directions and address for the Art House can be found by clicking here: <http://www.casselberry.org/index.aspx?NID=338>

When: Sunday, January 26th, 5- 6:30 pm

What: Venue "getting started" party

Who: YOU, your family and especially your kids!

I can't wait to share with you what the future holds for us and The Venue. Please make every effort to join us on Sunday, 26th!

God continues to shape the future of our Church and things continue to fall into place. Here's a few other things to let you know about.

- I had the opportunity to meet and pray with some of the Christian teachers on campus this past Tuesday. What a great group of people! This is going to become a regular part of my routine and I am excited about the new relationships developing.
- We had a great Children's Ministry meeting with some people who are passionate about serving our kids well! Thanks to the very special ladies who were able to join us!
- Our Communications Team meeting has been moved from January 22nd to lunch on **Wednesday, Jan 29th**. If you are interested in attending, let me know at andy@myvenuechurch.org
- We are on track for our first worship service to be on **February 9th**. We were due to start the week before but then I realized that there was a little football game taking place that evening that might be important to some!

As I have been praying for you, for The Venue and for huge doses of wisdom this week I have been gratefully reminded that it is Jesus who takes responsibility for building HIS church (Matthew 16:18). Our role is to experience the joy of partnering with Him.

I'm looking forward to seeing you on Sunday, 26th! By joining us, years from now, you'll be able to tell your grandchildren that you were part of history in the making

With great excitement,



Andy@MyVenueChurch.org

Enclosure #8 – Pastor Searles on District Committee



The Venue at South Seminole Middle School, Casselberry

· 259 like this

January 23 at 4:30pm ·

Did you know that Pastor Andy is serving on the Teacher of the Year Committee with Seminole Country Schools. The process would be a whole lot easier if we didn't have some many incredible teachers in our county!

Like · Comment · Share

👍 5 people like this.

Enclosure #9 – Formation of FCA at Church Function



Lake Brantley FCA @LBHSFCA · Sep 7

We will also announce the launch of FCA at Lake Brantley at this event. Hope to we y'all there

Expand

👍 Like 🗨 Comment ⭐ Favorite ⋮ More



Lake Brantley FCA @LBHSFCA · Sep 7

The Venue Church at Lake Brantley will begin it's launch Sunday, September 8 at 5:00pm in the LBHS media center.

Expand

👍 Like 🗨 Comment ⭐ Favorite ⋮ More

Enclosure #10 – Pastor Pikalow Coordination of FCA



Lake Brantley FCA @LBHSFCA · Sep 16

Don't forget, executive officers meeting tomorrow at Einstein Bagels on 434 at 6:15

Expand

👍 Like 🗨 Comment ⭐ Favorite ⋮ More



Grace Russell @g_russell26 · Sep 16

@LBHSFCA I thought we had to be there at 6:30 ?

Expand

👍 Like 🗨 Comment ⭐ Favorite ⋮ More



Lake Brantley FCA @LBHSFCA · Sep 16

@g_russell26 the email Pastor Pik sent out said 6:15

🗨 Hide conversation

👍 Like 🗨 Comment ⭐ Favorite ⋮ More

Enclosure #11 – Church and FCA Signs



The Venue Church

Like This Page · November 26, 2013 · Like

The Venue + Fellowship of Christian Athletes = A Significant Impact

Like · Comment · Share

7 people like this.



Christine Eckers Moore Wow. Where are they working on the landscaping?

November 26, 2013 at 8:39pm · Like



The Venue Church This project was done on the campus of Lake Brantley. Similar projects have been done on the campus of Apopka High School, like the reconstruction of the stage in the auditorium. It is awesome to serve our campuses!

November 27, 2013 at 6:06am · Like

Enclosure #12 – Promotion of Journey 365

From: Linion Grace
Sent: Tuesday, February 04, 2014 10:25 AM
To: SSMS-AllStaff
Subject: Journey 365 registration

Hello All,

Just a friendly reminder to get your registration form in for Journey 365. The registration fee will be paid by The Venue Church and Andy Searles, which makes it totally free for you to register. Let's see how many people we can get signed up. Thank you very much and look forward to seeing you on this Journey.

*Linion Grace, M. Ed.
Dean of Students
South Seminole Middle School
Leadership and Global Connection Magnet
101 S. Winter Park Dr.
Casselberry, Fl. 32707*

Enclosure #13 – Description of Journey 365 as Religious

50 Days of Fitness is a national wellness initiative bringing premier health information and services through the local church to the surrounding community.

Enclosure #14 – Journey 365 Religious Testimonial

Griffin Bruehl

My 50 Days of Fitness journey began in January of 2012. From then on my life has been changed. I started 50 Days of Fitness while incorporating AdvoCare into my diet. I lost a total of 35 pounds in the 50 days! My energy levels have sky rocketed. I no longer have cravings, and I am a new me. This program not only changed my life physically, but more importantly, spiritually. The amazing leaders I had made it a priority for me to grow in my faith and improve in my walk with Christ. Since 50 Days of Fitness, my walk with Christ has drastically changed and has continued to strengthen each and every day. To this day I have continued to keep the 35 pounds off.

Enclosure #15 – Church Sign at Lawton Chiles Elementary



Enclosure #16 – Pastor Lamphere as Team Chaplain

The Venue Church Team

The Venue Church Staff

Ministry Leaders



Pastor and Co-Founder, Todd Lamphere. Email

Todd Lamphere has spent 26 years in ministry; 18 of those years as a Youth Pastor and 10 years as the Senior Pastor for First Baptist Church Altamonte Springs. He is the Chaplain of Apopka Blue Darter Football Team and past chaplain of Lyman and Lake Howell Football Teams. He is the Founder of the Nickelodean style game show, The Ultimate Slooze Show, the game where slime and ooze collide and Founder of 50-Days of Fitness. Pastor Todd also serves on the Board of Directors for Leadership Seminole.