

FREEDOM FROM RELIGION *foundation*

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April 17, 2019

SENT VIA EMAIL AND U.S. MAIL: cjackson@dieterich.k12.il.us

Mr. Cary Jackson
Superintendent
Dieterich CUSD #30
P.O. Box 187
Dieterich, IL 62424

Re: Unconstitutional School-Sponsored Religious Field Trip

Dear Superintendent Jackson:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding an unconstitutional school-sponsored trip to the Ark Encounter that occurred on April 16, 2019. FFRF is a national nonprofit organization with more than 31,000 members across the country, including more than 1,000 members and a chapter in Illinois. Our purposes are to protect the constitutional principle of separation between state and church, and to educate the public on matters relating to nontheism.

It is our understanding that Dieterich CUSD #30 took students on a senior trip to the Ark Encounter on April 16, 2019. We also understand that the District promoted this religious field trip on its website and social media pages. Please see the enclosed screenshots

The Ark Encounter is a Christian ministry run by the creationist Ken Ham, who also built the notorious Creation Museum. Ham has been clear about the proselytizing nature of both attractions since their inception. In his June 27, 2016 letter entitled, "Our Real Motive for Building Ark Encounter," he lays out an openly evangelistic goal:

We are eagerly approaching what I believe will be a historic moment in Christendom. It's the opening of one of the greatest Christian outreaches of our era: the life-size Noah's Ark in Northern Kentucky. . . . The [creation] museum and Ark direct people to the Word of God and the gospel of Jesus Christ.¹

Ham quotes biblical verses to further illuminate his motive before finally stating it plainly:

our motive is to do the King's business until He comes. And that means preaching the gospel and defending the faith, so that we can reach as many souls as we can . . . millions of souls will hear the most important message of all . . . a message of hope from the holy, righteous Judge who, despite our sin, wants us to spend eternity with Him!²

We write to ask that you ensure that the District will no longer take students on religious field trips. The Ark Encounter, a business with the self-stated purpose of "preaching the gospel and defending the faith," is simply not an appropriate destination for a public school field trip.

¹ Available at bit.ly/298EDJO.

² *Id.*

It is well settled that public schools may not advance or promote religion. *See generally 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). Moreover, “the preservation and transmission of religious beliefs and worship is a responsibility and a choice committed to the private sphere.” *Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290, 310 (2000) (quoting *Lee*, 505 U.S. at 589). In *Lee v. Weisman*, the Supreme Court extended the prohibition of school sponsored religious activities beyond the classroom to all school functions, holding prayers at public high school graduations an impermissible establishment of religion. As a school-sponsored event, a school field trip cannot include any endorsement of religion.

Given the Ark Encounter’s overt and unambiguous Christian agenda, a District-sponsored trip to the Ark Encounter illegally endorses a religious message in violation of the Constitution. Sending students to a Christian ministry will ostracize those students and families who identify as nonreligious or practice a minority religion. At this moment, 30% of the country is non-Christian, with 24% having no religious affiliation whatsoever; among millennials, the “unaffiliated” figure jumps to 38%.³ There is little doubt that non-Christian and nonreligious children are among the students in the District, and their freedom of conscience must be respected.

Please note that it makes no difference whether or not this field trip was mandatory. The Supreme Court has held that voluntariness does not remedy an Establishment Clause violation. *See generally Lee*, 505 U.S. at 596 (“It is a tenet of the First Amendment that the State cannot require one of its citizens to forfeit his or her rights and benefits as the price of resisting conformance to state-sponsored religious practice.”); *Schempp*, 374 U.S. at 288 (Brennan, J., concurring) (“Thus, the short, and to me sufficient, answer is that the availability of excusal or exemption simply has no relevance to the establishment question”); *Mellen v. Bunting*, 327 F.3d 355, 372 (4th Cir. 2003) (“VMI cannot avoid Establishment Clause problems by simply asserting that a cadet’s attendance at supper or his or her participation in the supper prayer are ‘voluntary.’”).

We ask that you investigate this situation and ensure that the District is respecting the right of conscience of its students and their families. The District must discontinue trips to the Ark Encounter, and select more appropriate locations for its field trips in the future. Please respond in writing outlining the steps that the District will take to remedy this serious constitutional violation.

Sincerely,



Christopher Line
Patrick O’Reiley Legal Fellow
Freedom From Religion Foundation

Enclosures

³ Robert P. Jones and Daniel Cox, *America’s Changing Religious Identity*. Public Religion Research Institute, 2017. <https://www.prrri.org/wp-content/uploads/2017/09/PRRI-Religion-Report.pdf>.



ALL



First stop "The Ark Encounter" along with Camel Rides and Petting Zoo!

ABOUT 1 HOUR AGO. SCOTT KOCHER



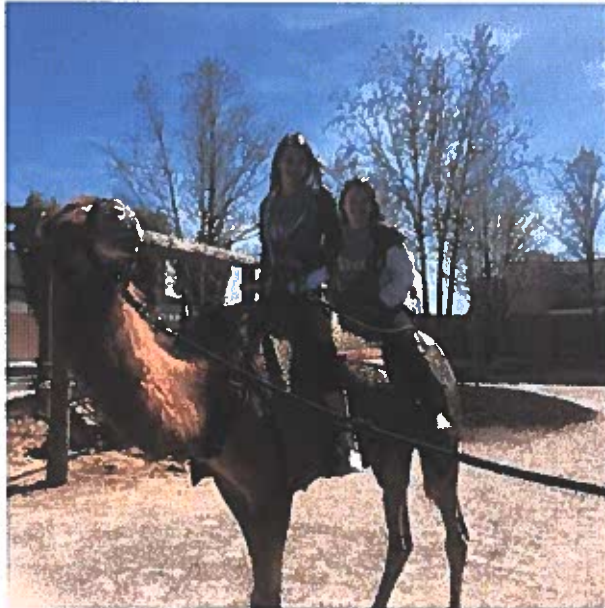


Dieterich Unit #30 Schools



1 hr · 🌐

First stop "The Ark Encounter" along with Camel Rides and Petting Zoo!



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