

FREEDOM FROM RELIGION *foundation*

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

August 22, 2023

SENT VIA EMAIL AND U.S. MAIL: jlight@wyliebulldogs.org

Joey Light
Superintendent
Abilene-Wylie ISD
6251 Buffalo Gap Road
Abilene, TX 79606

Re: Unconstitutional prayers at mandatory meeting

Dear Superintendent Light:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding a constitutional violation that occurred in Abilene-Wylie ISD (the District). FFRF is a national nonprofit organization with over 40,000 members across the country, including more than 1,700 members and a chapter in Texas. Our purposes are to protect the constitutional principle of separation between state and church, and to educate the public on matters relating to nontheism.

A concerned District employee reported that staff were led in prayer multiple times during mandatory staff meetings on August 7 and 8, 2023. We are told that during the August 7 meeting, assistant superintendent of human resources, Tommy Vaughm, led staff members in prayer following the United States and Texas pledges, and that a second prayer was then given by a financial donor, Ryan Holmes, prior to the lunch break. Additionally, it is our understanding that at the August 8 meeting you led staff in prayer while acting in your official capacity as superintendent.

We write to request that the District cease including prayer at staff meetings going forward.

It is unconstitutional for a public school district to require employees to observe and participate in prayer as part of a mandatory staff meeting, including a district's annual staff inservice. *See McCreary Cty. v. ACLU*, 545 U.S. 844, 860 (2005); *Wallace v. Jaffree*, 472 U.S. 38, 53 (1985); *Epperson v. Arkansas*, 393 U.S. 97, 104 (1968); *Everson v. Bd. of Educ. of Ewing*, 330 U.S. 1, 15–16 (1947). Moreover, government-sponsored prayer “has the improper effect of coercing those present to participate in an act of religious worship.” *Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290, 312 (2000). Requiring employees who are nonreligious or members of minority religions to make a public showing of being non-Christian by not participating in a prayer or else display deference toward a religious sentiment in which they do not believe is coercive, embarrassing, and intimidating.

Federal courts have held that trainings and meetings for government employees, such as public school staff, cannot promote religion or coerce employee participation in religious exercise, including prayer. *See Warnock v. Archer*, 380 F.3d 1076, 1080–81 (8th Cir. 2004) (prohibiting public school district from orchestrating or supervising prayers at mandatory teacher meetings and in-service training); *Milwaukee Deputy Sheriff's Ass'n v. Clarke*, 588 F.3d 523, 525–26 (7th Cir. 2009) (holding religious speech by a sheriff, bible readings, and distribution of Christian literature during mandatory employee meetings

unconstitutional under the Establishment Clause). Similarly, a public school district cannot require or encourage employees to observe or participate in multiple prayers as part of a meeting.

The District must cease including prayer at employee meetings in order to respect the First Amendment rights of all its employees. Please respond in writing with the steps the District is taking to address this matter so that we may inform our complainant. Thank you for your time and attention.

Sincerely,

A handwritten signature in black ink that reads "Samantha F. Lawrence". The signature is written in a cursive style with a large, looped initial "S" and a distinct "F" and "L".

Samantha F. Lawrence
Anne Nicol Gaylor Legal Fellow
Freedom From Religion Foundation