

FREEDOM FROM RELIGION *foundation*

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August 1, 2022

SENT VIA EMAIL & U.S. MAIL: jreyes@ccboe.us

Dr. Jose Reyes
Interim Superintendent
Calhoun County School District
4400 McClellan Blvd.
Anniston, AL 36206

Re: Unconstitutional Preaching and Prayer at Mandatory Staff Events

Dear Dr. Reyes:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding a constitutional violation that occurs each year in the Calhoun County School District. FFRF is a national nonprofit organization with more than 37,000 members across the country, including members in Alabama. 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 has reported that each year, the Calhoun County School District holds a mandatory meeting called “system institute” where a pastor preaches to staff members and leads staff members in prayer. Our complainant reports that this year’s institute is scheduled for August 5, 2022, at Lighthouse Church and that the event has been described as an “inspirational feel-good meeting to lift your spirits,” but in practice it is actually a mandatory religious event for all District staff members. Our complainant feels that this event should not be required as it adds no educational value, but it coerces prayer and religious assimilation on employees who risk being ostracized and possibly fired for refusing to participate.

We write to request that the Calhoun County School District immediately refrain from including preaching or prayer as part of mandatory meetings and cease holding meetings and events in churches. School District employees have the right to their own religious or nonreligious views and by requiring employees to attend mandatory church events that include religious prayers and proselytizing, the District is coercing its staff members to observe religious practices in violation of their constitutional rights.

The use of churches for public school programming is inappropriate and unconstitutional. It is well settled that public schools may not show favoritism towards or coerce belief or participation in religion. *Kennedy v. Bremerton Sch. Dist.*, 142 S. Ct. 2407, 2429 (2022); *Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290 (2000); *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); *McCullum v Bd. of Ed.*, 333

U.S. 203 (1948). Moreover, “the preservation and transmission of religious beliefs and worship is a responsibility and a choice committed to the private sphere.” *Santa Fe*, 530 U.S. at 310 (quoting *Lee*, 505 U.S. at 589).

The Supreme Court has continually struck down prayers at school-sponsored events. *Id.* (holding that broadcast student-delivered prayers at high school football games violated the Establishment Clause), *Lee*, 505 U.S. 577 (declaring unconstitutional clergy-delivered prayers at a public school graduation). School officials may not invite a staff member or clergy member to preach or give any type of prayer, invocation, or benediction at a public school event. “The design of the Constitution is that preservation and transmission of religious beliefs and worship is a responsibility and a choice committed to the private sphere.” *Lee*, 505 U.S. at 590. “[T]he fact that attendance at the [school] ceremonies is voluntary in a legal sense does not save the religious exercise” because citizens cannot be forced to forfeit rights and benefits in exchange for compelled religious conformance. *Id.* at 596. Requiring nonreligious employees to make a public showing of their nonbelief by not participating in a prayer or else to display deference toward a religious sentiment in which they do not believe, is coercive, embarrassing, and intimidating.

We ask that the District cease holding religious events for its staff members that include preaching and prayer, and ensure that all school-sponsored events are held in secular venues in order to avoid violating the constitutional rights of its employees. The upcoming “system institute” should be canceled. Please respond in writing outlining the steps that District will take to respect the private right of conscience of all its employees.

Sincerely,



Christopher Line
Staff Attorney
Freedom From Religion Foundation

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