

FREEDOM FROM RELIGION *foundation*

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June 16, 2021

SENT VIA EMAIL & U.S. MAIL: dreese@catoosa.k12.ga.us

Denia Reese
Superintendent
Catoosa County Public Schools
PO Box 130
Ringgold, GA 30736

Re: Multiple Constitutional Violations

Dear Superintendent Reese:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding multiple constitutional violations occurring in Catoosa County Public Schools. We are still awaiting a response to our May 10, 2021 letter regarding the district's distribution of bibles and other religious materials to students at Graysville Elementary School. We look forward to your response to that letter, and this new one as well.

Multiple concerned staff members have reported several instances of promotion of religion occurring within the district. Our complainants report that staff members routinely include bible verses and religious messages in official emails or in their email signatures. For example, one staff member includes, "In His Name" and "Philippians 4:11-13" in their email signature. Another staff member includes the verse Matthew 25:40, "Whatever you did for one of the least of these brothers of Mine, you did it for Me." Our complainants also report that Vice Principal Michelle Almond has asked staff members to pray, and that prayer and Christian themes have been pushed on staff members in other situations. We also understand that there is religious themed decor displayed inside Cloud Springs Elementary School, including a sign that says: "Show me your ways, O Lord, Guide me into Your truth and Teach." - Psalm 25:4-5. Please see the enclosed screenshots.

We write to ask that district staff members cease sending religious messages via official district communication channels, and that any religious email signatures be removed, so as not to create the impression of districts's endorsement of religion. The religious sign at Cloud Springs Elementary School should be removed as well.

Unconstitutional Religious Endorsement

Emails sent by district employees to subordinates, parents, and students are attributable to the district, and regardless of how many people might want religious references or wouldn't be offended by them, the U.S. Constitution requires religious neutrality in public schools.

The Supreme Court has, time and again, held that the First Amendment "mandates governmental neutrality between religion and religion, and between religion and nonreligion." *McCreary Cty.*,

Ky. v. ACLU of Ky., 545 U.S. 844, 860 (2005) (quoting *Epperson v. Arkansas*, 393 U.S. 97, 104 (1968); *Everson v. Bd. of Educ. of Ewing*, 330 U.S. 1, 15-16 (1947); *Wallace v. Jaffree*, 472 U.S. 38, 53 (1985)). The district must respect that “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 v. Weisman*, 505 U.S. 577, 589 (1992) (O’Connor, J., concurring)). When the district infuses official district-sponsored communications with religion, employees will understandably conclude that the district is endorsing religion over nonreligion and Christianity over all other religions.

It is inappropriate for teachers or administrators to promote religion while acting or communicating in their capacity as district employees. When district staff uses official channels to promote their personal religious beliefs, it creates the impression that the district prefers religion over nonreligion, and here, Christianity over other religions. It further creates the impression that the district’s non-Christian members are “outsiders, [and] not full members of the political community.” *McCreary*, 545 U.S. at 860 (citations omitted).

It is well within the district’s authority to ensure that teachers and administrators are not violating the Constitution by promoting religious messages when acting in their roles as district employees. *See Johnson v. Poway Unified Sch. Dist.*, 658 F.3d 954, 970 (9th Cir. 2011), *cert. denied* 132 S. Ct. 1807 (2012) (upholding decision of school board to require a teacher to remove two banners referencing “God” and holding, “Because the speech at issue owes its existence to [his] position as a teacher, [the school district] acted well within constitutional limits in ordering [the teacher] not to speak in a manner it did not desire.”).

While we understand that Catoosa County Public Schools cannot monitor every email sent by district employees, as a public school, it is incumbent upon you to take appropriate steps to ensure no employee is inappropriately utilizing state resources to push a religious agenda. Employees should be instructed about their duty to remain neutral toward religion while working in their official capacity for Catoosa County Public Schools. A memo to all district staff regarding the appropriate use of district email and state-church separation would help prevent further infractions.

Unconstitutional Religious Display

The district violates the Constitution when it allows its schools to display religious symbols or messages like the religious sign at Cloud Springs Elementary School. This display creates the appearance that the district prefers religion over nonreligion and Christianity over all other faiths.

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).

In recognition of the district’s constitutional obligation to remain neutral toward religion, staff members acting in an official capacity must cease sending religious messages through official

district communication channels and the religious display at Cloud Springs Elementary School must be removed immediately. Please reply in writing with the steps the district is taking to remedy these constitutional violations

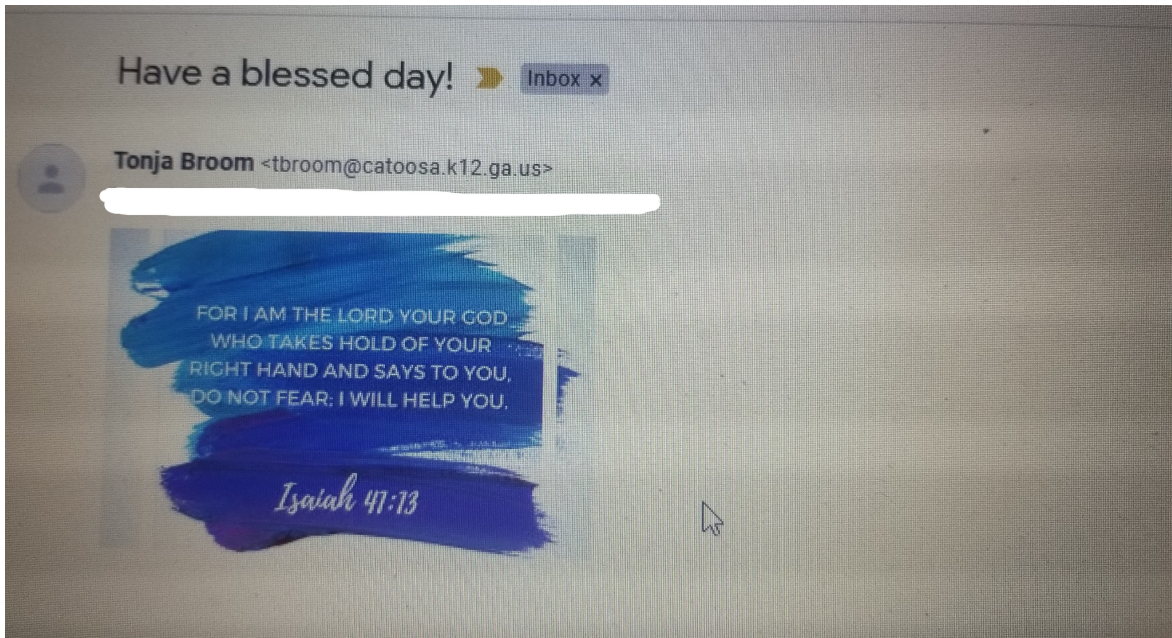
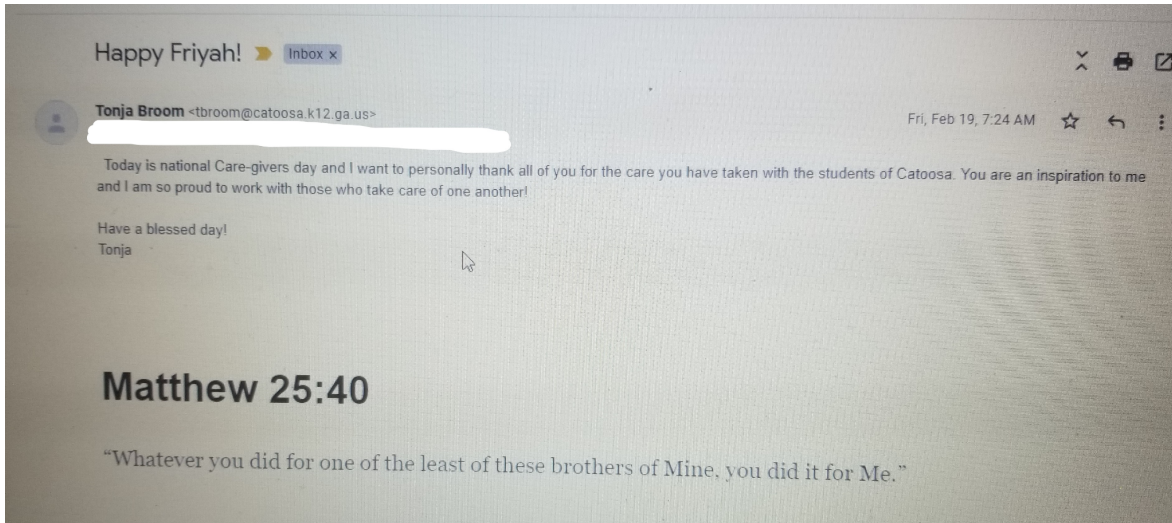
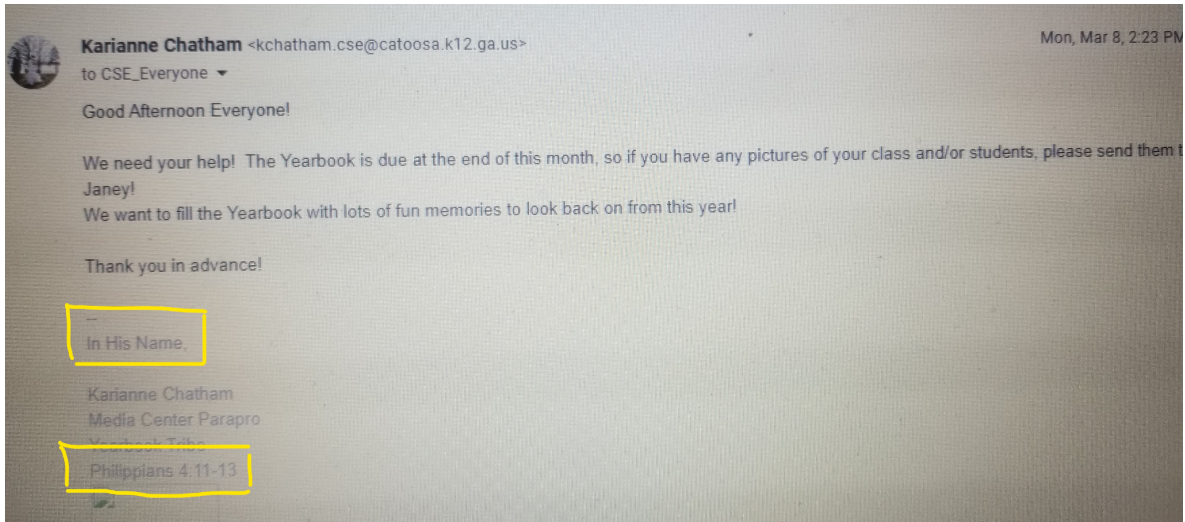
Sincerely,

A handwritten signature in blue ink that reads "Chris Line". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Christopher Line
Staff Attorney
Freedom From Religion Foundation

CAL:am

Enclosures



----- Forwarded message -----

From: **Michelle Allmond**
<mallmond@catoosa.k12.ga.us>
Date: Tue, May 4, 2021 at 5:43 PM
Subject: I want to share something with my CSE Family...
To: CSE_Everyone
<cse_everyone@catoosa.k12.ga.us>

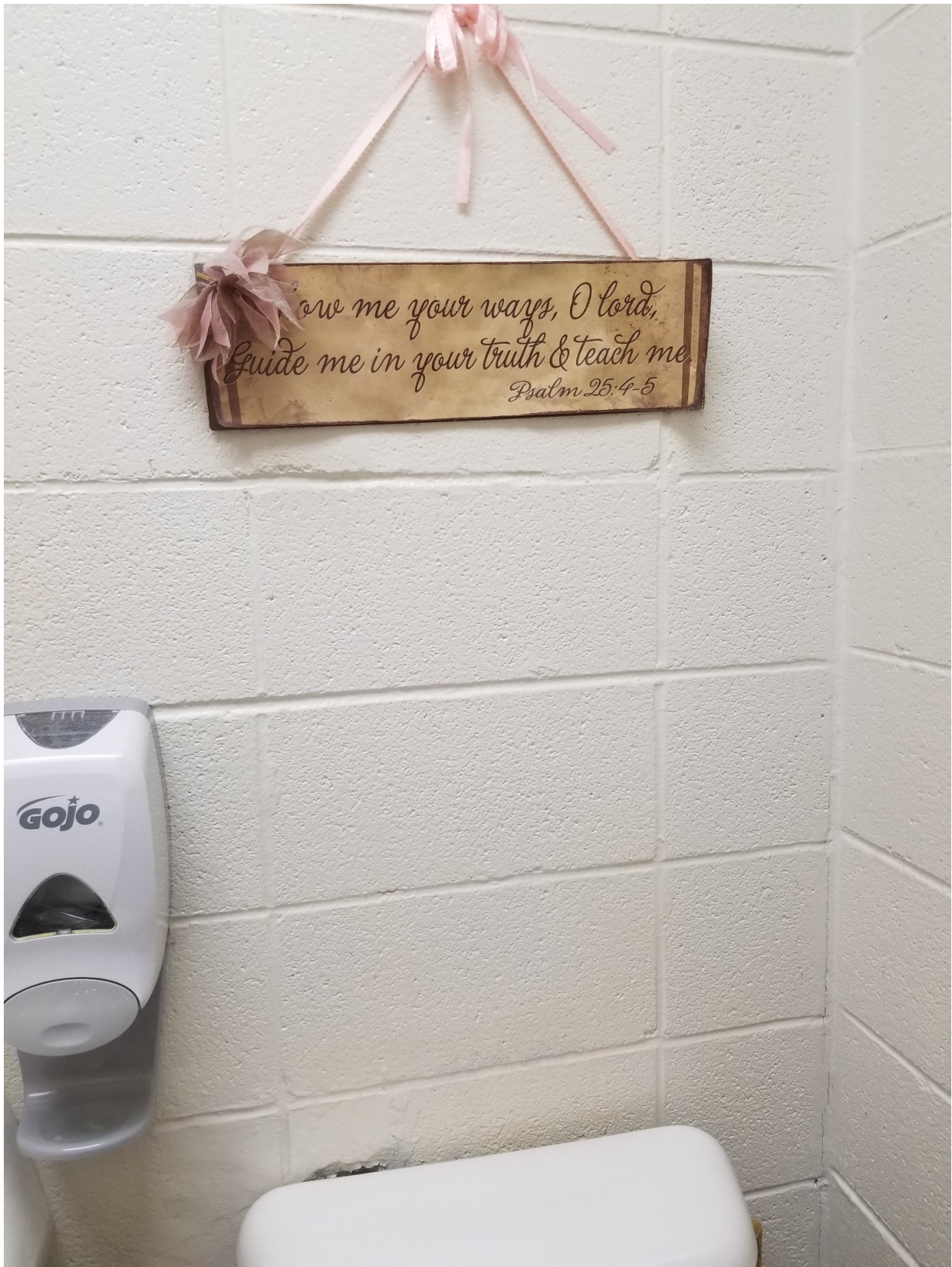
I would appreciate it if you would please keep my daddy, Eddy Colquette, in your prayers. He has been fighting a metastatic cancer battle this school year, and yesterday he suffered a stroke. The past two days have been filled with a bombardment of information including new diagnoses, treatment plans, and next steps. My sweet daddy and our family know that

prayers. He has been fighting a metastatic cancer battle this school year, and yesterday he suffered a stroke. The past two days have been filled with a bombardment of information including new diagnoses, treatment plans, and next steps. My sweet daddy and our family know that nothing takes our Savior by surprise, and we are thankful for the peace and comfort that only He can give. I know that many of you are going through personal trials this year too, so you can bet that I am crying out for your needs during my extra-wakeful nights. Those of you who know me well, know that my love language is not **words** of affirmation; I feel your support in the **acts of service** you provide for our students each day. I appreciate the grace you will extend to me as I strive to help you finish this crazy but amazing year "Warrior Strong".

--

Michelle Allmond
Assistant Principal
Cloud Springs Elementary School

LEVEL 1



Show me your ways, O Lord,
Guide me in your truth & teach me
Psalm 25:4-5

GOJO