

# FREEDOM FROM RELIGION *foundation*

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March 29, 2023

**SENT VIA EMAIL & U.S. MAIL: [jenell.sherman@sequoiagrove.org](mailto:jenell.sherman@sequoiagrove.org)**

Jenell Sherman  
Executive Director  
Feather River Charter School  
4305 South Meridian Road  
Meridian, CA 95957-9647

Re: Unconstitutional proselytizing during school assembly

Dear Director Sherman:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding a constitutional violation that occurred at the October 2022 National Junior Honors Society induction ceremony. FFRF is a national nonprofit organization with over 39,000 members across the country, including more than 5,000 members and local chapters in California. Our purposes are to protect the constitutional principle of separation between state and church, and to educate the public on matters relating to nontheism.

Several concerned parents of Feather River Charter School students reported that a guest speaker, Jeff Leikauf, delivered a speech that included proselytizing and discriminatory remarks during the Sequoia Grove Charter Alliance National Junior Honors Society induction ceremony on October 4, 2022. We are told that Mr. Leikauf's speech included several minutes of proselytizing and sermonizing, during which he quoted from the Christian bible and made derogatory comments about "unbelievers living among us." It is our understanding that the message of Mr. Leikauf's speech was that Christianity is the "right" religion to follow and teaches the "correct" way of living. Our complainants report that Mr. Leikauf's speech amounted to their family and others "being subjected to discriminatory language that was aimed directly at calling out our difference from the majority body. At a time when these young people were supported to be joining a community, Mr. Leikauf took it upon himself to give them reasons to feel further separated from their peers."

We write to request that Feather River investigate this situation and ensure that all future events are free from proselytizing and discriminatory remarks towards students and their families. Guest speakers may not use school assemblies as an opportunity to push their own religious views. If guest speakers engage in inappropriate conduct at a school event, then administrators must intervene.

It is well settled that public schools may not violate students' First Amendment rights by showing favoritism towards or coercing belief or participation in religion. *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). By subjecting students and their families to proselytizing and discriminatory remarks towards non-Christians, Feather River displayed clear favoritism towards religion over nonreligion, and Christian above all other faiths. This

needlessly alienates the students and families who belong to the thirty seven percent of the American population that is non-Christian, including the almost thirty percent who are nonreligious.<sup>1</sup>

Additionally, per section 47605(3)(1) of the California Education Code, all charter schools must be nonsectarian.<sup>2</sup> A guest speaker's actions are attributable to Feather River Charter School. Administrators violated section 47605(3)(1) when they allowed Mr. Leikauf to continue his speech once he began to proselytize and make inappropriate and offensive remarks.

Feather River must ensure that all future guest speakers are properly vetted and refrain from abusing their access to public school students by proselytizing. It is Feather River's obligation to see that the constitutional rights of all students are respected, including students' right to be free from religious indoctrination in their public school. Please inform us in writing of the steps you are taking to ensure this constitutional violation does not recur so that we may inform our complainants.

Sincerely,

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

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

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<sup>1</sup> Gregory A. Smith, *About Three-in-Ten U.S. Adults Are Now Religiously Unaffiliated*, PEW RESEARCH CENTER (Dec. 14, 2021), available at [www.pewforum.org/2021/12/14/about-three-in-ten-u-s-adults-are-now-religiously-unaffiliated/](http://www.pewforum.org/2021/12/14/about-three-in-ten-u-s-adults-are-now-religiously-unaffiliated/).

<sup>2</sup> California Department of Education, *Charter Schools* (Dec. 20, 2022)

<https://www.cde.ca.gov/sp/ch/cefcharterschools.asp#:~:text=A%20charter%20school%20must%20be.g%5D%20and%2047605%5B%5D>).