

# FREEDOM FROM RELIGION *foundation*

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September 14, 2011

**SENT VIA U.S. MAIL & FAX  
(504) 349-7960**

Mike Delesdernier  
School Board President  
Jefferson Parish Public Schools  
1901 Manhattan Blvd  
Harvey, LA 70058

Re: Religious References at Employee Meetings/Inappropriate Use of Email

Dear Mr. Delesdernier:

I am writing on behalf of employees and other members of the Freedom From Religion Foundation (FFRF) to alert you to objections to constitutional violations occurring in Jefferson Parish Public Schools. FFRF is a national nonprofit organization with more than 17,000 supporters across the country including members in Louisiana. Our purpose is to protect the constitutional principle of separation between state and church.

It is our information and understanding that on August 11<sup>th</sup> and 12<sup>th</sup>, you as School Board President, took part in the mandatory teacher inservices. It is our information and understanding that during both meetings, you gave a speech that referenced "God" on several different occasions. It is our further understanding that many references to the Bible were also mentioned, including stories about Cain and Abel.

It is also our information and understanding that you have also sent emails to Jefferson Parish faculty and staff, using your school email account, indicating that you are "praying" for them. We further understand that references to "God" were also communicated in these emails.

## Religious References at Required Staff Meetings

It is grossly inappropriate to reference religion during required faculty meetings. This practice forces employees, who may be of varying religions or have none at all, to endure governmental endorsement of religion. It is a fundamental principle of Establishment Clause jurisprudence that the government cannot in any way promote, advance or otherwise endorse religion. The meetings were required as part of teacher preparation week and your speech included several Christian references. Therefore, the meetings appear to a reasonable observer to be a district

endorsement of religion, particularly Christianity. This is exactly the type of government endorsement that is prohibited by our Constitution's Establishment Clause.

Using Christian references as a guide to teaching and caring about children does not respect all faiths and non-faith. The speeches, which invoke "God," exclude the 15% of the population that is non-religious (Religious Identification Survey 2008).

Certainly, religious references have meaning to those in attendance. Even offering to excuse from attendance employees who do not agree with all or a portion of the meeting does not prevent the violation. Our complainant and other employees should not have to "out" themselves to their government employers as nonbelievers or non-Christians, nor should they be denied the benefits of the meeting.

#### Inappropriate Use off Employee Email

It is grossly inappropriate for government employees to include religious references as part of an official email. The separation of church and state is among one of the most fundamental principles of our system of government. The United States Supreme Court has held that government officials may not seek to advance or promote religion. The Supreme Court has specifically stated, "If there is any fixed star in our constitutional constellation, it is that *no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion or force citizens to confess by word or act their faith therein.* If there are any circumstances which permit an exception, they do not now occur to us." (emphasis added) *West Virginia Board of Education v. Barnett*, 319 U.S. 624, 642 (1943).

As the District's highest elected official, you are charged with great responsibility and have been given significant trust by its citizens, including those citizens who may not share your religious viewpoints. Therefore, we strongly urge you to consider your status as the highest elected official in the Jefferson Parish Public School System and the importance of the constitutional principle of separation of church and state before you give speeches and have emails sent containing your personal religious beliefs and viewpoints. We request a prompt response in writing as to the steps you are taking to remedy these concerns so that we may notify our complainants.

Sincerely,



Stephanie A. Schmitt  
Staff Attorney