

# FREEDOM FROM RELIGION *foundation*

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

January 17, 2023

**SENT VIA EMAIL & U.S. MAIL: lp\_williamson@lp.noacsc.org**

Greg Williamson  
Superintendent  
Leipsic Local School District  
232 Oak Street  
Leipsic, OH 45856

Re: Unconstitutional religious class

Dear Superintendent Williamson:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding a constitutional violation occurring in the Leipsic Local School District (“the District”). FFRF is a national nonprofit organization with over 39,000 members across the country, including more than 1,000 members and local chapters in Ohio. 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 parent reported that Leipsic Elementary School holds a weekly sectarian Christian class for students. Reportedly, the District has had a custom and practice of offering this religious class to its elementary school students since at least 2018. We are told that Mrs. Renee Wenzinger teaches the “Christian History Class” once per week during the school day on school property. Please see the enclosed screenshot of a March 22, 2018 post on the official District Facebook page discussing Mrs. Wenzinger’s class. It is our understanding that this course is sectarian, and that Mrs. Wenzinger teaches and promotes Christian beliefs to the elementary students, similar to a bible study class.

Additionally, a November 17, 2022 post on the official District Facebook page reads:

Mr. Vallejo’s class was rewarded with a donut party from Mrs. Wenzinger’s Christian historical classes. They participated in the shoebox ministry outreach this year and their class turned in the most boxes.

CONGRATULATIONS to the 3rd graders in his class! Leipsic Local Schools as a district was able to ship 100 boxes overseas to other boys and girls. WHAT A BLESSING!

Please see the enclosed screenshot.

We are informed that parents who do not want their children participating in this Christian class must opt their children out of the class. Our complainant is not Christian and chose to opt their children out of the Christian History Class. Our complainant states their children have been isolated at school, repeatedly bullied, and even physically assaulted by other children at school for refusing to participate in the Christian History Class.

We write to request that the District immediately investigate this situation and ensure that the Christian History Class at Leipsic Elementary School is shut down.

Public schools may not provide religious instruction. In the seminal Supreme Court case on this issue, *McCullum v. Bd. of Educ.*, 333 U.S. 203 (1948), the Court held that bible classes in public schools are unconstitutional. The school district in *McCullum* allowed religious teachers, employed by private religious groups, to teach students a regular bible class. The Court held, “Here not only are the state’s tax-supported public school buildings used for the dissemination of religious doctrines. The State also affords sectarian groups an invaluable aid in that it helps to provide pupils for their religious classes through use of the state’s compulsory public school machinery. This is not separation of Church and State.” *Id.* at 212.

Other federal courts have ruled that similar teaching is unconstitutional. In FFRF’s lawsuit against religious instruction in Rhea County, Tennessee, the Court said, “This is not a close case. Since 1948, it has been very clear that the First Amendment does not permit the State to use its public school system to ‘aid any or all religious faiths or sects in the dissemination of their doctrines.’” *Doe v. Porter*, 188 F. Supp. 2d 904, 914 (E.D. Tenn 2002) (quoting *McCullum*, 333 U.S. at 211), *aff’d*, 370 F.3d 558 (6th Cir. 2004).

It does not matter that Leipsic Elementary School allows parents to opt their children out of the religious class. Voluntariness does not excuse the constitutional violation. *See Lee v. Weisman*, 505 U.S. 577, 596 (1992) (“It is a tenet of the First Amendment that the State cannot require one of its citizens to forfeit his or her rights and benefits as the price of resisting conformance to state-sponsored religious practice.”); *Sch. Dist. of Abington Twp. v. Schempp*, 374 U.S. 203, 288 (1963) (Brennan, J., concurring) (“Thus, the short, and to me sufficient, answer is that the availability of excusal or exemption simply has no relevance to the establishment question”); *Mellen v. Bunting*, 327 F.3d 355, 372 (4th Cir. 2003) (“VMI cannot avoid Establishment Clause problems by simply asserting that a cadet’s attendance at supper or his or her participation in the supper prayer are ‘voluntary.’”); *Jager v. Douglas Cnty Sch. Dist.*, 862 F.2d 825, 832 (11th Cir. 1989), *cert. denied*, 490 U.S. 1090 (1989) (“... whether the complaining individual’s presence was voluntary is not relevant to the Establishment Clause analysis . . . The Establishment Clause focuses on the constitutionality of the state action, not on the choices made by the complaining individual.”).

Students, especially elementary students, are a vulnerable and captive audience. As the Supreme Court has recognized, “[f]amilies entrust public schools with the education of their children, but condition their trust on the understanding that the classroom will not purposely be used to advance religious views that may conflict with the private beliefs of the student and his or her family.” *Edwards v. Aguillard*, 482 U.S. 578, 584 (1987). “[T]he 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. at 589).

The purpose of a public school is secular education, not religious indoctrination. The District is usurping parental authority and rights by allowing Mrs. Wenzinger to teach a sectarian Christian class for its elementary school students. Christian indoctrination alienates the students and families who are not Christian, including the almost thirty percent who are not religious.<sup>1</sup> The District has blatantly disregarded its constitutional obligation to adhere to the Establishment Clause of the First Amendment and its obligation to parents to respect their parental rights.

The District cannot allow this sectarian class to continue at Leipsic Elementary School. The District should concentrate on achieving its goal of secular education and leave any religious training to parents and families. The reportedly longstanding custom and practice of allowing this religious Christian history class during the school day, on school property must stop. Please respond in writing with the steps the District is taking to remedy this serious constitutional violation so that we may inform our complainant.

Sincerely,

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

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

Enclosures

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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/).



Leipsic Local School District



Nov 17, 2022 · 🌐

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**CONGRATULATIONS** to the 3rd graders in his class! Leipsic Local Schools as a district was able to ship 100 boxes overseas to other boys and girls. WHAT A BLESSING!







**Leipsic Local School District**



Mar 22, 2018 · 🌐

CONGRATULATIONS to the Board of Education March Viking Star recipient - Renee Wenzinger!!

Mrs. Wenzinger comes in every Monday and shares her passion with the school children. We have received several compliments from members of the community about how much of a positive impact she is having on the students.

Thank you for the time and energy you spend giving back to the community by working with the school children.

[#vikingpride](#)

