

FREEDOM FROM RELIGION *foundation*

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

April 23, 2020

SENT VIA EMAIL ONLY:

jballard@prairiland.net

Jeff Ballard
Superintendent
Prairiland ISD
466 FM 196 South
Pattonville, Texas 75468

Re: Unconstitutional school endorsement of religion

Dear Superintendent Ballard:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) to alert you to a constitutional violation occurring in Prairiland ISD (the District). FFRF is a national nonprofit organization with more than 31,000 members across the country, including over 1,300 in Texas. FFRF's 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 local resident contacted us to report that Prairiland Junior High School has established locker 431 as a "prayer locker" for its students, marked with a Latin cross and a sign that reads:

Drop Prayer Here
Prayer Locker¹

We understand that the purpose of this locker is to encourage students to submit prayer requests to an outside religious group—Youth For Christ.

The First Amendment prohibits government entities like Prairiland ISD from promoting religion as it appears to be doing here.

The District has a constitutional obligation to remain neutral toward religion. The Supreme Court has repeatedly affirmed that the Establishment Clause "mandates governmental neutrality between religion and religion, and between religion and nonreligion." *McCreary Cty., Ky. v. Am. Civil Liberties Union of Ky.*, 545 U.S. 844, 860 (2005); *see also Wallace v. Jaffree*, 472 U.S. 38, 53 (1985); *Everson v. Bd. of Educ. of Ewing*, 330 U.S. 1, 15–16 (1947). The District must respect that "the preservation and transmission of religious beliefs and worship is a responsibility and a

¹ See Enclosure.

choice committed to the private sphere.” *Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290, 310 (2000) (internal quotations omitted). When District employees approve installation of Christian “prayer boxes” in public schools, citizens will understandably conclude that the government is endorsing prayer.

The Supreme Court has explained that “the prohibition against governmental endorsement of religion preclude[s] government from conveying or attempting to convey a message that religion or a particular religious belief is favored or preferred.” *Cty. of Allegheny v. ACLU Greater Pittsburgh Chapter*, 492 U.S. 573, 593 (1989) (internal quotations omitted). When the government entangles itself with religious messages, as it has here, it communicates “to nonadherents that they are outsiders, not full members of the political community, and an accompanying message to adherents that they are insiders, favored members” *Wallace*, 472 U.S. at 53.

The District serves a diverse population that consists of not only Christians, but also minority religious and nonreligious students. Placing overtly Christian prayer boxes in public schools sends a message that excludes the 35 percent of American adults who do not identify as Christians, including the 26 percent of nonreligious Americans.²

The separation between state and church required by the First Amendment is one of the most fundamental principles of our system of government. To avoid these constitutional concerns and the divisiveness that prayer boxes cause within the District, the solution is simple: remove all prayer boxes from District property. While we understand that these are trying times, please respond in writing with the steps you will take to remedy these constitutional concerns so we may notify our complainant. Thank you for your time and attention to this matter, and I hope this letter finds you in good health.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. Johnson', with a long horizontal flourish extending to the right.

Brendan Johnson, Esq.
Robert G. Ingersoll Legal Fellow
Freedom From Religion Foundation

Enclosure

² *In U.S., Decline of Christianity Continues at Rapid Pace*, Pew Research Center (Oct. 17, 2019), available at <https://www.pewforum.org/2019/10/17/in-u-s-decline-of-christianity-continues-at-rapid-pace/>.

