

# FREEDOM FROM RELIGION *foundation*

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May 18, 2022

**SENT VIA EMAIL & U.S. MAIL: [aaveritt@bradley.com](mailto:aaveritt@bradley.com)**

Anne Knox Averitt  
Bradley Arant Boulton Cummins LLP  
One Federal Place  
1819 Fifth Avenue North  
Birmingham, AL 35203

Re: Shelby County Schools - Unconstitutional Proselytizing by High School Teacher

Dear Ms. Averitt:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding a serious constitutional violation occurring in Shelby County Schools. We hope that the District will take immediate action to resolve this concern and protect its students rights.

A concerned Shelby County Schools parent has reported that their child's teacher has been proselytizing to students, and exhibiting other concerning behaviors. Our complainant reports that Alan Waring, a biology teacher at Calera High School, sent home religious materials with students and signed a student's yearbook with a similar concerning religious message. Mr. Waring also reportedly told students to tell him, "I love you" as they left for the year.

The handout Mr. Waring gave to students was titled, "God loves you and He has a plan for your life." It is a bizarre, religious screed meant to indoctrinate students into Christianity:

The good news is that this perfect, infinite person is real and He has demonstrated His love for you by the work of His Cross. He has humbled himself and, though He had equality with God from the beginning, chose to take on our form, forever. He became a man, He was born, He lived a life on Earth, and He died and because of the nature of His heart and His sacrifice for Sin, God raised Him from the dead. Jesus Christ, the Son of God became a Son of Man, He has entered into our nature, and He has invited us to enter into His. This is what your heart requires, to receive the divine love of God Almighty. A love that is eternal, that existed for you before you existed (Revelation 13.8). A love that is steadfast and trustworthy (Exodus 34.5-7), that is always able to keep its promises and never lies (Numbers 23.19). A never ending love to fulfill your never ending need (Proverbs 27.20).

After the truth finally gets through your thick skull and you believe that Jesus loves you, your life with Him can finally begin. I've tried, as briefly as possible, to expound on the first three words of the statement at the top of this short letter:

God loves you and He has a plan for your life. For me to sufficiently explain the rest of that statement would take many more pages, and even that would be grossly oversimplified. The scriptures do a better job than me anyway.

Regardless of your feelings towards Jesus, how much you agree with Him or disagree with Him, you will bow before The King. You will bend your knee, and you will confess with your mouth that He is the Lord, even if you hate Him. Exactly when you do this will determine how He sees you, as a citizen of His Kingdom or an enemy of His Kingdom. If you accept His marriage proposal now, which is also His terms of surrender, then He will count you as His own, a dwelling place for His Spirit, a Bride for King Jesus the Son, and a child of God the Father Almighty. You will be adopted into the Family of God and receive a new name, a new identity, you will be renewed, Holy as He is Holy. If you reject His proposal, if you do not submit to His leadership, you will be treated as an enemy of the Kingdom of God. You can either accept His terms of surrender or rebel against Him, there are no other options available.

Please find the entire handout attached.

Mr. Waring reportedly wrote a similarly bizarre religious, proselytizing message in a student's yearbook:

...you are designed for a grand incredible purpose that has cosmic significance. The God of the Universe, your creator and mine, has made a way for men and women to commune with Him and to be found in Him. This purpose is tied up in His identity, who He is, God is triune, three persons one God. God the Holy Spirit, God the Son, Jesus Christ, and God the Father... He desires a corporate Bride for the Son, Jesus Christ. He desires children for His family, Sons and daughters reconciled to the Father.

You need to be reconciled with your Father, your Heavenly Father. You need to learn to be His Son, to be led by Him, to receive His wisdom, to walk in His ways. This is why you were created, this is your purpose, to find your identity in His temple, His dwelling place, part of His Corporate Bride, and as a son adopted into the Family of God. This is a grand and glorious purpose, beyond all possible achievements in this life. He desires your affection, your attention, your interests, your free time, your life. He wants you, not some of you. He will not be satisfied with anything less and I pray He won't stop until He gets what He's after.

Please find photos of the message attached.

We write to ask that the District take immediate action to ensure that Mr. Waring is no longer discussing his religious beliefs with students, preaching to students, giving students religious handouts or in any way promoting or endorsing religion to students. Given his egregious and

bizarre behavior, Mr. Waring should be terminated, and administrators at the school should be reprimanded and reminded of their duties under the law.

It is a fundamental principle of Establishment Clause jurisprudence that a public school may not advance, prefer, or promote religion. *See generally*, *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). Public schools must remain neutral with regard to religion. When teachers use their position to promote their personal religious beliefs, it creates the impression in the minds of students and parents “that they are outsiders, not full members of the political community.” *Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290, 309 (2000) (quoting *Lynch v. Donnelly*, 465 U.S. 668, 688 (1984) (O’Connor, J., concurring)).

The District has an obligation under the law to make certain that “subsidized teachers do not inculcate religion.” *Lemon v. Kurtzman*, 403 U.S. 602, 619 (1971). Certainly, “a school can direct a teacher to ‘refrain from expressions of religious viewpoints in the classroom and like settings.’” *Helland v. S. Bend Comm. Sch. Corp.*, 93 F.3d 327 (7th Cir. 1993) (quoting *Bishop v. Arnov*, 926 F.2d 1066, 1077 (11th Cir. 1991)). The Supreme Court has recognized that “[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). If the District continues to turn a blind eye to the overt proselytization occurring in Mr. Waring’s classroom, it becomes complicit in an egregious constitutional violation and breach of trust.

Please note that it is not a violation of the free speech rights of teachers when a school district regulates what they teach to students while acting in their official capacities. Teachers have access to a captive audience of students due to their position as public educators. Therefore, the District has a duty to regulate religious proselytizing during class. “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.” *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 math teacher to remove two banners with historical quotes referencing “God”); *see also Garcetti v. Ceballos*, 547 U.S. 410, 421 (2006) (“We hold that when public employees make statements pursuant to their official duties, the employees are not speaking as citizens for First Amendment purposes, and the Constitution does not insulate their communications from employer discipline.”). Courts have upheld the termination of teachers who violate the principle of separation between church and state. *See, e.g., Grossman v. S. Shore Pub. Sch. Dist.*, 507 F.3d 1097 (7th Cir. 2007) (upholding termination of guidance counselor who prayed with students).

The District must make certain that none of its employees are unlawfully and inappropriately indoctrinating students in religious matters by discussing their personal religious beliefs, preaching, handing out religious materials, or otherwise creating a religious environment in their classrooms. We ask that the District immediately investigate this situation and ensure that Mr. Waring fully complies with the Establishment Clause and stops violating the rights of his

students and their parents, or is removed from his position. The District should provide additional training to administrators and teachers at Calera High School regarding their constitutional obligations. Please respond in writing, confirming that this letter has been received and outlining the steps the District will take to resolve this serious constitutional violation so that we may notify our complainant.

Sincerely,

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

Christopher Line  
Staff Attorney  
Freedom From Religion Foundation

Enclosures

## God loves you and He has a plan for your life

If I had to sum it up, that's what I would say. By far the most important thing you've ever heard in school and I would argue the most important thing for you to learn for your life. These two truths that you are, beyond your own ability to reason or imagine, loved by the God of Heaven and Earth and that this God has a plan for your life. I'll deal with the first three words of that statement and then explain what the rest means, to the best of my ability.

Chances are many of you have heard these words, or at least something like them before. Jesus loves me this I know, for the Bible tells me so. Many have heard the words, many view them as familiar. Very few understand these words to be profound, very few have had their hearts transformed by unconditional, steadfast love. Every human alive needs to be loved, regardless of how willing you are to admit it. Like a thirsty animal (Psalm 42) you will end up desperately searching for love if it is not given to you. And if you go too long without love, it will matter less and less to you where exactly you get it from. There are accounts of sailors throughout history who ran out of fresh water and willingly drank sea water because of thirst. Of course, the water from the ocean did not make them less dehydrated, it made them more dehydrated and eventually killed them. Whether you like it or not this is the state of your heart. You are in a permanent state of need, you need pure and clean water constantly. Chances are you will not believe me when I say this but the only water this world, this culture, can offer you is dirty, polluted, and diseased. It will not satisfy your thirst, it will make it worse. But if you refuse to drink clean water, *real* water, then you will turn to the counterfeit, you will willingly drink water that you know will kill you (Romans 6.23). This is what the Bible calls sin. Sin is the Great Lie. Sin promises to give you what you need, to provide comfort, joy, identity, love. But sin is unable to give you what it promises, it's like a fisherman's hook. The bait looks good, but it's just bait. Underneath the bait is a trap, a deception (Genesis 3.6). What your heart needs is a love that is true, a love that is clean and pure, a love that will satisfy thirst instead of make it worse. What your heart needs is a pure source, a love that has not been tainted by sin and death. What your heart requires is an infinite love from a perfect person, to satisfy your permanent state of neverending need. The good news is that this perfect, infinite person is real and He has demonstrated His love for you by the work of His Cross. He has humbled himself and, though He had equality with God from the beginning, chose to take on our form, forever. He became a man, He was born, He lived a life on Earth, and He died and because of the nature of His heart and His sacrifice for Sin, God raised Him from the dead. Jesus Christ, the Son of God became a Son of Man, He has entered into our nature, and He has invited us to enter into His. This is what your heart requires, to receive the divine love of God Almighty. A love that is eternal, that existed for you before you existed (Revelation 13.8). A love that is steadfast and trustworthy (Exodus 34.5-7), that is always able to keep its promises and never lies (Numbers 23.19). A never ending love to fulfill your never ending need (Proverbs 27.20). This is what He offers at The Cross, a commitment to you as an individual as well as to the human race. He is very serious about His relationship with us. It might sound strange, but one of the ways God identifies himself throughout the scriptures is a Bridegroom (Matthew 9.14-15, Revelation 19), or a Husband (Isaiah 54.5, Jeremiah 2, Hosea). One of the things that I believe The Cross communicates to humanity is a proposal. There is a theory within evolutionary biology called the Handicap Principle. According to this theory, costly signals are honest signals. For example, if a male peacock wants to convince a female peacock to mate he first has to build a large and colorful tail full of feathers. This is extremely expensive for the male and makes his life more difficult in several ways. He must find more food to acquire all the protein, vitamins, and minerals to create all the feathers of his tail, he must successfully compete against all other males for limited resources, and he must be agile and mobile enough to avoid being eaten by predators while carrying around the extra weight of his large tail. Because a peacock's tail is so costly, he cannot fake it. This means that a male peacock with the most impressive tail of feathers actually is the most fit, actually is superior to all other males. The degree of cost, the degree of sacrifice, communicates his ability. There are similar examples such as the large antlers of elk or a thick and heavy mane of a lion. Some would simplify this as just showing off for a mate, and I suppose that is part of it. But more than that, these costly signals are a demonstration of the male's investment in a relationship. The way a woman knows a man is serious about a relationship is if he sacrifices his money to buy an extremely expensive piece of jewelry. Costly signals are honest signals. Jesus Christ is very serious about His relationship with humanity. If He were not, He would not have been willing to be nailed to a cross, to be humiliated and mocked and spit on, to be beaten and whipped, to slowly suffocate to death. He has not given his paycheck to win the heart of man, He has given Himself, His own body broken, His own blood poured out. Jesus loves me this I know, for the Bible tells me so. Greater love hath no man than this, that a man lay down his life for his friends (John 15.13).



After the truth finally gets through your thick skull and you believe that Jesus loves you, your life with Him can finally begin. I've tried, as briefly as possible, to expound on the first three words of the statement at the top of this short letter: God loves you and He has a plan for your life. For me to sufficiently explain the rest of that statement would take many more pages, and even that would be grossly oversimplified. The scriptures do a better job than me anyway. What I will say is that the plan of God for your life is God's plan. It is a plan authored by Him, for His purposes, with His son Jesus Christ at the center. He is not offering to help you accomplish your plan. He is inviting you into His. He does not want to find a place in your life, He wants you to find a place in His. Jesus is identified as the Bridegroom throughout scripture, and He is also identified as a King. The word Christ is not a last name, it is a title, a word that implies a leader, a political leader even. At The Cross He proposes with love and He also provides a chance to surrender to Him. This is something that you have to understand, the reason He came to Earth more than 2000 years ago was to help prepare us for the next time He comes. When He returns He will establish His Kingdom on Earth (Mark 1.14-15). There are rules in His Kingdom, there is a culture, a way of life that citizens of heaven are expected to act. His first coming 2000 years ago in some ways was a warning, a call to change our ways so that we will not disagree with Him when He comes back to establish His rule over the Earth. His second coming will be very different from the first. When He came to Earth for the first time, He was born as a baby, a helpless child. He grew in a human family, obedient to flawed, human parents. When the crowds of people in Jerusalem demanded his public execution He did not resist them, He refused to defend Himself. Though He had done no wrong, He was silent as they whipped and beat Him, He was silent as He carried The Cross outside the city gates, He was silent when they nailed His hands and feet, He was silent when the soldiers cast lots for His clothes, He was silent as they placed on His head a crown of thorns, He was silent when they read the sign nailed above His head: This is Jesus, The King of the Jews. When He comes back He will be silent no longer. Humanity has seen Jesus as the Lamb that was Slain, and on the day of His second coming we will see Him as the Lion of Judah. At the sight of Him every knee will bow and every tongue will confess that He is The Lord (Philippians 2.5-11). Regardless of your feelings towards Jesus, how much you agree with Him or disagree with Him, you will bow before The King. You will bend your knee, and you will confess with your mouth that He is the Lord, even if you hate Him. Exactly *when* you do this will determine how He sees you, as a citizen of His Kingdom or an enemy of His Kingdom. If you accept His marriage proposal now, which is also His terms of surrender, then He will count you as His own, a dwelling place for His Spirit, a Bride for King Jesus the Son, and a child of God the Father Almighty. You will be adopted into the Family of God and receive a new name, a new identity, you will be renewed, Holy as He is Holy. If you reject His proposal, if you do not submit to His leadership, you will be treated as an enemy of the Kingdom of God. You can either accept His terms of surrender or rebel against Him, there are no other options available. Now some of you reading might think this unfair, so let me try to explain. If you do not wish to live in God's Kingdom, that is your choice to make. However, He will establish His Kingdom throughout the universe, His universe that He created and that He sustains by the power of His word. It will all be under His rule. If you refuse to be ruled by God, there is no neutral ground that you can escape to, it's all His.

They wanted, as we say, to 'call their souls their own.' But that means to live a lie, for our souls are, in fact, not our own. They wanted some corner of the universe of which they could say to God, 'This is our business not yours.' But there is no such corner. They wanted to be nouns, but they were, and eternally must be, mere adjectives – C. S. Lewis

There is only one place that will be exempt from the reign and rule of God. That place is the only place free from Him, the only place available to people who wish to escape His rules and the culture of His Kingdom. That place is what the Bible calls Hell. Hell is Hell because God is not there, it is the one place that will never be governed by God. Hell is not a prison full of people who desperately long for freedom. Hell is freedom from God. The door to Hell is not locked from the outside, trapping people within. The door is locked from the inside, to keep God out. It is the last refuge for those who value independence above all else, who will insist on calling their souls their own, who refuse to ever belong to anyone but themselves, and who will never bend their knee to anyone. You do not have to end up in this place, and I don't want you to end up in this place. I want you to be governed by God, to be led by Him, to be loved by Him, to be in communion with Him, to be ruled by Him. But in order to enjoy Him you must surrender to Him. He is not demanding you surrender one hour every Sunday, He is demanding *you*. If at a wedding ceremony the bridegroom said to the bride, "I love you so much I want to be married to you every Sunday for at least 60 minutes, but the rest of my life I think I'll be busy" she would be insulted. It would be obvious to everyone He doesn't love her. God loves you. He does not demand some of you, He demands all of you. I pray that you will give yourself to Him, as He has given Himself to you.



, you are designed for a grand incredible purpose that has cosmic significance. The God of the Universe, your creator and mine, has made a way for men and women to commune with Him and to be found in Him. This purpose is tied up in His identity, who He is. God is true, three persons one God. God the Holy Spirit, God the Son Jesus Christ, and God the Father. His invitation and expectation for humanity is bound to these parts of Him. He desires a temple for His Spirit to dwell in, a resting place. He desires a corporate Bride for the Son Jesus Christ. He desires children for His Family, Sons and daughters reconciled to the Father. What I am speaking of is the Church, the people of God, a people set apart for His good pleasure and for His work in the Earth. You need to be reconciled with

to the Father. What I am speaking of is the Church, the people of God, a people set apart for His good pleasure and for His work in the Earth. You need to be reconciled with your Father, your Heavenly Father. You need to learn to be His Son, to be led by Him, to receive His wisdom, to walk in His ways. This is why you were created, this is your purpose, to find your identity in His temple, His dwelling place, part of His Corporate Bride, and as a son adopted into the Family of God. This is a grand and glorious purpose, beyond all possible achievements in this life. He desires your affection, your attention, your interests, your free time, your life. He wants you, not some of you. He will not be satisfied with anything less and I pray He won't stop until He gets what He's after - Mr. Waring

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