

FREEDOM FROM RELIGION *foundation*

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

July 24, 2023

SENT VIA EMAIL & U.S. MAIL: Ryan.Walters@sde.ok.gov

Ryan Walters
State Superintendent of Public Instruction
State Department of Education
2500 N. Lincoln Blvd.
Oklahoma City, OK 73105

Re: Outrageous threat to retaliate against school district for following U.S. Constitution

Dear Superintendent Walters:

I am writing once again on behalf of the Freedom From Religion Foundation and our Oklahoma membership to object to your misuse of your state position to achieve political points at the expense of Oklahoma students and their rights under the U.S. Constitution. As you know, FFRF is an educational nonprofit that exists to uphold the constitutional principle of separation between state and church, and to educate the public about nontheism. We have more than 40,000 members, including more than 200 in Oklahoma.

We wrote to you on May 11, 2023, regarding your book censorship advocacy and promotion of the bible in schools, as well as urging you to disband your religion-pandering committee for freedom of worship in schools. We wrote to you again on July 19, 2023, regarding your troubling pattern of making blatantly false claims about religious liberty in the United States, such as the egregious lie that the bible was among the foundational documents in forming the United States.

Last week you held a press conference in which you again mangled the concept of religious freedom, claiming that there was “no more fine example today that religious liberty is under assault” than officials at Tulsa Public Schools prohibiting a school board member from imposing a sectarian religious prayer onto other people’s children.¹ You wrongly described this as the board member “using her freedom of expression to say a prayer,” ignoring the fact that a government-sponsored prayer at a public school graduation violates the religious liberty of students. You blamed the district’s attempts to protect students’ freedom of conscience as a response from the “radical left.” You are essentially pandering to Christian nationalists seeking to undermine America’s secular heritage and privilege

¹ Lenzy Krehbiel-Burton and Andrea Eger, *Walters in Tulsa after what he calls 'assault' on religious liberty, implies threat to school district accreditation*, Tulsa World (July 11, 2023).

certain Christians over other citizens, rather than doing what's right for Oklahoma students and fulfilling your oath to uphold constitutional precedent.

To make matters worse, you then reportedly suggested that you would retaliate against the school district by threatening their accreditation in light of these events.² This is a stunning and unacceptable weaponization of the state's education system, which would sacrifice students' access to quality education unless a school district advances your chosen religion in defiance of constitutional dictates. It also appears to be an *ultra vires* action, abusing your position to threaten a school district's accreditation on the basis of an entirely unrelated topic.

It is plain for Oklahomans to see that you are only concerned with advancing a Christian nationalist agenda that is antithetical to American values, rather than doing your job as State Superintendent of Public Instruction. You have not hidden the fact that you *know* you're violating a clear Supreme Court ruling against imposition of prayers at graduation ceremonies.³ When a group of faith leaders asked you to forcibly insert religious displays and rituals into Oklahoma public schools, you correctly noted the U.S. Supreme Court case barring these actions, only to comment that you disagreed with that case.⁴ Multiple groups, including FFRF, have repeatedly attempted to further educate you on this matter, to no avail.

Given repeated opportunities to defend Oklahoma students' constitutional rights to access a quality secular education, you instead have chosen to repeatedly misuse your office to advance your personal religious beliefs and now threaten outright retribution against school districts adhering to the law. As you appear to have no interest in fulfilling your duties and have demonstrated again and again that you are manifestly unfit to serve in your current role, you should resign immediately.

Very truly,



Annie Laurie Gaylor & Dan Barker
Co-Presidents
ALG/DB:rdj

² *Id.*

³ *Lee v. Weisman*, 505 U.S. 577 (1992), available at supreme.justia.com/cases/federal/us/505/577/.

⁴ Andrea Eger, *Faith advisers push for full minute of silence, biblical posters in every class*, Ryan Walters says, *Tulsa World* (June 22, 2023).