

FREEDOM FROM RELIGION *foundation*

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October 14, 2022

SENT VIA EMAIL & U.S. MAIL: brock.nolin@tcschools.com

Brock Nolin
Superintendent
Tallasse City Schools
308 King Street
Tallasse, AL 36078

Re: Unconstitutional religious assembly

Dear Superintendent Nolin:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding a constitutional violation that recently occurred in Tallasse City Schools. We appreciate your response to our May 19, 2021 letter. I hope we can similarly resolve this serious violation of students' rights.

A concerned parent has reported that on October 10, 2022, Matthew Tarpley, a teacher at Tallasse High School, took students, including their child, into the gym for a religious sermon delivered by a guest speaker. We are not aware of who this speaker was, but they preached to students and attempted to convert them to Christianity:

We all owe God big time. What's the good news? Jesus came to take it on. That's the good news. Now, how do you respond to that good news? How do you respond to that good news? Here's the kicker right here. How do you respond to that good news? The bible says you respond with your life. The bible says you surrender your life. You throw yourself at the mercy of Jesus Christ with your life. That's how you respond. No other response is doable. No other response will cut it, right? Christ paid for my sins. I was on my way to hell. I owe Him my life. Hands down.

...in hell. And that's where the pay for your sins happens. But because of Christ...He paid those charges at the cross. That's why He's such a big deal. And if you place your faith in Him, the bible says, God will forgive you of all your sins...

He ended his sermon by leading students in prayer:

So Father God, thank You for this opportunity to encourage my friends here in Tallahassee. God, I pray that the message will sink in, even the rest of this day. And Lord, we just love You, in Jesus name. Amen.

We write to ask that the District take immediate action to ensure that teachers are not pushing their religion onto students, or allowing preachers into school to prey on students. Mr. Tarpley should be reprimanded for his conduct, as well as any other staff members that allowed this egregious violation of students' rights to take place.

It is unconstitutional to take away instructional time from students to expose them to a Christian proselytizing preacher. It is well settled that public schools may not show favoritism towards or coerce belief or participation in religion. *Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290 (2000); *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); *McCullum v Bd. of Ed.*, 333 U.S. 203 (1948).

Moreover, “the preservation and transmission of religious beliefs and worship is a responsibility and a choice committed to the private sphere.” *Santa Fe*, 530 U.S. at 310 (quoting *Lee*, 505 U.S. at 589). In *Lee*, the Supreme Court extended the prohibition of school sponsored religious activities beyond the classroom to all school functions, holding prayers at public high school graduations an impermissible establishment of religion. Thus, forcing students to listen to a Christian message as part of a school assembly is in violation of the Establishment Clause. FFRF recently filed suit against a school district in West Virginia after it allowed a preacher to preach to students during the school day. *See Mays v. Cabell Cnty Bd. of Educ.*, No. 3:22-cv-00085 (S.D. W.Va., Filed Feb. 17, 2022).

Students are a vulnerable and captive audience. The “[s]chool sponsorship of a religious message is impermissible because it sends the ancillary message to members of the audience who are nonadherents ‘that they are outsiders, not full members of the political community and an accompanying message to adherents that they are insiders, favored members of the political community.’” *Santa Fe*, 530 U.S. at 309-10 (quoting *Lynch v. Donnelly*, 465 U.S. 668, 688 (1984) (O’Connor, J., concurring)). This excludes the thirty-seven percent of people who are non-Christians, including the nearly one in three Americans who are religiously unaffiliated.¹

Tallassee City Schools must refrain from sponsoring inappropriate and unconstitutional assemblies in the future, and should reprimand all staff members involved in coercing students into attending this school-sponsored sermon. Additional training on the constitutional restrictions on religion in the schools seems necessary for your entire staff. Please notify us in writing of the steps you are taking to remedy this matter.

Sincerely,

A handwritten signature in blue ink that reads "Chris Line". The signature is written in a cursive, flowing style.

Christopher Line
Staff Attorney
Freedom From Religion Foundation

¹ 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/.