

# FREEDOM FROM RELIGION *foundation*

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

April 29, 2022

**SENT VIA EMAIL & U.S. MAIL: [burkja@tulsaschools.org](mailto:burkja@tulsaschools.org)**

Jana Burk  
General Counsel  
Tulsa Public Schools  
Education Service Center  
3027 S. New Haven Ave.  
Tulsa, OK 74114

Re: Unconstitutional Proselytizing by Teacher

Dear Ms. Burk:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding a serious constitutional violation occurring in Tulsa Public Schools. As you may recall, FFRF is a national nonprofit organization with more than 36,000 members across the country, including members in Oklahoma. 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 student has reported that Mrs. Cook, a biology teacher at Memorial High School, has been abusing her position and proselytizing to her students. Our complainant reports that Mrs. Cook set up a prayer room in the back of her classroom, which has a wall covered in prayers and bible verses. It is our understanding these bible verses and prayers were put up by Mrs. Cook and that she encourages her students to go there to pray. Our complainant reports that four weeks after they placed a non-Christian prayer in the prayer room, asking to achieve their goals and to be kept safe by the gods and goddesses that they believe in, Mrs. Cook pulled our complainant out of class and berated them for not being a Christian. Mrs. Cook reportedly told our complainant that if they didn't repent they would "burn in hell" and that she was required to intervene as a "good Christian." Our complainant reports that principal Grooms, and assistant principal Vestal are aware of this illegal conduct but have taken no action to correct it.

On a website run by Mrs. Cook, she described how her personal religious beliefs trump her secular duties as a teacher and how she views her position as a teacher as a political one:<sup>1</sup>

It wasn't until I began to teach that I witnessed the spiritually damaging programs, liberal brainwashing, and political indoctrination being slipped into our schools. The means are clever and well-funded. As a Christian, I could not remain silent. Silence equals permission. When the LGBTQ national mandate was forced on my students under the guise of SeXXX Education in a 2 week class, I boycotted it and

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<sup>1</sup> <https://www.amycook2022.com/about>

alerted all my students' parents. It was successfully taken away from most of the students' young eyes. I continue to model my Faith in God openly in my classroom...

It is also our understanding that Principal Grimes said she would never let Mrs. Cook go despite her history of inappropriate conduct because “she is a believer herself.”<sup>2</sup>

We write to ask that the District take immediate action to ensure that Mrs. Cook is no longer discussing her religious beliefs with students, encouraging students to pray, shaming students for their religious beliefs, or in any way promoting or endorsing religion to students. Tulsa Public Schools must remove the “prayer room” from Mrs. Cook’s classroom immediately. Given her egregious behavior, Mrs. Cook should be terminated, and administrators at the school should be reprimanded and reminded of their duties under the law. Mrs. Cook has demonstrated that she is not willing to put her students and her secular position as a teacher ahead of her desire to proselytize and push her personal religious beliefs.

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). Because the District and its administrators have turned a blind eye to the overt proselytization in Mrs. Cook’s classroom and its deleterious effects on our complainant, it has become 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 the school day. “Because the speech at issue owes its existence to [his] position as a teacher, [the School District] acted well within

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<sup>2</sup> [https://www.youtube.com/watch?v=v\\_xfCLFcn7w](https://www.youtube.com/watch?v=v_xfCLFcn7w)

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, shaming students for their religious beliefs, or otherwise creating a religious environment in their classrooms. We ask that the District immediately investigate this situation and ensure that Mrs. Cook fully complies with the Establishment Clause and stops violating the rights of her students. If Mrs. Cook is incapable of teaching without abusing her position to convert students to her personal religion, which appears to be the case, she should be terminated. The District should provide additional training to administrators and teachers at Memorial 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,



Christopher Line  
Staff Attorney  
Freedom From Religion Foundation