

FREEDOM FROM RELIGION *foundation*

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

June 3, 2021

SENT VIA EMAIL & U.S. MAIL: marty.crawford@tylerisd.org

Dr. Marty L. Crawford
Superintendent
Tyler Independent School District
1319 Earl Campbell Parkway
Tyler, TX 75701

Re: Unconstitutional Funding and Promotion of Religious Camp

Dear Superintendent Crawford:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding a constitutional violation occurring in the Tyler Independent School District (Tyler ISD). FFRF is a national nonprofit organization with more than 36,000 members across the country, including more than 1,500 members in Texas. 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 Tyler ISD community member has reported that Tyler ISD has partnered with a group called The Mentoring Alliance, a “Christ-centered, multi-ethnic ministry serving children and families in East Texas,” to send students to a Christian summer camp that takes place in Tyler ISD schools each summer. Our complainant reports that the Tyler ISD Board has approved \$500,000 to fund student attendance at this Christian summer camp that has “the gospel at the heart of each day at camp.” The camp includes bible study and many religious lessons led by Christians who are “godly, dedicated people passionate about sharing the love of Christ with children and families.”¹

The Mentoring Alliance “exists to mobilize godly people into the lives of kids and families, to provide tangible help and eternal hope.”² Its number one priority outcome is “Vibrant Faith,” and its core values include:³

Christ centered: We point people to Jesus Christ.
Biblically grounded: We are shaped and guided by the Truth.
Grace based: We treat people the way God treats us.

We write to ask that the District immediately cease funding attendance at a Christian summer camp and ensure that the District is not promoting religious activities to students and that it is

¹ <https://www.thementoringalliance.com/summer-camps>

² <https://www.thementoringalliance.com/mission-and-vision>

³ *Id.*

being inclusive of all its students, regardless of their religious or nonreligious beliefs. The Mentoring Alliance, a “Christ-centered, multi-ethnic ministry” is simply not an appropriate use of District funds and should not be promoted by the District.

It is well settled that public schools may not advance 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). Moreover, “the preservation and transmission of religious beliefs and worship is a responsibility and a choice committed to the private sphere.” *Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290, 310 (2000) (quoting *Lee v. Weisman*, 505 U.S. at 589).

Given the Mentoring Alliance’s overt and unambiguous Christian agenda, the District is illegally endorsing a religious message in violation of the Constitution. Promoting and funding attendance for students to a camp with an evangelical Christian purpose will ostracize those students and families who identify as nonreligious or practice a minority religion. At this moment, 30% of the country is non-Christian, with 24% having no religious affiliation whatsoever; among millennials, the “unaffiliated” figure jumps to 38%.⁴ There is little doubt that non-Christian and nonreligious children are among the students in Tyler ISD, and their freedom of conscience must be respected.

Furthermore, The Establishment Clause of the First Amendment prohibits the government from funding religious worship. *See, e.g., Comm. For Pub. Educ. & Religious Liberty v. Nyquist*, 413 U.S. 756, 778–79 (1973) (striking down government-subsidized maintenance and repair of nonpublic schools); *Tilton v. Richardson*, 403 U.S. 672, 689 (1971) (holding that a 20-year ban on religious use of a taxpayer-funded building did not go far enough to ensure the grant would not advance religion); *Wirtz v. City of S. Bend*, 813 F.Supp.2d 1051, 1068 (N.D. Ind., 2011) (holding that a grant to a private religious school was unconstitutional). Tyler ISD may not provide direct funding or other financial benefits to facilitate students attending a Christian camp where they will engage in religious worship.

Providing funding to an explicitly Christian summer camp constitutes government endorsement of religion. The First Amendment prohibits “sponsorship, *financial support*, and active involvement of the sovereign in religious activity.” *Walz v. NY Tax Comm’n*, 397 U.S. 664, 668 (1970) (emphasis added); *see also Mitchell v. Helms*, 530 U.S. 793, 819 (2000); *Bowen v. Kendrick*, 487 U.S. 589, 621 (1988); *Roemer v. Bd. of Pub. Works*, 426 U.S. 736, 754–55 (1976). This means that the District may not use public money to facilitate religious exercise, proselytization, or instruction. *See, e.g., Levitt v. Comm. for Pub. Educ. & Religious Liberty*, 412 U.S. 472, 480 (1973) (“[T]he State is constitutionally compelled to assure that the state-supported activity is not being used for religious indoctrination.”)

We ask that Tyler ISD immediately cease funding or promoting the Mentor Alliance in order to comply with the Establishment Clause of the First Amendment and to protect the rights of all

⁴ Robert P. Jones and Daniel Cox, *America’s Changing Religious Identity*. Public Religion Research Institute, 2017. <https://www.pri.org/wp-content/uploads/2017/09/PRRI-Religion-Report.pdf>

District students, parents, and community members. Please respond in writing with the actions the District plans to take to address this serious constitutional violation, and please respond to the following public records request.

Public Records Request

Pursuant to the Texas Public Information Act (Texas Gov't Code Ann. §§ 552.001– 552.353), I request a copy of *all records related to the District's funding of the Mentoring Alliance*, including the following records:

- 1) Any agreements between Tyler ISD and the Mentoring Alliance;
- 2) Any financial records related to Tyler ISD's funding of \$500,000 to the Mentoring Alliance;
- 3) Any communications, including but not limited to emails, sent to or from Tyler ISD representatives, employees, or board members regarding the Mentoring Alliance and the \$500,000 to fund its summer camps;
- 4) Any other records related to Tyler ISD funding the Mentoring Alliance;

Because disclosure of this information is in the public interest, I request a waiver of all fees and charges pursuant to Section 552.267. In addition, per § 552.221(d), I request these copies as soon as possible, without delay. If you choose to deny the request, please respond in writing and state the statutory exception authorizing the withholding of all or part of the public record and the name and title or position of the person responsible for the denial.

If any of these records are available through electronic media, they may be e-mailed to **chris@ffrf.org**. If I can provide any clarification that will help expedite your attention to my request, please contact me at (608) 256-8900.

Sincerely,

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

Christopher Line
Staff Attorney
Freedom From Religion Foundation