

FREEDOM FROM RELIGION *foundation*

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September 8, 2023

SENT VIA EMAIL & U.S. MAIL: christopher.himsel@vigoschools.org

Christopher A. Himsel
Superintendent
Vigo County School Corporation
P.O. Box 3703
Terre Haute, IN 47803

Re: Unconstitutional religious display

Dear Superintendent Himsel:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding a constitutional violation occurring in the Vigo County School Corporation (the District). FFRF is a national nonprofit organization with more than 40,000 members across the country, including more than 500 members in Indiana. 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 parent reported that an English teacher at Honey Creek Middle School, [REDACTED], has a Latin cross and a bible quote hanging on the wall of her classroom. We are told that the bible quote on display is Jeremiah 29:11, “‘For I know the plans I have for you,’ declares the Lord, ‘plans to prosper you and not to harm you, plans to give you hope and a future.’”

We ask that the District remove this religious display in order to protect students’ First Amendment rights.

The District violates the Constitution when it allows its schools to display religious symbols or messages. 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); *McCollum v Bd. of Ed.*, 333 U.S. 203 (1948). This display violates this basic constitutional prohibition by proselytizing students and creating the appearance that the District prefers religion over nonreligion and Christianity over all other faiths.

Courts have continually held that public school districts may not display religious messages or iconography in public schools. *See, e.g., Stone v. Graham*, 449 U.S. 39 (1980) (ruling that the Ten Commandments may not be displayed on classroom walls); *Lee v. York County*, 484 F.3d 689 (4th Cir. 2007) (ruling that a teacher may be barred from displaying religious messages on classroom bulletin boards); *Washagesic v. Bloomingdale Pub. Schs.*, 33 F.3d 679 (6th Cir. 1994) (ruling that a painting of Jesus may not be displayed in a public school).

Religion is a divisive force in public schools. The Supreme Court has repeatedly noted that “[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*, at 309 (quoting *Lynch v. Donnelly*, 465 U.S. 668, 688 (1984) (O’Connor, J., concurring)). Additionally, this religious display needlessly alienates those students, like our complainant’s child, who are a part of the 49 percent of Generation Z who are religiously unaffiliated.¹

In recognition of the District’s constitutional obligation to remain neutral toward religion, please remove this cross and bible verse display from [REDACTED]’s classroom, as well as any other religious displays it becomes aware of in its schools. Please reply in writing with the steps the District is taking to remedy this constitutional violation so that we may inform our complainant. Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "Samantha F. Lawrence". The signature is written in a cursive style with a large initial 'S'.

Samantha F. Lawrence
Anne Nicol Gaylor Legal Fellow
Freedom From Religion Foundation

¹ 2022 Cooperative Election Study of 60,000 respondents, analyzed by Ryan P. Burge
www.religioninpublic.blog/2023/04/03/gen-z-and-religion-in-2022/.