

# FREEDOM FROM RELIGION *foundation*

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February 28, 2013

SENT VIA MAIL & EMAIL [rcole@wynnewood.k12.ok.us](mailto:rcole@wynnewood.k12.ok.us)

Mr. Raymond Cole  
Superintendent, Wynnewood Public Schools  
702 E. Robert S. Kerr Blvd.  
Wynnewood, OK 73098

Re: Teacher unconstitutionally injecting religion into public school

Dear Mr. Cole:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) to alert you to constitutional violations occurring at Wynnewood Middle School (WMS). A local family involved at the school brought this matter to our attention. FFRF is a national nonprofit organization with 19,000 members across the country including a local chapter in Tulsa. Our purpose is to protect the constitutional principle of separation between state and church.

It is our information that a WMS social studies teacher, Mrs. Carter, is using her public school classroom to inculcate her students into a particular religion. We understand that Carter frequently discusses Christianity with her students under the guise of world religions. We understand that she does not discuss Christianity in an objective manner as required by the law. We understand that she repeated egregious falsehoods to students, including that the U.S. Constitution was taken directly from the bible—that this is coming from a social studies teacher is all the more alarming. We understand that Carter also attacks evolution in her classroom.

Finally, we are aware that the principal, Carter's husband, removed posters from her classroom that included bible verses. We appreciate this appropriate action but are deeply concerned based on our complainant's conversations with the principal, that Carter's inculcation of religion will continue unabated.

Carter's in-class promotion of Christianity and teaching her mistaken views on the US Constitution and biology is unconstitutional. It is well settled that a public school teacher 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 Twshp. v. Schempp*, 374 U.S. 203 (1963); *Engel v. Vitale*, 370 U.S. 421 (1962). This obligation includes not teaching creationism, intelligent design, or any of their creatively named religious offspring to public school students. Doing so is unconstitutional. *See Edwards v. Aguillard*, 482 U.S. 578, (1987); *McLean v. Arkansas Bd. of Ed.*, 529 F.Supp. 1255 (D.C.Ark., 1982) ("balanced treatment for creation science and evolution science" violates Constitution); *Kitzmiller v. Dover Area Sch. Dist.*, 400 F.Supp. 2d 707 (M.D. Pa 2005) (teaching intelligent design is like teaching creationism — unconstitutional).

Public school teachers have no business indoctrinating schoolchildren in a particular religious sect, "**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 (2001) (quoting *Lee*, 505 U.S. at 589).

Moreover, superintendents and school districts have 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. South Bend Comm. Sch. Corp.*, 93 F.3d 327 (7th Cir. 1993)(quoting *Bishop v. Arnov*, 926 F.2d 1066, 1077 (11th Cir. 1991)). Wynnewood Public Schools has a legal duty to ensure that its teachers and administrators are not unlawfully and inappropriately indoctrinating students in religious matters. As one court put it, “Teachers and other public school employees have no right to make the promotion of religion a part of their job description and by doing so precipitate a possible violation of the First Amendment's establishment clause, even if the religious composition of the local community makes a legal challenge unlikely. The First Amendment is ‘not a teacher license for uncontrolled expression at variance with established curricular content.’” *Grossman v. S. Shore Pub. Sch. Dist.*, 507 F.3d 1097, 1099-1100 (7th Cir. 2007) (internal citations to five different Circuit and Supreme Court decisions omitted).

Courts have upheld the termination of teachers who violate this important First Amendment stricture. *See Id.*

We request that you investigate this matter immediately. If these allegations are founded, Carter, and all district employees must be directed to refrain from promoting religion in the public school. Courts have upheld the dismissal of teachers in cases like this. At the very least, appropriate disciplinary action should be taken, and the results of your investigation placed in the teacher’s file. Please promptly inform us in writing of the steps you are taking to protect the rights of conscience of your students.

Sincerely,



Andrew L. Seidel  
Staff Attorney

Cc: Wynnewood Middle School Principal Mr. Billy Carter  
702 Chickasaw St  
Wynnewood, OK 73098