

September 4, 2007

Dr. Jeanne Sternad, Superintendent
Garfield Heights School District
5640 Briarcliff Dr.
Garfield Heights OH 44125

Dear Supt. Sternad:

As the director of a national organization working to keep church and state separate, I am contacting you on behalf of local taxpayers, complainants and parents about a troubling violation at Maple Leaf school.

Enclosed is a copy of a letter which was distributed to all parents of 4th graders at Maple Leaf Intermediate School. This event was referred to as a "field trip." Although parents were told that a bible story and puppet show would take place, in fact fourth graders were taken to a church across the street and were directed to pray to Jesus. Parents were not made aware of the worshipful aspect of the event and therefore did not give informed consent. It is my understanding that when the principal was made aware of what had happened on the first day of the 2-part "field trip," he did nothing to stop the other half of the fourth grade student body from attending the following day, nor did he intercede to ensure that the church limited its religious activities to those described on the permission slip.

A further major violation was that apparently some teachers attended the "field trip," sending a message to students that they were expected to attend and that their teachers endorsed the activity. It is my understanding that some of these teachers felt pressured to attend, felt duped when they discovered the actual direction the "field trip" took, and did express concerns to the principal at the conclusion of the first day.

It is not lawful for a school district to arrange a "field trip" for students to attend a proselytizing puppet show by "the Mom's prayer group of Garfield Heights." While the letter sent to parents tacitly appears to equate this event with release time, the event and invitation do not conform to the release-time precedent of *Zorach v. Clauson*, nor is the phrase "release time" itself used.

Under bonafide release time law, public school staff and teachers cannot participate and attend such instruction. Those teachers were not teaching. They were either illegally acting as escorts (which is not provided for by release time law) or they were illegally participating in worship services and instruction while on the public payroll (or being coerced to do so). Such an excessive entanglement between workers in your public school district and a church does not pass constitutional muster.

This event singles out one church, the Nazarene church, in a way that clearly gives this church wonderful publicity via the public school district, and a unique chance to proselytize Maple Leaf students and advertise its church to parents.

Release time does not involve acquiescing to every proselytizing scheme suggested by churches, eager to missionize a captive audience of youngsters. Release time, to be legal, involves a general policy permitting brief, weekly release to students to seek religious *instruction* during the school day at an off-school site. Public schools arrange educational "field trips" to factories or state capitols or to attend events at other public schools. Public school students should not be taking devotional "field trips" to churches!

Once your district enters into such uncharted territory, by publicizing a religious "field trip" apparently masquerading as release time, you have opened the door to flagrant abuses. Any District principal could feel free to arrange a one-time "field trip" for students to visit and worship at his or her own church (what a great recruitment scheme!). What's to stop the next tent-show revivalists from using your public schools to invite students to a "field trip" to the next daytime soul-winning revival? What's to stop satanists (if any exist) from demanding that your school district let them solicit 4th graders to voluntarily attend their next occult workshop? The possibilities for abuse are endless!

I am seeking the statutory citations in Ohio in regards to release time, if any, and the written policy of the school district, if any, pertaining to "release time," as well as any policy or references to constitutional concerns regarding the use of public school machinery to promote religious events.

I request a full investigation of the matter to determine who arranged this and under what authority; who permitted and encouraged teachers to illegally attend; and whether any of the teachers who attended may have influenced students to attend. It is my belief that the principal must answer for failure to protect the constitutional rights of parents and their children, as well as the rights of District employees to be free from being compelled to attend church as part of their duties. The school district is obliged to protect the rights of conscience of its students (the permission slip was incomplete in failing to mention children would be expected to pray). The district needs to adopt a pro-active policy forbidding principals from entering into unlawful arrangements with one church.

My greatest concern is the confusion this "field trip" has wrought with impressionable 9- and 10-year-olds. They and their parents deserve an explanation and an apology from the District.

May I hear from you at your earliest convenience so I may convey to complainants what steps the District will take to avoid a recurrence of this First Amendment violation?

Very truly yours,

Annie Laurie Gaylor