

FREEDOM FROM RELIGION *foundation*

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

May 22, 2024

SENT VIA EMAIL & U.S. MAIL: rodney.boruff@scstn.net

Director Rodney Boruff
Sweetwater City School System
220 South Clark Street
Sweetwater, TN 37874

Re: Unconstitutional religious material distribution

Dear Director Boruff:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding a constitutional violation which recently occurred at Brown Intermediate School. We have yet to receive a substantive response to our October 2023 letter regarding two adult Young Lyfe representatives proselytizing to students during their lunch period. We look forward to your response to that letter and this one.

A concerned parent has informed us that on May 9, 2024, four adults—including teachers—were handing out red, pocket-sized versions of the New Testament as their student entered Brown Intermediate School. Our complainant's child recognized two of the employees: Mr. [REDACTED], the physical education teacher, and Ms. [REDACTED], the librarian. Our complainant also reports that on May 15, 2024, the school sent out a flier advertising a local vacation bible school to parents. Please see a copy of the flier enclosed.

We ask that the District investigate and ensure that District employees are no longer distributing bibles or otherwise proselytizing to students during school hours, on school property. We also ask that the District cease sending home religious fliers.

The District cannot allow its schools to be used as recruiting grounds for religious missions. It is well-settled law that public schools may not show favoritism toward nor 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); *McCullum v. Bd. of Ed.*, 333 U.S. 203 (1948). By allowing employees to distribute bibles and religious fliers to students, the District displays blatant favoritism for religion over nonreligion and Christianity over other faiths.

Unique to this event, the District had its own employees distribute the New Testament. This adds to the coercive effect for students. Nonreligious students are dealt a dilemma: either they must take a bible—offending their conscience—or refuse, jeopardizing their standing with adults who run school resources. That ultimatum is precisely what the Establishment Clause guards against.

Furthermore, District employees distributing religious literature or bible school advertisements to students “sends a message to 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.” *Cnty. of Allegheny v. Am. Civil Liberties Union*, 492 U.S. 573, 595 (1989) (quoting *Lynch v. Donnelly*, 465 U.S. 668, 688 (O’Connor, J., concurring)). Religious literature distributions needlessly alienates all students and families, such as our complainant and their child. Thirty-seven percent of the American population is non-Christian, including the almost thirty percent who are nonreligious.¹ At least a third of Generation Z (those born after 1996) have no religion,² with a recent survey revealing almost half of Gen Z qualify as “nones.”³

Alternatively, the District should not maintain a policy whereby *any private organization* may take advantage of school resources to further its personal goals. FFRF has sought to distribute [its own literature in schools](#) with overly broad distribution policies, and may seek to do so in any school district that maintains an open forum.⁴ If a public school has a policy that allows organizations to distribute religious materials to students, the school cannot discriminate against **any** religious or nonreligious viewpoint. The best solution is a policy that does not allow third-party literature distribution.

In order to respect students’ First Amendment rights, the District must ensure that District schools cease distributing religious literature to students while on school property, during school hours. The District must also refrain from advertising for vacation bible schools in the future. Please respond in writing with the steps the District is taking to address this constitutional violation. Thank you for your time and attention.

Sincerely,



Hirsh M. Joshi
Patrick O’Reiley Legal Fellow
Freedom From Religion Foundation

Enclosure

¹ Gregory A. Smith, *Religious ‘Nones’ in America: Who They Are and What They Believe*, Pew Research Center, Jan. 24, 2024, <https://www.pewresearch.org/religion/2024/01/24/religious-nones-in-america-who-they-are-and-what-they-believe/>.

² Samuel J. Abrams, *Perspective: Why even secular people should worry about Gen Z’s lack of faith*, Deseret News, Mar. 4, 2023, www.deseret.com/2023/3/4/23617175/gen-z-faith-religious-nones-civic-life-volunteers-charity.

³ 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/.

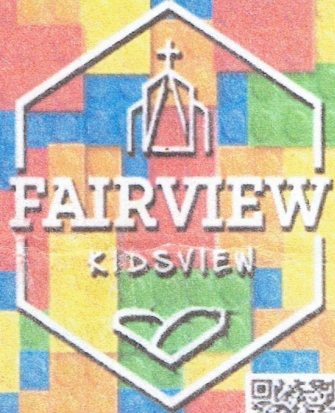
⁴ See <http://goo.gl/9AIp9s>.

VACATION BIBLE SCHOOL

BUILD

BUILD YOUR LIFE ON JESUS

JUNE 2 - JUNE 6 6-8 PM



Register Here



TURN RIGHT AT POST OFFICE - 2.4 MILES ON RIGHT