

FREEDOM FROM RELIGION *foundation*

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

September 11, 2024

SENT VIA EMAIL & U.S. MAIL: michaelmethvin@bolivarschools.org

Dr. Michael Methvin
Superintendent
Bolivar R-I School District
524 West Madison Street
Bolivar, MO 65613

Re: Prayer over teaching meeting

Dear Superintendent Methvin:

I am writing on behalf of the Freedom From Religion Foundation regarding First Amendment and state constitutional violations occurring at Bolivar R-1 School District. FFRF is a national educational nonprofit with more than 40,000 members across the country, including hundreds of members in Missouri. FFRF protects the constitutional separation between state and church and educates about nontheism.

A concerned employee informs us that official prayer started the District's August 13 all-staff assembly. The Heights Church pastor, [REDACTED] recited a school-sponsored prayer over the audience using a loudspeaker. Several staff members were uncomfortable but were too afraid to walk out or speak out against the prayer.

School-sponsored prayer coerces attendees into worship. Over a captive audience, official prayer is even more inappropriate. We ask the District to investigate and cease hosting official, pre-planned prayers at its events.

Faculty and staff have the First Amendment right to be free from religious indoctrination, including when participating in school-sponsored events. It is a basic constitutional principle 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); *McCullum v. Bd. of Educ.*, 333 U.S. 203 (1948). Coercing staff members to participate in prayer at an all-staff, or any school-sponsored event, is unconstitutional. Further, giving only Christian teachers the benefit of prayer is unlawful preference for Christianity.

Missouri's Establishment Clause prohibits this coercion and preferential treatment. *See* Mo. Const. Art. I § 7. Missouri's constitutional provisions "declaring that there shall be a separation of church and state are not only more explicit but *more restrictive*' than the First Amendment." *Gibson v. Brewer*, 952 S.W.2d 239, 246 (Mo. banc 1997) (quoting *Paster v. Tussey*, 512 S.W.2d 97, 101-02 (Mo. banc 1974) (emphasis added)). The U.S. Supreme Court's decision in *Trinity*

Lutheran Church of Columbia, Mo., Inc. v. Comer, 137 S.Ct. 2012 (2017), did not change that. See *Doe v. Marianist Province of U.S.*, 620 S.W.3d 73, 78 (Mo. banc 2021) (quoting *Brewer and Paster*). Furthermore, imposing religious worship on staff violates their religious rights under the Missouri Human Rights Act. RSMo. § 213.010 *et seq.* So, independent of the First Amendment, Missouri’s Constitution and laws prohibit this type of preferential treatment and coercion.

The District serves and employs a diverse population with diverse religious beliefs, including Jews, Muslims, atheists, and agnostics. 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” (religiously unaffiliated).³

The District must be neutral with regard to religion in order to respect and protect the First Amendment rights of all staff. Unfortunately, Bolivar R-I fell short. In the future, the District must be aware that including religious worship in its events is unconstitutional. Please respond in writing with the steps the District will take to ensure this violation does not occur again.

Sincerely,



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

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 Ryan P. Burge, *2022 Cooperative Election Study of 60,000 respondents*, Apr. 3, 2023, <https://religioninpublic.blog/2023/04/03/gen-z-and-religion-in-2022/>.