

FREEDOM FROM RELIGION *foundation*

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April 2, 2025

SENT VIA EMAIL & U.S. MAIL: greggoryslate@davidson.k12.nc.us

Gregg Slate
Superintendent
Davidson County Schools
250 County School Rd
Davidson, NC 27292

Re: Unconstitutional religious assembly

Dear Superintendent Slate:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) concerning a report that Hasty Elementary School permitted a Christian boy band to perform a religious concert for students. FFRF is a national nonprofit organization with more than 42,000 members across the country, including over 900 members and a local chapter in North Carolina. 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 reports that on March 11, 2025, 3 Heath Brothers, a Christian boy band, performed for all K-5 students at Hasty Elementary School for a school-sponsored assembly. We understand that the performance included a performance of nine songs, such as "Dream Small," which makes numerous mentions of God and Jesus,¹ including telling people to "let Jesus use you where you are," and "Good Good Life," which includes the explicitly religious lyrics, "Loving God and loving people, that's what it's all about."² We are informed that parents received no notice of this religious assembly.

We are also informed that 3 Heath Brothers distributed a Keys for Kids devotional pamphlet at the assembly. Keys for Kids is a youth ministry organization that exists "to ignite a passion for Christ in kids, teens, and families worldwide."³ This pamphlet includes explicitly religious stories with references to bible verses. For example, the booklet instructs students not to take revenge because "that's not what Jesus wants you to do," and instead they must "give your burden to Jesus, and trust Him to help you respond to that person with His love." Please see the enclosed photos.

¹ <https://www.shazam.com/en-us/song/1480435241/dream-small>.

² <https://www.shazam.com/en-us/song/1769031798/good-good-life>.

³ <https://www.keysforkids.org/About-Us/Statement-of-Faith>.

We write to ask the District to investigate this situation and take immediate action to ensure that it will never again host religious performers to proselytize students. Additionally, we request that the District issue guidance reminding its schools that they must comply with the First Amendment and cease entangling the public school environment with religion.

It is unconstitutional to take away instructional time from students to expose them to religious proselytizing. Public schools may not show favoritism toward 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 Ed.*, 333 U.S. 203 (1948). Here, Hasty Elementary School crossed the constitutional line and violated students' First Amendment rights by inviting a Christian band to perform for students and hand out devotional pamphlets during the school day. This religious assembly was particularly coercive given that students are a captive audience, and elementary students are particularly young. Elementary students cannot legally or practically be expected to dissent and leave what appeared to be a mandatory school assembly in order to resist their school violating their constitutional rights. Further, the school violated parents' First Amendment right to determine which faith, if any, they teach their children to believe.

The District cannot allow non-school persons to treat schools as a recruiting ground for their religious mission. Public schools are not an appropriate place for outside adults to convince students to convert to Christianity. This assembly constitutes "a utilization of the tax-established and tax-supported public school system to aid religious groups to spread their faith." *McCullum v. Bd. of Ed.*, 333 U.S. 203, 210 (1948).

FFRF takes these kinds of violations seriously and we are willing to vigorously defend students' rights. We settled a lawsuit against a school district in West Virginia after it allowed a preacher to hold an assembly to proselytize students during the school day. *See Mays v. Cabell Cnty Bd. of Educ.*, No. 3:22-cv-00085 (S.D. W.Va., Filed Feb. 17, 2022). As part of that settlement, the district agreed to pay nearly \$175,000 in attorney fees.⁴

Elementary school students are vulnerable to peer pressure and feel an intense need to fit in with their classmates and be liked. The "[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*, 530 U.S. at 309-10 (quoting *Lynch v. Donnelly*, 465 U.S. 668, 688 (1984) (O'Connor, J., concurring)). Hosting a mandatory religious assembly during the school day excludes and marginalizes students who are a part of the 49 percent of Generation Z who are religiously unaffiliated.⁵

⁴ ffrf.org/news/news-releases/item/42958-ffrf-victory-w-va-families-secure-policy-changes-in-religious-revival-lawsuit.

⁵ 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/.

The District must investigate this situation and ensure its schools immediately refrain from inviting religious performers to proselytize students. The District should also consider reprimanding those staff members involved with allowing this school-sponsored religious worship concert to take place. At the very least, all District staff members must be reminded of their constitutional obligations as public school employees. Please notify us in writing of the steps the District is taking to remedy this serious constitutional violation and prevent a recurrence so we may inform our parent complainant. Thank you for your time and attention.

Sincerely,

A handwritten signature in cursive script that reads "Madeline Ziegler".

Madeline Ziegler
Staff Attorney
Freedom From Religion Foundation

MEZ:kjs

Enclosures



keys
for
kids®
DEVOTIONAL



3 HEATH BROTHERS

MARCH • APRIL • MAY

LIFE LUGGAGE (PART 2)

James was quiet as the plane rolled down the runway. "Nervous?" asked Dad.

"No," said James. "Well, not about the flight. I was thinking about something you said. Are you sure everyone has luggage they carry in their lives? Even bullies?"

Dad nodded. "Bullies often have the heaviest life luggage of all. It's filled with rocks of hurt, sadness, and anger they can't seem to get rid of."

"But then why is Dylan—I mean, bullies—so mean?"

"Remember in the airport when you wanted someone to carry your luggage for you?" asked Dad. "Well, we can get so tired of dragging our life luggage around by ourselves that we try to push our rocks onto others."

"I try to be nice to Dylan, but when I do, he just gets meaner! Yesterday I asked if he wanted some help, and he called me a—well, it wasn't very nice."

"Some people haven't been shown how to be kind," said Dad. "Dylan is probably afraid of looking weak. He probably feels stronger when he acts mean." James looked down. "Dad, sometimes when Dylan is mean, I just want to get back at him by making him feel bad too."

Dad nodded. "I know a lot of adults who hurt others back instead of learning how to love them better. Two bullies won't change anything." Dad squeezed James's shoulder. "I'll call the school when we get back and tell them what's happening with Dylan. In the meantime, you can give your anger and hurt to—"

"I know!" James interrupted. "My luggage carrier!" Dad nodded and gave James a high five. "You know, Dad," said James, "Dylan probably doesn't know that Jesus wants to be his luggage carrier too."

"You might be right," Dad said as the plane took off. "He needs someone to tell him—and to pray for him too. He also needs to see God's love in action—someone who will continue to show him kindness, even though he's mean in return. Maybe someday, with prayer and persistence, that will change."

Just then, something in the compartment above their heads shifted with a loud THUD! A woman in the row behind them gasped. "What was that?"

James tried to swallow his laugh. "Probably the rock from our backyard!"

Kelly Carlson

LOVE THOSE WHO HURT YOU | KEY VERSE: Love your enemies and pray for those who persecute you. Matthew 5:44 (NIV)

Do you ever want to hurt someone who is hurting you? It's natural to want revenge, but that's not what Jesus wants you to do. If you're being bullied or hurt by someone, it's important to tell a trusted adult who can help with the situation. But don't let your hurt and anger take over—give your burden to Jesus, and trust Him to help you respond to that person with His love.



PICKING UP A MESS

Peyton Avery!" Dad called up the stairs. "Dinner is ready! Please pick up your toys and then come eat."

Peyton quickly put her dolls in a basket, then put the basket high on the shelf and ran downstairs. Avery, who was five years younger, couldn't quite reach the shelf to put her dolls away or lift the heavy lid to the toy chest. She eventually gave up and went to eat.

The next morning at breakfast, Avery began singing "Jesus Loves Me." Usually Peyton loved listening to Avery sing and would clap along, but today she just quietly listened.

"What's on your mind, kiddo?" Dad asked.

Peyton frowned. "Well, I know that Jesus died on the cross to take away sins, but I guess I don't really understand how that shows He loves me."

Dad thought for a moment. "Yesterday I asked you and Avery to clean the playroom, remember?"

Peyton shrugged. "Yeah, but what does that have to do with anything?"

"Well," Dad replied, "Avery can't put her toys away herself, so I want you to pick them up for her."

"But that's not fair!" said Peyton. "She's the one who made the mess!"

"You're right, she is the one who made the mess, but no matter how hard she tries, it's impossible for her to clean it up. She needs help." Dad paused. "Jesus shows us His love in the same way."

Peyton furrowed her eyebrows. "By picking up our mess?"

Dad nodded. "We're the ones with a huge mess of sin in our lives. Do you think it's fair for Jesus to clean it up? Jesus didn't sin. He didn't make our mess, but He also knew we could never get rid of it ourselves. So, because He loves us, He died and rose again to do what we couldn't—to take our sins away."

"So you're saying I can show Avery I love her by picking up her toys because she can't do it herself—just like Jesus shows me He loves me by taking away my sin because I can't do it myself?"

Dad smiled. "You got it."

As Avery continued to sing, Peyton smiled and began to clap along.

Bethany Den Boer

JESUS TAKES AWAY OUR SIN | KEY VERSE: But God demonstrates His own love toward us, in that while we were still sinners, Christ died for us. Romans 5:8

Have you ever made a mess you couldn't clean up? The Bible says our lives are like that—we've gotten ourselves into a mess of sin, and it's impossible for us to get out of it ourselves. But Jesus loves us so much that He died on the cross to take away our sin. You can only get out of sin's mess by trusting in Him. (See "Have You Heard the Good News?" on page 104.)

