

FREEDOM FROM RELIGION *foundation*

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

June 30, 2025

SENT VIA EMAIL & U.S. MAIL: jim.mcneill@foster.com

Attorney Jim McNeill
Foster Garvey PC
1111 Third Ave., Ste. 3000
Seattle, WA 98101

Re: Unconstitutional religious curriculum (Quilcene School District)

Dear Attorney McNeill:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding the Quilcene School District's plans to instate a bible curriculum in the District's school. FFRF is a national nonprofit organization with over 42,000 members across the country, including more than 1,800 members and a chapter in Washington. Our purposes are to protect the constitutional principle of separation between state and church, and to educate the public on matters relating to nontheism. If you are no longer counsel for the District, please advise.

A concerned parent reported that the Quilcene School Board is considering adopting a "Bible-based curriculum."¹ It's our understanding that the Board has yet to vote on or adopt proposed Bible-based curriculum materials. The parent who contacted us states that the Board claims that a Bible-based curriculum "will raise the test scores of our students."

Our complainant further explained that their family "does not resonate with Christianity in the form of organized religion" and that if people wish to participate in Bible study, they can do so at church, religious schools, and in their own homes and private clubs. We're told that the proposal to bring a Bible-based curriculum to the District is "causing division amongst community members" and our complainant states that "education should unite, not divide" because the school "is the heart" of the community.

In order to comply with the First Amendment, we urge the Board to refrain from adopting a Bible-based curriculum for the District's schools.

Public schools may not provide religious instruction. In the seminal Supreme Court case on this issue, *McCorm v. Bd. of Educ.*, 333 U.S. 203 (1948), the Court held that bible classes in public schools are unconstitutional. The school district in *McCorm* allowed religious teachers, employed by private religious groups, to teach students a regular bible class. The Court held, "Here not only are the state's tax-supported public school buildings used for the dissemination of

¹ Mallory Kruml, *Quilcene school board talks Bible curriculum, trans girls in sports*, The Leader (Apr. 23, 2025), <https://www.ptleader.com/stories/quilcene-school-board-talks-bible-curriculum-trans-girls-in-sports,206480>.

religious doctrines. The State also affords sectarian groups an invaluable aid in that it helps to provide pupils for their religious classes through use of the state's compulsory public school machinery. This is not separation of Church and State." *Id.* at 212. Here, the Board is reportedly seriously considering implementing a curriculum based on the Christian bible. This would unconstitutionally indoctrinate students, coercing them to learn about Christianity and the bible in a religious, devotional manner. As in *McCollum*, a Bible-based curriculum "is not separation of Church and State" and blatantly violates the First Amendment.

Other federal courts have ruled that similar teaching is unconstitutional. For example, in FFRF's lawsuit against religious instruction in Rhea County, Tennessee, the court said, "This is not a close case. Since 1948, it has been very clear that the First Amendment does not permit the State to use its public school system to 'aid any or all religious faiths or sects in the dissemination of their doctrines.'" *Doe v. Porter*, 188 F. Supp. 2d 904, 914 (E.D. Tenn 2002) (quoting *McCollum*, 333 U.S. at 211), *aff'd*, 370 F.3d 558 (6th Cir. 2004).

Further, voluntariness does not excuse a First Amendment violation. *See Lee v. Weisman*, 505 U.S. 577, 596 (1992) ("It is a tenet of the First Amendment that the State cannot require one of its citizens to forfeit his or her rights and benefits as the price of resisting conformance to state-sponsored religious practice."); *Sch. Dist. of Abington Twp. v. Schempp*, 374 U.S. 203, 288 (1963) (Brennan, J., concurring) ("Thus, the short, and to me sufficient, answer is that the availability of excusal or exemption simply has no relevance to the establishment question"); *Mellen v. Bunting*, 327 F.3d 355, 372 (4th Cir. 2003) ("VMI cannot avoid Establishment Clause problems by simply asserting that a cadet's attendance at supper or his or her participation in the supper prayer are 'voluntary.'"); *Jager v. Douglas Cnty Sch. Dist.*, 862 F.2d 825, 832 (11th Cir. 1989), *cert. denied*, 490 U.S. 1090 (1989) ("... whether the complaining individual's presence was voluntary is not relevant to the Establishment Clause analysis ... The Establishment Clause focuses on the constitutionality of the state action, not on the choices made by the complaining individual.").

Students are a vulnerable and captive audience. The school environment is ripe for coercion, particularly for younger students. As the Supreme Court has recognized, "[f]amilies entrust public schools with the education of their children, but condition their trust on the understanding that the classroom will not purposely be used to advance religious views that may conflict with the private beliefs of the student and his or her family." *Edwards v. Aguillard*, 482 U.S. 578, 584 (1987). "[T]he 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 (2000) (quoting *Lee v. Weisman*, 505 U.S. at 589). If the Board and District implement a Bible-based curriculum, they will violate parents' First Amendment right to determine which religion, if any, they teach their children to believe in.

Finally, this school-sponsored Christian indoctrination would needlessly marginalize students and families who do not subscribe to Christianity. Thirty-eight percent of adult Washingtonians are religiously unaffiliated, and ten percent belong to a non-Christian faith.² At least a third of

² *Religious Landscape Study 2023-24: Washington*, Pew Research Cen., <https://www.pewresearch.org/religious-landscape-study/state/washington/>.

Generation Z (those born after 1996) have no religion³, with a recent survey revealing almost half of Gen Z qualify as “nones” (religiously unaffiliated).⁴

Out of respect for students’ and parents’ First Amendment rights, we urge the Board to refrain from adopting a Bible-based curriculum and unconstitutionally indoctrinating the District’s students into the Board’s preferred religion. Please respond in writing with the steps the Board is taking to avoid this constitutional violation so that we may inform the parent who contacted us. Thank you for your time and attention.

Sincerely,

A handwritten signature in black ink, reading "Samantha F. Lawrence". The signature is fluid and cursive, with the first name "Samantha" being more prominent and the last name "Lawrence" following in a similar style.

Samantha F. Lawrence
Staff Attorney
Freedom From Religion Foundation

³ 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.

⁴ 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/.