

FREEDOM FROM RELIGION *foundation*

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July 20, 2026

SENT VIA EMAIL & U.S. MAIL: shelley.chatfield@fayette.kyschools.us

Shelley Chatfield
Chief Legal Officer
Fayette County Public Schools
450 Park Pl.
Lexington, KY 40511

Re: Pastors in Jessie Clark Middle School

Dear Attorney Chatfield:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding a constitutional violation occurring in Fayette County Public Schools. As you may recall, FFRF is a national nonprofit organization with over 41,000 members across the country, including members and a chapter in Kentucky. 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 community member reports that pastors from the Southern Heights Baptist Church have been proselytizing students at Jessie Clark Middle School. It is our understanding that the middle school has allowed Pastors Sebastian and Shane of Southern Heights Baptist Church to lead the Fellowship of Christian Athletes. An official post from the Southern Heights Baptist Church Facebook page shared that on April 16, 2026, Pastors Sebastian and Shane led a Fellowship of Christian Athletes meeting for students at the middle school and that “three students gave their lives to Christ.” We are also aware that the middle school named Pastor Sebastian “Character Coach” for the Jessie Clark Middle School lacrosse team, apparently to encourage “growth in character, leadership, and faith as they develop as athletes and individuals.” See the enclosed screenshots of Facebook posts by Southern Heights Baptist Church.

Outside adults may not lead religious clubs at public schools. We ask that the Fayette County Public Schools investigate this situation and ensure that the Fellowship for Christian Athletes club is disbanded if it is led by outside religious leaders. Further, it is inappropriate and unconstitutional for public school athletics programs to allow an adult to serve as a “Character Coach” for the school-sponsored lacrosse team. We ask that the District investigate and ensure that Jessie Clark Middle School ceases allowing any FCA representative to serve as a “Character Coach” for its sports teams.

It is inappropriate and unconstitutional for the District to allow staff members or an outside adult to lead a religious club for students. 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). Public schools are not an appropriate place for outside adults or District employees to convince students to convert to Christianity or any other religion. Allowing Pastors Sebastian and Shane to lead religious club meetings on school property constitutes “a utilization of the tax-established and tax-supported

public school system to aid religious groups to spread their faith.” *McCullum*, 333 U.S. at 210. Further, it signals clear favoritism toward religion over nonreligion, and Christianity over all other faiths.

The District may not allow outside adults or staff to lead, organize, or regularly participate in “student” religious activities. Students in secondary schools may organize religious clubs, but these must be entirely student-initiated and student-led and take place during non-instructional time. The Equal Access Act does not permit participation of staff or outside adults in the religious activities of students. *See* 20 U.S.C. §§ 4071. Further, it requires that “employees or agents of the school or government are present at religious meetings only in a nonparticipatory capacity.” 20 U.S.C. § 4071(c)(2). Any student religious clubs must be bona fide student clubs that are both student-initiated and student-run. Here, it appears that Fellowship for Christian Athletes meetings are led by Pastors Shane and Sebastian violating both the First Amendment and the Equal Access Act.

It is important to note that voluntariness is no excuse for violating students’ rights. Courts have summarily rejected such arguments. *See generally Lee*, 505 U.S. at 596 (“the State cannot require one of its citizens to forfeit [their] rights and benefits as the price of resisting conformance to state-sponsored religious practice.”); *Schempp*, 374 U.S. at 288 (Brennan, J., concurring) (“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) (“... whether the complaining individual’s presence was voluntary is not relevant to the Establishment Clause analysis ... [which] focuses on ... state action, not on the choices made by the complaining individual.”). The District cannot avoid liability simply because attending the Fellowship for Christian Athletes club is voluntary.

If the Jessie Clark Middle School Fellowship for Christian Athletes club claims to be run by an outside group renting school property during non-instructional hours, the rentals must satisfy the rules and regulations for rental of school property. *See generally Good News Club v. Milford Cen. Sch.*, 533 U.S. 98 (2001). Even if the club is properly renting school space for its meetings, the school cannot preferentially promote an outside-run religious club, recruit students to join the club, or promote the club’s religious message.

Students have the First Amendment right to be free from religious indoctrination when participating in their public school’s athletics program. The Supreme Court has continually struck down school-sponsored religious exercises in public schools. *See, e.g., Santa Fe*, 530 U.S. at 308 (holding student-led prayer over the loudspeaker before football games unconstitutional.); *Lee*, 505 U.S. 577 (finding prayers at public high school graduations an impermissible establishment of religion); *Wallace*, 472 U.S. 38 (overturning law requiring daily “period of silence not to exceed one minute ... for meditation or daily prayer”); *Schempp*, 374 U.S. 203 (holding school-sponsored devotional Bible reading and recitation of the Lord’s Prayer unconstitutional); *Engel*, 370 U.S. 421 (declaring school-sponsored prayers in public schools unconstitutional). Here, Jessie Clark Middle School appears to be violating the constitutional rights of students by allowing an outside adult to serve as a religious “Character Coach” on the school’s lacrosse team.

Student-athletes are especially susceptible to unconstitutional coercion. Students know their coaches control their playing time and positions, directly affecting students’ opportunities for scholarships and recruitment. When coaches and the school allow an outside adult to serve as a “Character Coach” to the team as part of official lacrosse team activities, student-athletes will no doubt feel that going along with religious activities, interacting with the “Character Coach,” and at least appearing to agree with the “Character Coach’s” religious beliefs is essential to pleasing their coaches and being viewed as a team player. It is unrealistic and unconstitutional to put student-athletes to the choice of allowing their school to violate their constitutional

rights in order to maintain good standing in the eyes of their coach and peers, or openly dissenting at the risk of retaliation or isolation.

The Supreme Court's 2022 decision in *Kennedy v. Bremerton School District* did not alter the state of the law nor overturn the above referenced cases. In *Kennedy*, the Court held that a high school football coach's quiet, private post-game prayer was constitutional. 597 U.S. 507, 512–14 (2022). Throughout its opinion, the Court repeatedly stressed that the coach quietly prayed alone. *Id.* (the coach "offered his prayers quietly while his students were otherwise occupied."). The prayers "were not publicly broadcast or recited to a captive audience. Students were not required or expected to participate." *Id.* at 542. The *Kennedy* decision does not permit a public school to appoint a "Character Coach" to its lacrosse team.

"The preservation and transmission of religious beliefs and worship is a responsibility and a choice committed to the private sphere." *Santa Fe*, 530 U.S. 290 at 310 (quoting *Lee*, 505 U.S. 577 at 589). A public high school allowing an outside adult to act as a religious advisor to other people's children is unconstitutional and particularly troubling for those parents and students who are not Christians or do not subscribe to any religion.

By allowing this proselytization, Jessie Clark Middle School needlessly marginalizes students, families, and community members who are nonreligious or who belong to minority religions that do not follow Christianity. Thirty-eight percent of the American population is non-Christian, including the almost 30 percent who are nonreligious.¹ More than half of Generation Z (those born after 1996) is non-Christian, including 43 percent who are nonreligious.² The District should strive to be welcoming and inclusive of all students, not just those who subscribe to a particular brand of Christianity.

Fayette County Public Schools must investigate and ensure that Jessie Clark Middle School ceases granting religious representatives access to students in order to proselytize them. Please respond in writing with the steps that Fayette County Public Schools is taking to address this situation so we may inform the community member who contacted us. Thank you for your time and attention to this matter.

Sincerely,



Charlotte R. Gude
Patrick O'Reiley Legal Fellow
Freedom From Religion Foundation

CRG:ta

Enclosures

¹ Pew Research Center (2024), <http://bit.ly/3W6Cl3m>.

² Pew Research Center (2024), <http://bit.ly/48Drzce>.



Southern Heights Baptist Church

Feb 12 · 🌐

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Today we had the privilege of being at Jessie Clark Middle School.

Our lesson was, "How to Get to Heaven from Lexington, KY." The message from John 14:6 — Jesus said, "I am the way, the truth, and the life. No one comes to the Father except through Me." No matter your background, salvation is found in Christ alone.

We're thankful for the opportunity given by our FCA to be present and point students to truth and hope.

Southern Heights loves the Ninth



Southern Heights
Loves the Ninth



Southern Heights Baptist Church

Apr 13 · 🌐

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We are excited to share that our Associate Pastor, Sebastian Koger, is serving as the Character Coach for the Jessie Clark Middle School lacrosse team this season.

This role provides a meaningful opportunity to invest in students beyond the field, encouraging growth in character, leadership, and faith as they develop as athletes and individuals. It is a blessing to see these connections being made within our community.

Please join us in praying for the team, the coaches, and the relationships that will be built throughout the season. We are thankful for the doors the Lord continues to open for ministry and outreach.





Southern Heights Baptist Church

Apr 16 · 🌐

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This morning, Pastors Sebastian and Shane had the opportunity to be at FCA at Jesse Clark Middle School. God moved in a powerful way, and we are rejoicing that 3 students gave their lives to Christ!

Our verse today was
"For the wages of sin is death, but the gift of God is eternal life in Christ Jesus our Lord." — Romans 6:23

Please join us in praying for these students as they begin their walk with Jesus!



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Southern Heights Baptist Church

Apr 13 · 🌐

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