

FREEDOM FROM RELIGION *foundation*

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SENT VIA EMAIL & U.S. MAIL: Scott.Bennett@leitnerfirm.com

D. Scott Bennett
Leitner, Williams, Dooley, Napolitan PLLC
Tallan Building
200 W. Martin Luther King Blvd., Ste. 500
Chattanooga, TN 37402

Re: Unconstitutional Prayer at Athletic Events

Dear Mr. Bennett:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding a constitutional violation occurring in Bradley County Schools. It is my understanding that you represent Bradley County Schools and that we have worked with you to resolve constitutional issues in the past. I hope we can resolve this matter as well.

It is my understanding that this summer you conducted training for school system administrators regarding their constitutional duty to maintain the separation of church and state. Despite this training, a concerned district employee has reported that prayer is broadcasted over the loudspeaker before Bradley Central High School football games.

Our complainant also noted that, “this is nothing compared to some of the other religious things that are permitted in this school district.” They did not provide any specifics, but I wanted to bring this statement to your attention given the recent training you conducted in the district.

As you know, the Supreme Court has specifically struck down invocations given over the loudspeaker at public school athletic events, even when student-led. *Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290, 320 (2000) (striking down a school policy that authorized students to vote on whether to have a prayer at high school football games). The Court reasoned that because the football game was a school-sponsored event, hosting prayer was a constitutional violation. *Id.* at 307. Even if student-led, the Court said prayers at a “regularly scheduled school-sponsored function conducted on school property” would lead an objective observer to perceive it as state endorsement of religion. *Id.* at 308.

Like the prayer practices in *Santa Fe*, the prayers at District football games are also inappropriate and unconstitutional. Not only is the District endorsing these prayers by allotting time for them at the start of games, but it is also providing the prayer-giver with the public address system needed to impose these prayers on all students and community members at games. Public school events must be secular to protect the freedom of conscience of all students. A reasonable District student would certainly perceive the prayers “as stamped with her school’s seal of approval.” *Id.*

The District must take immediate action to end the practice of scheduling prayer at school-sponsored events and end the use of District equipment to project prayers to the public. Please inform us in writing of the steps the District is taking to remedy this serious violation of the First Amendment.

Sincerely,



Christopher Line
Patrick O'Reiley Legal Fellow
Freedom From Religion Foundation