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March 11, 2020

The Honorable Holly Rehder
Chair
Committee on Rules – Administrative
Oversight
Missouri House of Representatives
201 W. Capitol Ave.
Jefferson City, MO, 65101

The Honorable Sheila Solon
Vice-Chair
Committee on Rules – Administrative
Oversight
Missouri House of Representatives
201 W. Capitol Ave.
Jefferson City, MO, 65101

Re: Oppose HB 1345 – Bible Classes Create Serious Constitutional Risks

Dear Chair Rehder and Vice-Chair Solon:

On behalf of the Missouri chapter, members, and supporters of Americans United for Separation of Church and State, I write to express our opposition to HB 1345, which would allow school districts to offer a course on the Hebrew Scriptures/Old Testament, the New Testament, or a combination of both.

Any public school class dedicated solely to the Bible presents serious constitutional risks. In theory the classes can meet constitutional demands, but in practice such classes frequently violate the law and lead to costly litigation. Furthermore, this bill is part of a coordinated effort by Project Blitz to pass Bible class bills across the country as one step in their larger plan to enshrine Christian nationalism into state laws. This bill, therefore, should be rejected.

The Constitution Imposes Strict Requirements on Bible Courses

A long line of court decisions makes clear that it is difficult—and public schools often fail—to meet the constitutional requirements that apply to public school Bible courses.¹

In accordance with the Constitution, public schools may *teach about religion* but they may not *teach religion*. Public school Bible courses must be taught from a secular, non-devotional, and objective perspective—public schools may not teach that the Bible is a true and literal historical record.² The courses may not teach a particular religious doctrine or a sectarian

¹ See, e.g., *Doe v. Porter*, 370 F.3d 558, 562 (6th Cir. 2004) (prohibiting school district from offering a class “teach[ing] the Bible as religious truth”); *Herdahl v. Pontotoc Cnty. Sch. Dist.*, 933 F. Supp. 582, 596–97 (N.D. Miss. 1996) (prohibiting school district from offering classes teaching “the Bible not as a work of fiction, but as a historic record, i.e., as a record of what actually occurred in the past”); *Doe v. Human*, 725 F. Supp. 1503, 1506 (W.D. Ark. 1989) (prohibiting school district from offering Bible classes that are “predominantly religious and devotional in nature”—even if other parts of the course are “predominantly secular”), *aff’d mem.*, 923 F.2d 857 (8th Cir. 1990).

² See *Herdahl*, 933 F. Supp. at 592; *Human*, 725 F. Supp. at 1506; *Wiley v. Franklin*, 468 F. Supp. 133, 149-50 (E.D. Tenn. 1979).

interpretation of the Bible and should expose students to critical perspectives on the Bible and a diversity of biblical interpretations.³

Despite these constitutional guidelines, many public school Bible courses still become nothing more than Sunday school lessons masquerading as legitimate instruction about religion.⁴ For example, in 2017, Kentucky passed a Bible course bill. Although it included some of these constitutional requirements, an examination of courses across the state found that many violated the Constitution: students were required to watch religious videos promoting Christianity and to memorize Bible verses, and classroom materials were taken from Sunday school websites.⁵

These experiences should serve as a warning. Public schools find it difficult to avoid teaching the Bible from a religious perspective, and families whose religious freedom has been violated often have no choice but to challenge them in court. This litigation can be costly to school districts, public schools, and taxpayers.

The Real Intent of Bible Courses Is to Endorse Religion in Public Schools

Project Blitz is a nationwide campaign to impose far-right evangelical Christian views on everyone, including our public school students.⁶ That these bills are a part of Project Blitz makes clear that their real purpose is to endorse religion.⁷ The Project Blitz playbook initially focuses on public school students with Bible class bills and then escalates to promote bills that would misuse religious freedom to allow discrimination. This includes bills that allow taxpayer-funded agencies to turn away couples seeking to foster or adopt children in need of stable and loving homes because they are same-sex or the “wrong” religion.⁸ Ultimately, Project Blitz aims to transform religious freedom from a shield that protects to a sword that harms others. I have enclosed with this letter a statement from 43 national organizations, including 24 religious and denominational organizations, that oppose the Project Blitz playbook.

Freedom of religion means that parents—not school officials or state legislatures—have the right to direct their children’s religious education and should be able to trust that their children will not be taught someone else’s religious beliefs. Public schools, which educate the vast majority of students in the state, should ensure that every student feels welcomed and

³ See *Herdahl*, 933 F. Supp. at 592, 600; see also *Wiley*, 468 F. Supp. at 149.

⁴ See e.g., *Porter*, 370 F.3d at 562 (holding that a Tennessee public school Bible class violated the Constitution because lesson plans were “singularly religious,” with one aimed to teach “children God’s commandments and that we should obey all of them,” and another to teach children to read their Bible and pray every day.); Mark A. Chancey, [Reading, Writing & Religion II: Texas Public School Bible Courses in 2011-12](#), 27-8, 52, Texas Freedom Network Fund, 2013 (Courses in Texas teach that the Bible is the written word of God, and that “God is perfect holy and pure.”); *Herdahl*, 933 F. Supp. at 594 (finding that a pastor in Mississippi admitted that he taught his Bible class at a public school in accordance with his personal beliefs); *Human*, 725 F. Supp. at 1506 (finding that a public school teacher in Arkansas emphasized that “Jesus is our gateway to Heaven.”).

⁵ Deborah Yetter, [‘Bible literacy’ courses in some Kentucky schools are breaking the law. ACLU says](#), Louisville Courier Journal, Jan. 9, 2018.

⁶ Congressional Prayer Caucus Foundation, [Report and Analysis on Religious Freedom Measures Impacting Prayer and Faith in America \(2018-19 Version\)](#), 4-7, last accessed January 24, 2020.

⁷ HB 1345 includes language identical to the bill in the Project Blitz 148-page playbook. See *id.* at 22-25.

⁸ *Id.* at 88.

included, regardless of their religion. Likewise, parents should be able to entrust their children to the public schools without the fear that their children will be proselytized or pressured into taking classes designed to promote a particular religion.

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In order to truly promote religious literacy, we urge you instead to encourage schools to offer comparative religion courses that introduce students to many different religions and the nonreligious without creating the danger that one religion will be taught as truth. HB 1345 is the wrong approach to fostering religious literacy and instead could lead to constitutional violations. I have enclosed with this letter a document outlining further the problems with public school Bible classes. Thank you for your consideration on this important matter.



Nikolas Nartowicz
State Policy Counsel

cc: Members of the House Committee on Rules – Administrative Oversight