

To: [REDACTED] Teacher, [REDACTED] School

From: [REDACTED] Superintendent of Schools

Re: Letter of Guidance

Date: June 15, 2026


I write to follow up on our discussion in May 2026 regarding your permitting students to meet in your classroom during your lunch period, which by statute is duty-free and self-directed. As I understand the facts, students came to you and asked that they be permitted to gather in your classroom during their lunch period (which coincides with your lunch period) to engage in prayer and religious discussion. Furthermore, you accommodated that request by permitting these students to gather in your classroom during your lunch period. You did not participate in the religious discussions of the students. You provided Bibles to some students after asking them to confirm that their parents did not object. You engaged in these activities without notifying the principal or the administration more generally.

Initially, we expressed concern that these actions were not permissible because of our obligations as a public school under the First Amendment. However, after discussion between Board Counsel and [REDACTED] Liberty Counsel acting on your behalf, we understand that recent developments in the law make clear that these activities are permitted subject to the following guardrails to assure compliance with constitutional obligations and good practice.

First, we have clarified that students have the right to engage in prayer or discussion of religious matters in school during their free time provided that they are properly supervised. You are free to provide such supervision on a voluntary basis during your duty-free lunch period on a non-participatory basis.

Second, permitting students to gather in your classroom during your duty-free lunch period for any purpose, including the religious purposes at issue here, is your personal choice. Your making that personal choice does not trigger any concomitant obligations for the school district to provide you with compensation or other release time.

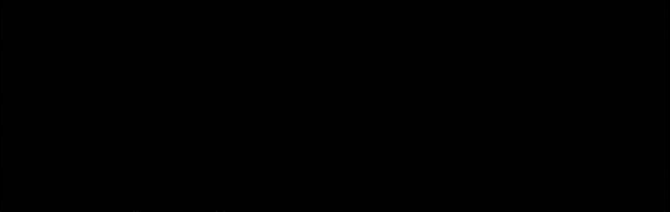
Third, given the constitutional right of parents to direct the religious upbringing of their children, affirmative action on your part to facilitate these activities by students in response to




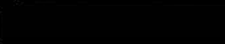
their requests, such as providing Bibles or other literature, may be taken only with the prior written permission of the parents. Relying on the report directly from students that their parents do not object is not an adequate means by which to assure that your actions do not conflict with the parents' rights to direct the religious upbringing of their children.

Finally, given our need to know where students are during the day and to respond to any parent questions, we expect you to inform the principal if and when students are gathering in your room instead of the cafeteria during their lunch period, irrespective of the purpose for which students are gathering.

We appreciate this opportunity to clarify the rights of students to engage in such activities and of your rights and responsibilities to provide supervision to such students. Please let us know if you have any questions about these expectations.



Superintendent of Schools

Cc: Principal: 
Assistant Superintendent: 
Personnel File

