



Cathryn L. Hazouri, Executive Director • Mark Silverstein, Legal Director

February 5, 2009

Dr. Elizabeth Summers
Superintendent, RE-1 Valley School District
SENT VIA EMAIL TO summersb@re1valleyschools.org

Re: Distribution of religious texts in RE-1 Valley School District

Dear Dr. Summers:

I write regarding the distribution of the Gideon New Testament to 5th Grade students in the RE-1 Valley School District. We respectfully request that RE-1 Valley School District cease its practice of permitting these religious texts to be distributed students in its public schools.

We understand that the RE-1 Valley Schools have distributed the Gideon New Testament to fifth grade students for some time, and are currently employing “permission slips” as part of that program (attached). Regardless of the unchallenged history of this program, however, there can be no doubt that providing bibles to students in this fashion is impermissible under the Colorado constitution, and under the First Amendment. Courts that have addressed the precise issue of offering the Gideon New Testament to fifth grade students in public schools have consistently held such programs unconstitutional. Examples of two such recent decisions include *Roe v. Tangipahoa Parish School Board*, 2008 U.S. Dist. LEXIS 32793 (E.D. La. 2008) and *Roark v. South Iron R-1 School District*, 540 F.Supp.2d 1047 (E.D. Mo. 2008). Children of course remain able to receive free religious texts at their respective places of worship, or at other private functions, at any time.

Please respond at your earliest convenience to let us know whether RE-1 will cease its practice of distributing Gideon New Testament bibles in its public schools. I look forward to hearing from you.

Very truly yours,

Taylor Pendergrass
Staff Attorney, ACLU of Colorado

Enc. Permission slip to receive Gideon New Testament

_____ has my permission to receive a free

(Student's name)

Gideon New Testament.

(Parent or Guardian)

PLEASE RETURN SLIP TO SCHOOL
