

February 13, 2025

The Honorable Sen. Lynn Evans
Chair, Senate Education Committee
1007 East Grand Avenue
Des Moines, Iowa 50319

Re: OPPOSE SF 138, Concerning Bible Classes in Public Schools

Dear Chairperson Evans and Members of the Senate Education Committee:

American Atheists, on behalf of its constituents in Iowa, writes in opposition to SF 138, a bill which would allow public schools to offer elective courses on the Hebrew scriptures and the Old and New Testaments of the Bible. This legislation is wasteful of public education resources, puts schools at risk for legal liability, and would result in religious coercion against Iowa students. We strongly urge you to reject this harmful legislation.

American Atheists is a national civil rights organization that works to achieve religious equality for all Americans by protecting what Thomas Jefferson called the "wall of separation" between government and religion created by the First Amendment. We strive to create an environment where atheists are accepted as members of our nation's communities and where bigotry against our community is seen as abhorrent and unacceptable. We promote understanding of atheists through education, outreach, and community-building, and work to end the stigma associated with being an atheist in America. American Atheists believes that no young person should be subject to religious coercion by the government.

The United States Supreme Court has noted that, when it comes to the education of our children, the government should be "particularly vigilant" to ensure schools do not promote religious views that may conflict with the religious beliefs of students and their families.[1] This includes laws or policies which permit schools and their staff to direct students in prayers, songs, or recitations which espouse a sectarian point of view.[2] The Supreme Court has repeatedly made clear that students are free to engage in voluntary, nondisruptive religious expression in school, but schools and teachers are not constitutionally permitted to promote specific religious beliefs without violating one of our nation's founding principles: Religion and the government should remain in separate spheres to ensure all Americans' religious — and nonreligious — beliefs are respected.

The Establishment Clause of the First Amendment requires that the government not favor one religion over another or favor religious belief over nonbelief. This constitutional guardrail is

[1] *Edwards v. Aguillard*, 482 U.S. 578 (1987).
[2] *Wallace v. Jaffree*, 472 U.S. 38 (1985).

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especially critical when children are involved, as they are particularly vulnerable to religious coercion in educational settings.[3] Bills such as SF 138 carve out a space for certain religions within one of the nation's most important institutions — publicly funded, nonsectarian schools — and creates an impermissible risk that students' religious freedom will be violated.

While high school courses focusing on the historical or literary aspects of the Bible are not intrinsically unconstitutional, they are certainly wasteful of scarce educational resources and put schools in dangerous legal territory. The Constitution places strict requirements on Bible courses to safeguard against the risk of religious coercion, and schools are frequently unable or unwilling to meet those requirements. As a result, these courses often serve merely as a veneer to engage in proselytization in public schools. If a school district wishes to create a Bible course while still complying with the mandates given by the Free Exercise and Establishment Clauses of the First Amendment, the district is required to:

- Teach the course in a non-devotional manner, with no attempt made to indoctrinate students as to either the truth or falsity of biblical materials;
- Not include the teaching of religious doctrine or sectarian interpretation of the Bible;
- Not teach the Bible as a true and literal historic record; and
- Expose students to critical perspectives on the Bible and a diversity of biblical interpretations.[4]

However, in most cases, Bible courses, such as the ones proposed by SF 138, fall short of this standard. In 2017, Kentucky passed HB 128, which mandated elective Bible classes in the state's public schools. The ACLU conducted a case study on the implementation of these elective courses and determined the majority of courses failed to comply with the Constitution.[5] The ACLU found the courses were being used to impose religious "life lessons and actively inculcate Christianity." Another case study evaluating Bible courses in Texas public schools found numerous constitutional violations. For example, the courses were taught by teachers with no academic training in biblical, religious, or theology studies, with some even being taught by local clergy; the courses served as religious and devotional classes that promoted a single religious perspective; and the majority of courses advocated an ideological agenda hostile to religious freedom, science, and public education itself.[6] A third study, covering "Bible History" courses in Florida, determined the classes were usually "taught from a Christian, generally Fundamentalist Protestant, perspective, and typically, the

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[3] *See Everson v. Bd. of Educ.*, 330 U.S. 1, 15-16 (1947); *Engel v. Vitale*, 370 U.S. 421, 429-33 (1962); *Sch. Dist. of Abington Twp. v. Schempp*, 374 U.S. 203, 216 (1963); *Epperson v. Arkansas*, 393 U.S. 97, 104 (1968).

[4] *See Herdahl v. Pontotoc Cnty. Sch. Dist.*, 933 F. Supp. 582, 592 (N.D. Miss. 1996); *Doe v. Human*, 725 F. Supp. 1503, 1506 (W.D. Ark. 1989); *Wiley v. Franklin*, 468 F. Supp. 133, 149-50 (E.D. Tenn. 1979).

[5] ACLU of Kentucky, Letter to Kentucky Department of Education re "Bible Literacy" Education (Jan. 5, 2018), available at https://www.aclu-ky.org/sites/default/files/field_documents/ky_doe_letter_re_bible_literacy_ad.pdf.

[6] Chancey MA. (2012). Reading, Writing & Religion II. Texas Freedom Network Education Fund. Available at https://www.smu.edu/~/media/Images/News/PDFs/M1626-Chancey-Reading-Writing-Religion-study.ashx?la=en&la=en

courses presented the Bible as a history textbook, assumed that students were Christian, and used the Bible to promote Christian faith formation."[7]

SF 138 states that courses offered "shall not endorse, favor, promote, or disfavor, or be hostile toward, any particular religion, faith, or nonreligious perspective." While proponents of this bill will argue this language is sufficient protection for students' religious freedom in public schools, they fail to recognize that the bill itself is inherently antagonistic toward the very principle of religious freedom as outlined in the First Amendment. This bill shows clear state-sanctioned favoritism for Judeo-Christian texts and, therefore, beliefs because it makes no mention of offering alternative courses on minority religions or secular ethics and philosophy.

If SF 138 is passed, Iowa schools that offer these courses can expect the implementation of their Bible course curriculums to be closely scrutinized by parents,students, and the public. The proposal does not provide any effective safeguard to protect students from religious coercion and violations of their First Amendment rights, nor does the legislation provide mechanisms to ensure schools meet the constitutionally required standards. These factors will put school districts that offer sectarian classes at substantial risk for liability. Taxpayer dollars should be used towards evidence-based policies that benefit all Iowa students, not be wasted on controversial efforts to insert religion into public schools and, subsequently, to try and defend such unconstitutional endeavors in court.

SF 138 would needlessly waste much-needed education resources, put school districts in jeopardy of litigation, and leave children in Iowa unprotected from religious coercion. We strongly urge you to protect all students in the state by rejecting this bill. Should you have any questions regarding American Atheists' opposition to SF 138, please contact me at vanderson@atheists.org.

Sincerely,



Victoria Anderson
State Policy Counsel
American Atheists

[7] Levenson D. (2002). University Religion Departments and Teaching about the Bible in Public High Schools: A Report from Florida. Religious Studies News: AAR Edition 17. Available at http://www.aarweb.org/teaching/ris/publications.asp. The Florida guidelines for the newly created Bible courses are included in the People for the American Way report.