



5515 Ohio Drive
Frisco, Texas 75035
469.633.6000
469.633.6050 (fax)
www.friscoisd.org

March 17, 2017

Mr. Andrew Leonie
Deputy Attorney General
Attorney General of Texas
Post Office Box 12548
Austin, Texas 78711-2548

Re: Letter to Frisco Independent School District Dated March 17, 2017

Dear Mr. Leonie:

This is in response to your letter dated March 17, 2017, included as part of a "Press Release" to the media.

As an initial matter, Frisco ISD appreciates the acknowledgment of the Texas Office of Attorney General ("OAG") that the District is in compliance with federal and state laws and regulations regarding freedom of religion. However, your letter to me begins by indicating it is written following an "initial inquiry" that "left several questions unresolved." What initial inquiry are you referring to? To Frisco ISD's knowledge, it has not received any inquiry from the OAG on this issue. Frisco ISD requests documentation of any and all efforts by the OAG to contact the District prior to your office issuing its "Press Release" to the media. Absent such evidence, this "Press Release" appears to be a publicity stunt by the OAG to politicize a non-issue. The principal of Liberty High School noted in his interview there have not been any issues for over seven (7) years with this room, that is, however, until the OAG's "Press Release." It is important to note Frisco ISD is greatly concerned that this type of inflammatory rhetoric in the current climate may place the District, its students, staff, parents and community in danger of unnecessary disruption.

In your letter, you state it is unclear whether students of other faiths may use the prayer room at the same time or at other times during the week. Further, you state it appears students are being treated differently based on their religious beliefs. Frisco ISD requests any and all evidence the OAG has in its possession of any religious group and/or individual requesting access to this room or any other room for their religious practices. In addition, Frisco ISD requests documentation of any complaints to the OAG.

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Superintendent of Schools

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Board of Trustees

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In an article related to the one you referenced, the principal of Liberty High School addressed your questions in his interview stating with respect to the room, "if others wanted to go in and learn and see and experience that, they're OK with that." A link to the full article and interviews (with additional references) is below:

<http://stories.kera.org/changing-face-schools/2017/03/07/from-prayer-room-to-podcasts-liberty-high-shatters-stereotypes/>

As the article confirmed, the reason for the prayer room is to accommodate the practices of students who would otherwise miss two hours of class time to travel once a week to and from prayer. The District is prohibited from failing to reasonably accommodate and/or discriminating against these students because their religion dictates the time and manner of their prayer. Ironically, it appears your office did not notice further examples of accommodations at Liberty High School provided to students of other religious groups. In particular, the article cites a student, who was the president of the school's Bible study group, who organized a forum on religious diversity. The student provides meaningful insight regarding the need for tolerance and understanding.

As the OAG is aware, Frisco ISD is required to comply with Section 110.003 of the Texas Civil Practice and Remedies Code, otherwise known as the Texas Religious Freedom Restoration Act (the "Act"). The Act provides:

(a) Subject to Subsection (b), a government agency may not substantially burden a person's free exercise of religion.

(b) Subsection (a) does not apply if the government agency demonstrates that the application of the burden to the person:

(1) is in furtherance of a compelling governmental interest; and

(2) is the least restrictive means of furthering that interest.

TEX. CIV. PRAC. & REM. CODE §110.003 (West 2016). Recent quotes from the OAG's office indicate the OAG firmly supports the Act and its enforcement. The letter from your office ignores the District's obligations in this regard. Confusingly, however, the OAG's office applauds the Frisco ISD's "willingness to guarantee the freedom of student-led religious groups" which is exactly what is required under the Act.

It is Frisco ISD's hope that this "clarification" will resolve any concerns expressed by the OAG's office and closes this matter. Ideally, the Frisco ISD would appreciate a "Press Release" acknowledging the District's compliance with federal and state laws and regulations to clear up any confusion resulting from the March 17th letter and "Press Release."

Sincerely,

Dr. Jeremy Lyon
Superintendent of Schools