



# AMERICAN ATHEISTS

---

July 13, 2015

Steven Leath  
President, Iowa State University  
1750 Beardshear Hall  
Ames, IA 50011-2035

CC: Jamie Pollard, ISU Athletic Director  
Steve Prohm, ISU Men's Basketball Coach

Dear President Leath,

I write as a proud ISU graduate and native Iowan to address a potential separation of religion and government concern in Iowa State's men's basketball program. I am writing in my capacity as the Legal & Public Policy Director for American Atheists, a national educational nonprofit that works for the separation of religion and government and for equality of atheists. I write on behalf of the thousands of members and supporters American Atheists who graduated from Iowa State and/or live in Iowa.

Remarks made by new men's basketball head coach Steve Prohm to the Des Moines Register on or about June 25, 2015, about his religious philosophy towards basketball players raises concerns. In this interview when asked about whether he would make prayer mandatory for the players, Mr. Prohm appeared to reply "yes," and went on to say "I'll ask them if they have prayer requests. It's not something you're beating over their head; you want to give them a foundation, so when they leave Ames, it's not foreign to them when they raise their kids or have a wife—that they have a strong foundation and a strong faith."

We do not object to Mr. Prohm's personal religious beliefs or practices. Our objection is Mr. Prohm's seeming intent to convey that religion is necessary for a successful life and to bring his own particular religious beliefs to his coaching activities. Student athletes face enormous pressure to conform and obey their coaching staff, who are the same individuals who decide whether the students will remain on scholarship and receive playing time. Iowa State University is a land-grant school, and publicly funded by the Iowa taxpayers. It is not a parochial school.

The United States Supreme Court has been vigilant in forbidding public schools—and staff of public schools—from interfering with students' constitutional rights to follow their own consciences when it comes to religion. Pursuant to more than 50 years of Supreme Court precedent, a coach's—and therefore Iowa State's—sponsoring of and affiliation with, as well as endorsement of, Christianity through prayer during official school activities, including all athletic activities, would be unconstitutional. *See. e.g. Santa Fe Indep. Scho. Dist.*, 530 U.S. 290, 309 (2000) (striking down a school policy allowing students to vote on prayer at football games); *Sch. Dist. of Abington Tp. Pa. v. Schempp*, 374 U.S. 203

(1963) (declaring bible readings and recitation of the Lord's Prayer to be unconstitutional); *Engel v. Vitale*, 370 U.S. 421, 425 (1962); *McCullum v. Bd of Education*, 333 U.S. 203 (1948) (declaring public prayers in public schools unconstitutional); *Wallace v. Jaffree*, 105 S. Ct. 2479 (1985) (State's statute for moment of silence at public schools is unconstitutional where legislative record reveals that motivation for statute was the encouragement of prayer). In all of these cases, the U.S. Supreme Court struck down prayer in school because it constituted an establishment of religion, violating the Establishment Clause of the First Amendment.

The U.S. Supreme Court has repeatedly held that "[s]chool sponsorship of a religious message is impermissible because it sends the ancillary message to ... nonadherents 'that they are outsiders, not full members of the political community, and an accompanying message to adherents that they are insiders, favored members of the political community.'" *Santa Fe Indep. Scho. Dist.*, 530 U.S. at 309 (quoting *Lynch v. Donnelly*, 465 U.S. 668, 688 (1984) (O'Connor, J., concurring)).

Students already feel significant pressure to conform from their peers. This pressure is heightened in a teamwork situation such as being part of the basketball team. To have coaches lead prayer or to instruct the students that there is to be prayer time is to place undue and unlawful pressure on students who might not otherwise wish to participate. The Court has stated that "there are heightened concerns with protecting freedom of conscience from subtle coercive pressure." *Lee v. Weisman*. 505 U.S. 577, 592 (ruling that prayers at public school graduations violate the Establishment Clause).

These prayers would take place during official school activities so students are not given the opportunity to choose whether or not to attend. Voluntariness to attend the prayer is not an issue anyway as federal courts have said that a constitutional violation may not be dismissed or excused for the argument of voluntariness. *See, generally, Lee v. Weisman*, 505 U.S. at 596 ("It is a tenet of the First Amendment that the State cannot require one of its citizens to forfeit his or her rights and benefits as the price of resisting conformance to state-sponsored religious practice."); *Abington Sch. Dist. v. Schempp*, 334 U.S. at 288 (Brennan, J., concurring) ("Thus, the short, and to me sufficient, answer is that the availability of excusal or exemption simply has no relevance to the establishment question."); *Mellen v. Buntin*, 327 F.3d 355, 372 (4<sup>th</sup> Cir. 2003) ("VMI cannot avoid Establishment Clause problems by simply asserting that a cadet's attendance at supper or his or her participation in the supper prayer are 'voluntary.'"); *Jager v. Douglas County Sch. Dist.*, 862 F.2d 825,832 (11<sup>th</sup> Cir. 1989), *cert. denied*, 490 U.S. 1090 (1989)(" ... whether the complaining individual's presence was voluntary is not relevant to the Establishment Clause analysis. ... The Establishment Clause focuses on the constitutionality of the state action, not on the choices made by the complaining individual.").

Mr. Prohm's actions could amount to a religious ceremony during official school activities. There is no secular or educational purpose to these prayers relating to basketball or classes. Iowa State's involvement with these prayers as the employer and sponsor of the basketball team would create an excessive entanglement between religion and the public school. *See, Lemon v. Kurtzman*, 403 U.S. 602 (1971). And, the school's promotion and sponsorship of the event, together with actual or tacit

compulsion and/or coercion of students to attend, constitutes endorsement of religion by the school. *Lynch v. Donnelly*, 465 U.S. 668 (1984).

Additionally, the rest of the coaching staff and support team who are under the direction of Mr. Prohm and whose livelihoods depend on Mr. Prohm's reviews are subjugated when religion is brought into a secular workplace. No amount of "voluntariness" eliminates the pressure to comply with a supervisor's wishes or to be part of the team. The rest of the staff and support team's First Amendment rights are just as inviolable as those of students.

American Atheists urges you to address this situation publicly and to assure taxpayers that Mr. Prohm's religious beliefs will not become part of the Cyclones basketball playbook.

Sincerely,



Amanda Knief  
National Legal & Public Policy Director  
American Atheists