The Freethought Society News

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The Freethought Society News ezine is published by The Freethought Society (FS) for the nontheist community.

Free subscriptions are available for supporters, donors and like-minded individuals upon request.

Contact FS at:

newsletter@FtSociety.org

Articles on topics of interest to freethinkers are welcomed and will be considered for publication.

Submit articles (5,000 word count max) for review by the FS editorial board. Please submit articles with a bio and photo, a suggested title, and relevant photos/clip art to:

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Boy Scout Assemblies in Public Schools Protested

by Margaret Downey

At the beginning of every school year, the Boy Scouts of America (BSA) kick off their yearly recruitment drive. In many public school districts across the nation, BSA recruiters are welcomed with open arms. Ever since BSA declared itself a "private" organization (*Boy Scouts of America et al. v. Dale*, 530 U.S. 640, 2000), the Freethought Society (FS) has objected to BSA using public school grounds to post recruitment signs and/or to conduct recruitment assemblies during school hours. FS also objects to school officials and teachers assisting in any way with recruitment efforts.

As a private organization, BSA has every right to rent space from the school system. BSA, in fact, made sure to protect that equal access right by convincing Congress to pass the "Support Our Scouts" Act in late December of 2005. The Act was passed as a last-minute amendment to the Department of Defense Appropriations Act, (Public Law 109-148, Division A, Title VIII, Sec. 8126). The Act was written to prevent local, state and federal government agencies from reducing support for BSA. The Act was a way to insist that BSA's access to the use of public schools would remain equal with all other private groups, even though the organization specifically excludes atheists and anyone (Scouts, volunteers, parents, and employees) over the age of 18 who is gay. Equal access is one thing, but accommodation, support, and endorsement are much different!

FS relies on supporters and readers of this newsletter to monitor what happens at public schools — especially in regards to BSA recruitment efforts. FS was contacted by a parent whose child attended a public elementary school in the Octorara School District. The parent complained that the school had allowed BSA assemblies for boys to take place on school grounds during the school day (Monday, September 15, 2014). The parent, who has requested to remain anonymous, provided a copy of the school's weekly agenda showing the day and time that the assembly took place and also sent a copy of the Octorara School District's non-discrimination policy.

Interestingly, the parent who contacted FS had discussed the situation with concerned parents of another student. The two parents agreed that it was inappropriate for the assembly to have taken place. That meant at least two families were upset about the BSA recruitment drive. FS is needed to voice their concerns. Each family was concerned about possible repercussions should they be identified.

I immediately contacted the Octorara School Superintendent and scheduled a face-to-face meeting. The meeting took place on September 25, 2014 at **Dr. Thomas Newcome**'s office in Altglen, Pennsylvania. Joining me to add their voices of concern were FS Board member **Sally Flynn** and FS Supporter **Tom Schottmiller**.

Flynn has had a keen interest in stopping BSA discriminatory membership policies and often writes letters to the editor, **Steven Spielberg**, **President Jimmy Carter**, and several school boards regarding the issue. Flynn also conducts many conversations with friends and family about the harm caused by prejudice against nontheists and gays. Over the 20 years she has served as an FS officer and board member, she has attended many meetings with school superintendents as an advocate for equality and diversity appreciation.

As my spouse for 40 years, Schottmiller has first-hand experience with combating discrimination. Our son, **Matthew Schottmiller,** was ousted from BSA after a seven-year

affiliation. We were both highly offended when we received the letter from BSA stating that BSA contends "...no boy can grow into the best kind of citizen without recognizing an obligation to God." As a family we sought to change the biased membership rules beginning in 1991. Coincidently, BSA's National Executive Board reaffirmed its position by passing a resolution on June 12, 1991. With that resolution BSA reaffirmed a religious requirement for membership.

The resolution states, "While not intending to define what constitutes belief in God, the BSA is proud to reaffirm the Scout Oath and its declaration of duty to God." A Scout that does not believe in a God cannot substitute the word for anything else. Our family had proposed using the word "Good" so that we could maintain the BSA principle of "honesty." Requesting the substitute word was non-confrontational and modified the Scout oath with the simple addition of one more "o." Our request was denied and a nine-year legal battle through the Pennsylvania Human Relations Commission ensued (See: Pennsylvania Human Relations Commission DOCKET NO. P-3986).

Some parents read the David and Goliath Bible story to their children to teach them that people can overcome gigantic problems; we lived a similar real-life battle. BSA had millions of dollars to devote to their position. Their legal department was relentless and at times unethical. We discovered that they had tampered with at least one witness, and they used every method they could to stall hearings and negotiations.

We soon learned of many other cases involving BSA discrimination and were appalled to see BSA using its "private" organization status to avoid compliance with the Americans with Disabilities Act (ADA). Most recently, BSA is preventing overweight Scouts from participating fully in certain programs, such as Jamboree activities, boating and hiking.

The above-mentioned information was verbally conveyed during the meeting with Dr. Newcome, along with written proof and evidence. We gave Dr. Newcome a package of BSA camp standards, an American Humanist Association magazine featuring an article about BSA discrimination, and several newspaper articles concerning BSA's position about overweight Scouts.

Schottmiller expressed his concern that gay parents are not allowed to become BSA volunteers. It is disconcerting to him that a child with gay parents would be exposed to that type of unfair and prejudicial treatment.

Flynn reiterated that and said the same holds true for parents who are nontheists.

I pointed out the fact that BSA's noncompliance with ADA regulations places Scouts and parents with disabilities in a precarious situation.

Newcome continued to stress that the local BSA headquarters in Chester County had reassured him that troops in the Octorara area do not discriminate.

We took the opportunity to tell Newcome that many troops who disobeyed the national membership policies have lost their charters. We encouraged Newcome to learn more about the fact that BSA's executive decisions are implemented "down-the-line" and no BSA troop is allowed to vary from national policies.

We left the hour long meeting hopeful that Dr. Newcome would read the information and we also requested that he provide us with additional information. We wanted to know what the BSA flyer looked like and we requested evidence that the Girl Scouts of America (GSA) had been given equal recruitment opportunities within the public school system.

Dr. Newcome sent copies of the BSA and GSA flyers that were distributed and answered several other questions we had asked. He said, in part:

...This is the Girl Scout Flyer sent home with girls that attended assembly at OPLC (Grades 1-2). Please note: Upon investigating this further, I found there was no Girl Scout assembly at the Octorara Elementary School (Grades 3-4). The Girl Scouts did not request an assembly. If they had, they would have been welcomed...

Please be so kind to answer the following for me. When I speak with my Board Directors they will ask how many parents raised concerns with you about this issue prior to your contacting my office for an appointment. How many total have contacted you? How many families are represented by those that complained to you? In other words — if a mother and father from the same family complained please clarify whether they are counted as one in your count or two. When we spoke yesterday you used the term "some" and I will need to define "some" for my Board. I personally do not care if some means 1 or 21. Either way I will treat your concern with the same high degree of seriousness — but I know what I will be asked and I need to be prepared to respond.

When I complete my review and have had the opportunity to discuss your concerns with the Board Directors, I will be in touch.

Respectfully,

Tom Newcome

The below follow-up email to Dr. Newcome may be of interest to readers of *The Freethought News*:

Dear Dr. Newcome,

Thank you for meeting with us on Thursday, September 25, 2014 and for following up so promptly with copies of the items we expressed interest in seeing.

Thanks, also, for the answer to our questions regarding the Girl Scouts of America (GSA). Please note that we have absolutely no concern about GSA, because they are a public organization that does not discriminate.