



Written by [Bob Adelman](#) on September 28, 2023

Arizona School Board Member Sues After Being Ordered to Stop Reciting Scripture Before Meetings

Heather Rooks, a school board member in Arizona, [filed a suit](#) in a district court on Tuesday, claiming that her First Amendment rights to free speech and freedom of religion were being infringed by the board.

After being elected to the Peoria, Arizona, school board by the most votes in history, Heather Rooks started attending those meetings in February. At the start of each meeting, each board member is allowed to make a personal statement on any topic he chooses.

Rooks chose the Holy Bible.

She would open her personal statement with a brief quote from the Scriptures, including, for example, this one from Isaiah: “So do not fear, for I am with you; do not be dismayed, for I am your God. I will strengthen you and help you; I will uphold you with My righteous right hand.”

She said she did this because “I simply find quoting Scripture out loud to be encouraging to myself and to many in attendance.”

But such recitations from the Holy Bible were enraging to hard core anti-faith groups such as Secular Communities for Arizona. It claimed that she was doing “unconstitutional proselytizing.” The Freedom From Religion Foundation (FFRF) griped that she was “using her position on the board to foist her personal religious beliefs upon district parents and community members.”

The pressure against her by these and other anti-faith groups and individuals increased to the point where the board asked its legal counsel for advice. Their attorney, Lisa Anne Smith, informed the board that board members “couldn’t pray or recite scripture during Board meetings.”

Rooks then received notice from the board chairman that she could no longer quote the Holy Bible in her opening remarks. She wrote back:

I received a letter from the School District directing me to stop reciting Bible verses during School Board Meetings. The District asserts that doing so violates the Establishment Clause of the First Amendment.

Based upon the District’s letter, I will refrain from reciting Bible verses at this time and will have my attorneys at First Liberty Institute handle this matter.

Thank you.

First Liberty senior counsel Andy Gould was happy to take the case:

Heather takes her responsibilities serving the parents and students in her community



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seriously, and quotes Bible verses as a source of courage and strength in performing those duties.

Like so many dedicated public leaders throughout our history, Heather most certainly can use inspirational quotes from religious, historical, and philosophical sources and figures as a source of personal inspiration, as well [as] encouragement to the community at-large.

The lawsuit filed last week is going to keep the board's attorney very busy. After reminding Smith and the board of the guarantees of free speech and freedom of religion in the First Amendment, the suit also reminded them that Arizona's own constitution begins with this preamble: "We, the people of the State of Arizona, grateful to Almighty God for our liberties, do ordain this Constitution." First Liberty also pointed out that the Peoria City Council begins each of its meetings with an opening prayer.

It informed them that "Rooks' practice accords with over 200 years of this Nation's historical practices and understandings," and also reminded them of a landmark Supreme Court case decided in 1983, *Marsh v. Chambers*, in which the high court ruled that "[Our] unique history leads us to accept the interpretation of the First Amendment draftsmen who saw no real threat to the Establishment Clause arising from a practice of prayer similar to that now being challenged."

If that isn't enough, a more recent decision of the high court, *Town of Greece v. Galloway*, decided in 2014, is nearly a duplicate of the issue in Peoria:

The town of Greece does not violate the First Amendment by opening its meetings with prayer that comports with our tradition and does not coerce participation by nonadherents.

Accordingly, the lawsuit asks the district court to "declare that Rooks' recitation of Scripture during Board comments doesn't violate the federal Establishment Clause or the Arizona Constitution," and to "award Rooks her costs and attorney fees for this lawsuit."

Assuming her lawsuit is successful, Rooks will be allowed to continue reciting the Holy Scriptures at the start of each board meeting, while First Liberty will use the proceeds it receives to further its efforts "dedicated exclusively to defending religious freedom for all Americans."



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