December 12, 2025

By U.S. Mail
Shaunda Richardson-Snell, President
Mott Community College
1401 E. Court St.
Flint, MI 48503-2089

Mott Community College Board of Trustees
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1401 E. Court St.
Flint, MI 48503-2089

Re: *President Richardson-Snell engaging in religious proselytizing when acting as President of College*

Dear President Richardson-Snell and members of the Board of Trustees:

We have received a complaint regarding several occasions on which President Shaunda Richardson-Snell has made proselytizing religious comments in her capacity as President of Mott Community College. For example, on October 13, 2025, President Richardson-Snell asked a guest at a college event if he had "accepted Jesus Christ as his Lord and Savior." We understand that this is not the first time that the President has made such comments in her official capacity, including making such comments directly to students.

Mott Community College is a public, governmental institution and exists to serve all of its students and community regardless of faith or belief. Allowing any College employee—but especially an employee as high profile as the President—to use their positions to religiously proselytize students, employees, or visitors conveys disrespect for the beliefs of the community and sends the message that those who do not practice the officially favored faith are unwelcome outsiders who do not belong. Moreover, the President using her governmental position for Christian proselytizing violates

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the Establishment Clause of the First Amendment to the U.S. Constitution. Please ensure that neither President Richardson-Snell nor any other Mott Community College employee engages in religious proselytizing when serving in their governmental position in the future.

The Supreme Court has emphasized that "the Establishment Clause must be interpreted 'by reference to historical practices and understandings,'" and that the "'line' . . . 'between the permissible and the impermissible' has to 'accor[d] with history and faithfully reflec[t] the understanding of the Founding Fathers.'" *Kennedy v. Bremerton Sch. Dist.*, 142 S. Ct. 2407, 2428 (2022) (quoting *Town of Greece v. Galloway*, 572 U.S. 565, 577 (2014) (alterations in original)). The Supreme Court recently clarified that this kind of historical analysis does not "suggest a law trapped in amber" but instead requires "applying faithfully the balance struck by the founding generation to modern circumstances." *U.S. v. Rahimi*, 144 S. Ct. 1889, 1897-98 (2024) (internal quotations omitted). Religious proselytizing by a government employee flies in the face of those historical understandings.

The Supreme Court explained in *Engel v. Vitale*, 370 U.S. 421, 432 (1962), that the Establishment Clause was in part based "upon an awareness of the historical fact that governmentally established religions and religious persecutions go hand in hand." Our founding generation knew "from bitter personal experience, that one of the greatest dangers to the freedom of the individual to worship in his own way lay in the Government's placing its official stamp of approval upon one particular kind of prayer or one particular form of religious services." *Id.* Accordingly, the Establishment Clause's "first and most immediate purpose rested on the belief that a union of government and religion tends to destroy government and to degrade religion." *Id.* at 431. "The Establishment Clause thus stands as an expression of principle on the part of the Founders of our Constitution that religion is too personal, too sacred, too holy to permit its 'unhallowed perversion' by a civil magistrate." *Id.* at 431–32 (quoting *Memorial and Remonstrance against Religious Assessments*, II Writings of Madison, at 187).

The Establishment Clause therefore requires a "wholesome 'neutrality'" with respect to religion, which "stems from a recognition of the teachings of history that powerful sects or groups might bring about a fusion of governmental and religious functions," which "the Establishment Clause prohibits." *Abington Sch. Dist. v. Schempp*, 374 U.S. 203, 222 (1963). Specifically,

> [g]overnment in our democracy, state and national, must be neutral in matters of religious theory, doctrine, and practice. It may not be hostile to any religion or to the advocacy of no[n]religion; and it may not aid, foster, or promote one religion or religious theory against another or even against the militant opposite. The First Amendment mandates governmental neutrality between religion and religion, and between religion and nonreligion.

Epperson v. Arkansas, 393 U.S. 97, 103-04 (1968); *accord McCreary County v. ACLU of Kentucky*, 545 U.S. 844, 875-76 (2005) (reaffirming, based on history of religious conflict in England and the American colonies, that "the government may not favor one religion over another, or religion over irreligion").

President Richardson-Snell's religious proselytizing while acting in her official capacity as College President flies in the face of history and the law. The federal courts have repeatedly held that governmental employees must not communicate religious messages while acting in their official capacities. *See, e.g., Cooper v. U.S. Postal Serv.*, 577 F.3d 479, 493 (2d Cir. 2009) (Establishment Clause prohibited religious displays in post-office space); *Berry v. Dep't of Soc. Servs.*, 447 F.3d 642, 657 (9th Cir. 2006) (public employer's interest in avoiding Establishment Clause violation justified prohibiting employee who had regular in-person contact with the public from displaying religious items in plain view in his cubicle); *ACLU of Ohio Found., Inc. v. Ashbrook*, 375 F.3d 484, 490-92 (6th Cir. 2004) (display of Ten Commandments poster in courtroom violated Establishment Clause); *Knight v. Conn. Dep't of Pub. Health*, 275 F.3d 156, 164-66 (2d Cir. 2001) (Establishment Clause concerns justified reprimand of sign-language interpreter and home-healthcare worker who promoted religious messages to clients receiving state services); *Asselin v. Santa Clara Cty.*, No. 98-15356, 1999 WL 390984, at *3 (9th Cir. May 25, 1999) (firing of probation officer who incorporated religious messages into his work with minors was justified because accommodation of his beliefs would violate the Establishment Clause); *N.C. Civil Liberties Union v. Constangy*, 947 F.2d 1145, 1151-53 (4th Cir. 1991) (judge violated Establishment Clause by opening court sessions with prayer); *Roberts v. Madigan*, 921 F.2d 1047, 1057 (10th Cir. 1990) (public-school teacher violated Establishment Clause by displaying poster reading, "You have only to open your eyes to see the hand of God" and keeping Bible on his desk where it would be visible to students); *Hall v. Bradshaw*, 630 F.2d 1018, 1019–22 (4th Cir. 1980) (state violated Establishment Clause by issuing maps with "Motorists' Prayer"). President Richardson-Snell's repeated proselytizing religious comments cannot be reconciled with this constitutional mandate.

Public employees simply do not have the "right to make the promotion of religion a part of their job description." *Grossman v. South Shore Pub. Sch. Dist.*, 507 F.3d 1097, 1098-99 (7th Cir. 2007). The courts have thus consistently upheld public schools' authority to prohibit employees from injecting religion into the public-school setting and to discipline employees who do so. *See Johnson v. Poway Unified Sch. Dist.*, 658 F.3d 954, 960-74 (9th Cir. 2011) (public-school teacher properly prohibited from displaying religious banners in classroom); *Borden v. Sch. Dist.*, 523 F.3d 153, 168-74 (3d Cir. 2008) (public-school football coach properly prohibited from joining students in prayer); *Lee v. York Cnty. Sch. Div.*, 484 F.3d 687, 700 (4th Cir. 2007) (public school properly removed religious items from teacher's classroom bulletin board); *Grossman*, 507 F.3d at 1098-99 (public school properly removed guidance counselor for praying with and disseminating religious messages to students); *Marchi v. Board of Coop. Educ. Servs.*, 173 F.3d 469, 475-77 (2d Cir.

1999) (public-school teacher properly restricted from communicating religious messages to students or parents); *Edwards v. Cal. Univ. of Pa.*, 156 F.3d 488, 491-92 (1998) (university professor properly prohibited from advancing religious beliefs through lectures and class materials); *Helland v. S. Bend Cmty. Sch. Corp.*, 93 F.3d 327, 330 (7th Cir. 1996) (public-school teacher properly removed from substitute-teacher list for reading Bible aloud in class and for distributing religious pamphlets to students); *Peloza v. Capistrano Unified Sch. Dist.*, 37 F.3d 517, 522 (9th Cir. 1994) (public school properly reprimanded teacher for discussing religious views with students during noninstructional times).

These decisions are fully applicable to Mott Community College, even though it is an institution of higher education rather than a secondary school. The Establishment Clause's prohibitions against advancing or endorsing religion apply as much to public colleges and universities as to grade schools and high schools. *See, e.g., Rosenberger v. Rector & Visitors of the Univ. of Va.*, 515 U.S. 819, 837-45 (1995) (analyzing public university's student-activities fund under Establishment Clause); *Stark v. St. Cloud State Univ.*, 802 F.2d 1046, 1048-52 (8th Cir. 1986) (university's placement of its student teachers at parochial schools violated Establishment Clause); *Daniel v. Waters*, 515 F.2d 485, 490-91 (6th Cir. 1975) ("the state may not adopt programs or practices in its public schools or colleges which 'aid or oppose' any religions"). Indeed, in *Bishop v. Aronov*, 926 F.2d 1066, 1077 (11th Cir. 1991), the court held that a university could limit a physiology professor's classroom religious instruction and recognized that "[b]ecause of the potential establishment conflict, even the appearance of proselytizing by a professor should be a real concern to the University."

President Richardson-Snell's actions go far beyond the mere appearance of proselytizing. The College has a constitutional duty to ensure that this behavior ends. Please do so. We would appreciate a response to this letter within thirty days that advises us how you plan to proceed. If you have questions, you may contact Ian Smith at (202) 466-3234 or *ismith@au.org*.

Sincerely,

Ian Smith, Staff Attorney