



September 30, 2025

Ms. Nicole Stephens
Executive Director, Arkansas Connections Academy
[REDACTED]

Ms. Erin Lieblong
High School Principal

Ms. Kelsey Reid
High School Teacher

Arkansas Connections Academy
1009 Beau Terre Drive, Building O
Bentonville, AR 72712

CC:
Governor Sarah Huckabee-Sanders
Arkansas Attorney General Tim Griffin
Arkansas Secretary of Education, Jacob Oliva
Hon. Linda McMahon, U.S. Department of Education

Sent via U.S. mail and email

Re: Arkansas Connections Academy's Violation of First Amendment Rights

Dear Ms. Stephens, Ms. Lieblong, and Ms. Reid:

First Liberty Institute is the nation's largest law firm dedicated exclusively to defending and restoring religious liberty for all Americans. Together with Cox, Sterling, Vandiver & Botteicher, PLLC, we represent Zion Ramos, an eleventh-grade student at Arkansas Connections Academy ("ARCA"). Please direct all communications concerning this matter to our attention rather than communicating with our client.

On September 23, ARCA violated Zion's free speech and free exercise rights when Ms. Reid muted him and removed him from "Social Time" when he began to share his faith. Such censorship and anti-religious discrimination violate the First Amendment's Free Exercise and Free Speech Clauses. We write to request immediate assurances that (1) Zion will be permitted three minutes to speak about his faith during a future Social Time within 14 days of the date of this letter, that (2) school officials will not censor or violate the free speech or free exercise of students including Zion in the future, and that (3) school officials will complete religious liberty training through the RESPECT Project, providing

us a copy of the certificate of completion of the same within 60 days of the date of this letter.

I. Factual Background

Zion Ramos is a Christian high school student with a vibrant faith and stellar academic record. He is a member of the National Honors Society. Along with his siblings, he has attended ARCA for a decade since its founding. Zion has built strong relationships with students from many different faiths and has always shown respect for different viewpoints and respect for the authority of his teachers and administrators.

On September 21, Zion and his family joined hundreds of thousands of Americans in witnessing the memorial service for Charlie Kirk. As a young man of deep religious faith, Zion was struck by the fleeting nature of life and felt convicted in his heart to share his faith with his classmates during “Social Time” that week at school.

Because Zion’s public school is entirely online, Social Time is a half-hour daily Zoom call that allows students to talk with each other about whatever they want—as long as it’s not violent, vulgar, or obscene. Just as students would chat at lunchtime, in the hallway, or on the soccer field of a traditional school, ARCA students share about a wide variety of topics, ranging from current events, hairstyles, pets, relationships, and LGBTQ-related conversation. A variety of teachers including Ms. Reid take turns listening into the call, but they rarely, if ever, intervene or mute students’ conversations. One student even showed off her new pocketknife and was not muted.

During Social Time on Tuesday, September 23, Zion began to share about his faith in a two-minute statement:

Hello, my name is Zion. I won’t be long, but I have something very important to say. You may not want to hear it, but it’s the most important thing you will ever hear. We don’t know how long we have. One day, it’ll all be over. It may not be today, tomorrow, a month, or even years from now, but when our time is up, all we will have is eternity. And we only have two places to go; heaven or hell. And we need to decide where we want to spend it.

At this point, Ms. Reid muted Zion, without any warning or explanation. He unmuted himself and tried to explain that he had a right to speak, because he was not hindering the educational process as this was a non-educational session, and he attempted to finish. He said only, “We need to decide how we will spend eternity. We can accept the Lord Jesus Christ into our hearts...” Cutting Zion off mid-sentence, Ms. Reid then removed him from the Zoom meeting. About one minute later, she shut down the entire Zoom meeting.

After Ms. Reid shut down the meeting, she sent the following message to Zion: “I would like to explain why you were removed from Social Time today. I did not remove you based on the information you were sharing, but rather due to the manner in which you were sharing it. We have a short amount of time for students to engage with one

another and unfortunately that does not allow for all students to use Social Time as a speaking platform.” She went on to suggest that he could “express [him]self by using the chat.” However, most students do not read the chat, which is hard to follow with 100+ students on the call. Further, Zion spoke for less than two minutes in a calm, peaceful, conversational tone before Ms. Reid shut him down. Other students commonly share about secular topics for significantly longer without being muted or censored.

II. Legal Analysis

As the Supreme Court made clear in *Kennedy v. Bremerton School District*, 597 U.S. 507 (2022), the First Amendment protects students’ expressions of their faith in public schools. In that case, the Supreme Court held that the Free Exercise Clause protects religious practices by both students and employees in public school settings. The Court in *Kennedy* explained that the clauses of the First Amendment “work in tandem. Where the Free Exercise Clause protects religious exercises, whether communicative or not, the Free Speech Clause provides overlapping protection for expressive religious activities.” 597 U.S. at 524. The result is that the First Amendment “doubly protects religious speech.” *Id.*

These First Amendment protections extend to high school students expressing their sincere religious beliefs during non-instructional time—including Zion’s effort to share his faith during “Social Time” on September 23. Yet ARCA flouted its First Amendment obligations when Ms. Reid muted him, removed him from the class, and then offered post-hoc, pretextual rationalizations for her unconstitutional behavior. These unlawful actions violate both the Free Speech and the Free Exercise Clause.

Federal law requires that by October 1 of each year, public schools certify compliance with the Constitution’s guarantees on matters of religious liberty in order to receive funding under the Elementary and Secondary Education Act of 1965 (“ESEA”). 20 U.S.C. § 7904(b). The teacher’s actions here violate ARCA’s obligations under the ESEA.

A. ARCA violated the Free Speech Clause when Ms. Reid censored Zion’s religious speech.

For decades, Supreme Court precedent has consistently held that public schools cannot censor students based on their religious viewpoint. In *Tinker v. Des Moines Independent Community School District*, 393 U.S. 503, 506 (1969), the U.S. Supreme Court declared that students do not “shed their constitutional rights to freedom of speech or expression at the schoolhouse gate.” This year, the Supreme Court soundly rejected the notion that “First Amendment protections—such as the right to free speech . . .—would also be inapplicable in the public school context,” holding that “our precedents plainly provide otherwise.” *Mahmoud v. Taylor*, 145 S. Ct. 2332, 2357 (2025) (citing *Tinker*, 393 U.S. at 506); *see also Capitol Square Review & Advisory Bd. v. Pinette*, 515 U.S. 753, 760 (1995) (“Our precedent establishes that private religious speech, far from being a First Amendment orphan, is as fully protected under the Free Speech Clause as secular private expression.”) As one court observed, the Constitution “does not permit [a public school] to confine religious speech to whispers or banish it to broom closets. If it did, the exercise of one’s religion would not be free at all.” *Chandler v. Siegelman*, 230 F.3d 1313, 1316 (11th Cir. 2000). According to the U.S. Department of Education’s Guidance on

Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools:

[S]tudents may pray with fellow students during the school day on the same terms and conditions that they may engage in other comparable conversations or activities. Students may also speak to, and attempt to persuade, their peers about religious matters just as they may do with regard to, for example, political matters.¹

As long as the speech is not “substantially disruptive” to the school environment, which is a high bar under *Tinker*, 393 U.S. at 511, schools may not restrict students from expressing their faith to other students. If a school district allows students to talk with each other about any topic during lunch, recess, free time, or in this case, Social Time, it must allow students to talk about their faith, including sharing their faith with fellow students. *Morgan v. Swanson*, 659 F.3d 359, 396 (5th Cir. 2011) (“At the core of the First Amendment’s right to free speech is the right of one student to express a religious viewpoint to another student without fear. We hold that this right—to engage in private, non-disruptive, student speech—is protected from viewpoint discrimination under the First Amendment[.]”). For example, if a school allows students to speak about sports, movies, or friendships during non-instructional time, the school cannot restrict students from also talking about their faith with others. “Schools may not prohibit their pupils from expressing ideas. And no arm of government may discriminate against religious speech when speech on other subjects is permitted in the same place at the same time.” *Hedges v. Wauconda Cmty. Unit Sch. Dist. No. 118*, 9 F.3d 1295, 1299 (7th Cir. 1993). Thus, schools cannot treat conversations about religion differently than conversations about movies, friendships, or any other similar nonreligious speech.

Viewpoint discrimination by public school officials violates clearly established First Amendment law. In *Business Leaders in Christ v. University of Iowa*, the Eighth Circuit held that “the vigilant protection of constitutional freedoms is nowhere more vital than in the community of American schools.” Even where a school has created a “limited public forum,” “the State may not . . . discriminate against speech on the basis of its viewpoint.” 991 F.3d 969, 978 (8th Cir. 2021 (finding school officials personally liable for free speech violation when they excluded Christian club); see also *Lamb’s Chapel v. Ctr. Moriches Union Free Sch. Dist.*, 508 U.S. 384, 393 (1993) (excluding religious perspective when other perspectives were allowed “discriminates on the basis of viewpoint”); *Good News Club v. Milford Central School*, 533 U.S. 98, 111–12 (2001) (school district violated the Free Speech Clause when it excluded a Christian club from meeting at school because of its religious viewpoint); see also *Rosenberger v. Rector & Visitors of the Univ. of Va.*, 515 U.S. 819, 828 (1995) (university’s refusal to fund student publication from religious perspective because violated Free Speech Clause).

¹ U.S. Department of Education, *Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools*, <https://www.ed.gov/laws-and-policy/laws-preschool-grade-12-education/preschool-grade-12-policy-documents/guidance-on-constitutionally-protected-prayer-and-religious-expression-in-public-elementary-and-secondary-schools>.

Here, ARCA violated clearly established First Amendment law when Ms. Reid muted and removed Zion from his Social Time because of his religious speech. Because the purpose of Social Time is for students to talk with each other about any topics of their choice, and because the school allows discussion of these non-instructional topics without censorship, Ms. Reid violated the Free Speech Clause when she muted and removed Zion from speaking about his faith. Despite Ms. Reid's efforts to peg Zion's speech as a "platform," the nature of the forum suggests otherwise. Students are not engaged in curricular activity and are participating in the online equivalent of a conversation in the hallway. Rather, Ms. Reid's censorship was a clear effort to suppress our client's religious viewpoint that is protected by the U.S. Constitution. Under settled Supreme Court precedent in *Kennedy*, *Good News Club*, and *Lamb's Chapel*, and under Eighth Circuit precedent in *Business Leaders in Christ*, ARCA violated clearly established law, and its officials will be personally liable for such violation should our client choose to press his rights in court.

B. ARCA violated the Free Exercise Clause when Ms. Reid prevented Zion from sharing his faith during non-instructional time, while allowing other students to share about personal topics.

Zion's thoughtful effort to share his faith with his classmates is a core religious practice for him as a devout Christian. He takes the words of Jesus seriously in the Biblical command: "Go therefore and make disciples of all nations . . . teaching them to observe all that I have commanded you." Matthew 28:19–20. Luke quotes Jesus' very last words to His disciples: "[Y]ou will be my witnesses in Jerusalem and in all Judea and Samaria, and to the end of the earth." Acts 1:8. The Apostle Paul tells disciples to "preach the word; be ready in season and out of season; reprove, rebuke, and exhort, with complete patience and teaching" and "always be soberminded, endure suffering, do the work of an evangelist, fulfill your ministry." 2 Timothy 4:2, 5. As a Christian student, Zion understands these passages as a call to share his faith with his classmates in a kind, winsome way, because he cares deeply about their spiritual well-being.

The Free Exercise Clause provides robust protection for religious students like Zion seeking to express their faith. As the Supreme Court recently reaffirmed in *Mahmoud*, "[g]overnment schools, like all government institutions, may not place unconstitutional burdens on religious exercise." 145 S. Ct. at 2350. And the First Amendment prohibits a school district and its employees from showing hostility toward students' religious beliefs and expression or from treating religious exercise or activities less favorably than other forms of expression or activities. Under *Masterpiece Cakeshop v. Colorado Civil Rights Commission*, the government "cannot act in a manner 'hostile to . . . religious beliefs' or inconsistent with the Free Exercise Clause's bar on even 'subtle departures from neutrality.'" 584 U.S. 617, 638 (2018). Under *Tandon v. Newsom*, "the government may not 'treat any comparable secular activity more favorably than religious exercise.'" 593 U.S. 61, 62 (2021).

Here, ARCA officials violated Zion's religious exercise by (1) demonstrating hostility when Ms. Reid muted Zion and removed him from class without warning or explanation, (2) treating comparable secular conversations more favorably by allowing students to

speak on a wide range of topics, yet shutting down Zion's religious expression, and (3) attempting to cover ARCA's unlawful and unconstitutional actions by asserting a pretextual reason meant to discourage Zion's future free exercise and suppress his speech.

III. ARCA violated multiple state laws which protect students' religious expression.

ARCA officials' actions toward Zion also violated the Arkansas Constitution, Article 2 § 24, the Conscience Protection Act, and the Religious Rights at Public Schools Act of 2025, § 6-10-140.

Article 2 § 24 of the Arkansas Constitution provides in relevant part:

All men have a natural and indefeasible right to worship Almighty God according to the dictates of their own consciences No human authority can, in any case or manner whatsoever, control or interfere with the right of conscience. . .

The Conscience Protection Act provides additional protection for religious exercise:

A government shall not substantially burden a person's exercise of religion even if the burden results from a rule of general applicability, unless it is demonstrated that application of the burden to the person in this particular instance is: (1) Essential to further a compelling governmental interest; and (2) The least restrictive means of furthering that compelling governmental interest.

'Exercise of religion' includes without limitation an action that is motivated by a sincerely held religious belief, whether or not the exercise is compulsory or central to a larger system of religious belief.

The Religious Rights at Public Schools Act of 2025, § 6-10-140, provides in relevant part:

Under the First Amendment to the United States Constitution and United States Supreme Court case law interpreting the First Amendment to the United States Constitution, a student enrolled in a public school district or an open-enrollment public charter school shall retain broad religious freedom, which includes without limitation the right to:

(6) Individually or in groups conduct religious observances such as speaking, singing, reading, or praying at times when students are free to voluntarily converse and interact;

(9) Express a religious viewpoint in the same manner as other viewpoints may be expressed in the student's public school district or open-enrollment public charter school academic assignments, activities, speech, or other expressions[.]

When ARCA officials shut down Zion's religious expression, they violated his rights under the Arkansas Constitution, the Conscience Protection Act, and the Religious Rights at Public Schools Act. By muting and removing him from Social Time, ARCA officials imposed a substantial burden on his religious exercise of sharing his faith. They have not

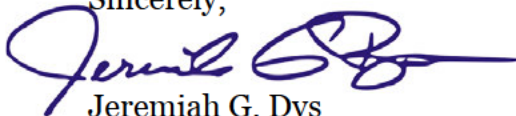
cited any compelling interest to justify this burden or shown that muting and removing Zion was the least restrictive means of pursuing any interest. Further, ARCA violated the clear directive of the Religious Rights at Public Schools Act by preventing Zion from “speaking . . . at times when students are free to voluntarily converse and interact” and “express[ing] a religious viewpoint in the same manner as other viewpoints may be expressed.”

IV. Conclusion

This is a time-sensitive matter. No later than October 10, 2025, please provide your written assurances that (1) Zion will be permitted three minutes to speak about his faith during a future Social Time within 14 days of the date of this letter, that (2) school officials will not censor or violate the free speech or free exercise of students including Zion in the future, and that (3) school officials will complete religious liberty training through the RESPECT Project, providing us a copy of the certificate of completion of the same within 60 days of the date of this letter. To ensure that neither Zion, nor any other Arkansas Connections Academy students of any faith background receive similar treatment in the future, we require Ms. Reid, Ms. Stephens, and Ms. Lieblong to forward to us, within 30 days, their certification of completion of the Respect Project, available at www.respectproject.net.

If we do not hear from you and receive those assurances by that time, we will proceed as our clients direct, likely pursuing all available legal remedies.

Sincerely,



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