

FREEDOM FROM RELIGION *foundation*

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April 14, 2011

**SENT VIA FAX & U.S. MAIL
(864) 984-8121**

Billy R. Strickland
Superintendent
Laurens County School District 55
1029 W Main St
Laurens, SC 29360

Re: Prayer at Laurens District High School Graduation

Dear Superintendent Strickland:

I am writing on behalf of concerned Laurens District High School students, and other South Carolina members of the Freedom From Religion Foundation (FFRF), who object to the school district scheduling a prayer at a public high school graduation. FFRF is a national nonprofit organization with over 16,000 members across the country including over 100 in South Carolina. Our purpose is to protect the constitutional principle of separation between state and church.

It is our information and understanding that the senior class will be taking a vote on whether to have an invocation at Laurens District High School graduation. Our complainants inform us that a vote will take place on April 19, 2011. We understand this vote has typically resulted in invocations being held at past graduation ceremonies. This year's graduation ceremony is scheduled for June 2nd at 7:30 PM.

As you are undoubtedly aware, the Supreme Court has continually struck down prayers at school-sponsored events, including public school graduations. *See Lee v. Weisman*, 505 U.S. 577 (1992)(declaring unconstitutional clergy-delivered prayers at a public school graduation). Even if student-initiated, school officials may not invite a student, teacher, faculty member, or clergy to give any type of prayer, invocation, or benediction at a public high school graduation. *See Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290 (2000)(holding that student-delivered prayers at high school football games violate the Establishment Clause).

In *Santa Fe Indep. Sch. Dist. v. Doe*, the U.S. Supreme Court struck down a school policy that authorized students to vote on whether to hold a prayer at high school football

games. In finding the student vote unconstitutional, the Court specifically addressed the constitutional problem this practice poses. It stated, “[a] student election does nothing to protect minority views but rather places the students who hold such views at the mercy of the majority. Because ‘fundamental rights may not be submitted to vote; they depend on the outcome of no elections...’ ” *Id.* at 304-305 (citations omitted).

A prayer taking place at a “regularly scheduled school-sponsored function conducted on school property” would lead an objective observer to perceive it as state endorsement of religion. *Id.* at 308. The Court stated that in this context, “[r]egardless of the listener’s support for, or objection to, the message, an objective [high school] student will unquestionably perceive the inevitable pregame prayer as stamped with her school’s seal of approval.” *Id.*

Given clear precedent prohibiting prayer at high school graduations — even when “student-initiated” — it is puzzling why the District would subject this matter to a vote by the student body. The Supreme Court has settled this matter — high school graduations must be secular to protect the freedom of conscience of all students. Therefore, the District must take immediate action to ensure that a prayer, an invocation or a benediction are not scheduled for any part of this year’s graduation ceremony. We ask that you cancel this unlawful “vote”, and immediately inform us in writing of the steps you are taking to avoid this serious potential constitutional violation.

Sincerely,

A handwritten signature in black ink, appearing to read "RS Markert", written over a horizontal line.

Rebecca S. Markert
Staff Attorney

cc: Wayne McIntosh, Principal