



FREEDOM FROM RELIGION FOUNDATION

P.O. Box 750 • Madison WI 53701 • (608) 256-8900 • www.ffrf.org

March 2, 2009

Mark Enderle
Superintendent
Fulton Public Schools
#2 Hornet Dr
Fulton MO 65251

COPY

URGENT

Re: Prayer at Tonight's Fulton High School Academic Week Student-Parent
Recognition Banquet

Dear Mr. Enderle:

I am writing on behalf of concerned parents and students in the Fulton Public School District to alert you to a serious state/church violation which is set to occur at the Fulton High School Academic Week Student-Parent Recognition Banquet tonight. Freedom From Religion Foundation (FFRF) is a nonprofit organization dedicated to the constitutional principle of separation of church and state. We represent nearly 14,000 members across the United States, including members in Missouri.

It is our information and understanding that each year Fulton High School recognizes academic achievement in a special way. Students with a GPA of 3.75 or higher are recognized for their academic excellence during a week of special activities. Activities include an opening banquet, an ice cream social, and a field trip to St. Louis, just to name a few. The week traditionally begins with a Student-Parent Recognition banquet. Our complainants inform us that this year, the banquet will take place tonight, March 2, 2009, at 6pm in the Fulton High School gymnasium. It is our understanding that this banquet has always opened with prayer led by a high school student.

It is unlawful for any school-sponsored event, such as a banquet recognizing academic achievement, to open with prayer. FFRF asks that you immediately take action to ensure that tonight's banquet does not open with prayer.

First and foremost, the Supreme Court has continually struck down formal and teacher or school-led prayer in public high schools. *See, e.g., Engel v. Vitale*, 370 U.S. 421 (1962)(declared prayers in public schools unconstitutional); *Abington Township Sch. Dist. v. Schempp*, 374 U.S. 203 (1963)(declared unconstitutional devotional Bible reading and recitation of the Lord's Prayer in public schools); *See also Lee v. Weisman*, 505 U.S.

577 (1992)(ruled prayers at public high school graduations an impermissible establishment of religion); *Wallace v. Jaffree*, 472 U.S. 38 (1985)(overturned law requiring daily “period of silence not to exceed one minute ... for meditation or daily prayer.”); *Jager v. Douglas County Sch. Dist.*, 862 F.2d 825 (11th Cir. 1989), cert. den., 490 U.S. 1090 (1989)(holding unconstitutional pre-game invocations at high school football games). Even when student-initiated, the Supreme Court have found these prayers unconstitutional. *See generally, Sante Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290, 308 (2000)(struck down a school policy that authorized students to vote on whether to hold a prayer at high school football games). In all of the aforementioned cases, the federal courts have struck down prayer in public schools because it constitutes a government-endorsement of religion, which violates the Establishment Clause of the First Amendment.

Likewise, the prayers at these annual banquets are unconstitutional. The banquets are school-sponsored events, which occur on school property. It does not matter that this event occurs after-school hours because prayers at other traditional after-school events such as football games and graduations have been found unconstitutional by the U.S. Supreme Court. It is also inconsequential that a high school student offers the prayers because even student-initiated prayer at school events are illegal. Prayer occurring on public school property as part of a regularly scheduled annual event sponsored by the school certainly leads “an objective observer, acquainted with the [prayer to] perceive it as a state endorsement...” *Sante Fe Indep. Sch. Dist. v. Doe*, 530 U.S. at 308.

On behalf of our District complainants, I respectfully request that you take immediate steps to ensure that prayer is not scheduled at tonight’s banquet. Please get back to me at your earliest convenience.

Sincerely,



Rebecca S. Kratz
Staff Attorney

cc: Teresa Arms, Principal, Fulton High School