

FREEDOM FROM RELIGION *foundation*

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December 26, 2014

SENT VIA MAIL & EMAIL TO:
superintendent@ncmcs.org

Dr. Robert Grimesey
Superintendent
Moore County Schools
PO Box 1180
Carthage, NC 28327

Re: Unconstitutional Prayers at Athletic Awards Banquet

Dear Dr. Grimesey:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding constitutional concerns over prayer at Moore County Schools (District) events. FFRF is a national nonprofit organization with more than 21,500 members across the country, including over 500 members in North Carolina. Our purpose is to protect the constitutional principle of separation between state and church.

It is our understanding that Pinecrest High School held an awards banquet for the soccer team on December 2nd. We understand that the banquet was started with a prayer for all students and attendees. We were contacted by a parent who is concerned that prayers will continue at other school functions.

We write to request that Moore County Schools take immediate steps to ensure that prayers are not part of any future school-sponsored events at Pinecrest High School and other District schools.

It is illegal for a public school to organize or sponsor religious messages at any school-sponsored event. The Supreme Court has continually struck down school-sponsored prayer in public schools. *See, e.g., Sch. Dist. of Abington Twp. v. Schempp*, 374 U.S. 203 (1963) (declaring unconstitutional devotional Bible reading and recitation of the Lord's Prayer in public schools); *Engel v. Vitale*, 370 U.S. 421 (1962) (finding prayers in public schools unconstitutional); *Lee v. Weisman*, 505 U.S. 577 (1992) (ruling prayers at public school graduations an impermissible establishment of religion); *Wallace v. Jaffree*, 472 U.S. 38 (1985) (overturning law requiring daily "period of silence not to exceed one minute . . . for meditation or daily prayer"). In all of the aforementioned cases, the Supreme Court has struck down prayer in public schools because it constitutes a government advancement and endorsement of religion, which violates the Establishment Clause of the First Amendment.

Though acknowledging student athletic achievements is a commendable goal, including a religious message in the awards program gives the appearance that the school district endorses religion over nonreligion, and Christianity over all other faiths. The “[s]chool sponsorship of a religious message is impermissible because it sends the ancillary message to members of the audience who are nonadherents ‘that they are outsiders, not full members of the political community and accompanying message to adherents that they are insiders, favored members of the political community.’” *Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290, 309-10 (2000) (quoting *Lynch v. Donnelly*, 465 U.S. 668, 688 (1984) (O’Connor, J., concurring)).

The Supreme Court said it best: “the preservation and transmission of religious beliefs and worship is a responsibility and a choice committed to the private sphere.” *Santa Fe Indep. Sch. Dist.*, 530 U.S. at 310 (quoting *Lee*, 505 U.S. at 589). Moreover, including prayer and endorsements of religion at a public school event is a divisive and isolating act. Including prayer in a school-sponsored event is particularly inappropriate given that almost 20% of the U.S. population identifies as non-religious. Younger Americans are the least religious population in the country: one-in-three persons aged 18-29 are not religious.¹ An awards banquet should be an inclusive, unifying event designed to strengthen bonds within the school community. Including prayer in the program does exactly the opposite, isolating non-Christian and nonreligious students, cheapening their participation by sending the message that they are outsiders in their own community.

The fact that students can “opt out” of attending the awards ceremony does not cure the constitutional violation. The Supreme Court recognizes that voluntariness does not remedy an Establishment Clause violation. *See generally Lee*, 505 U.S. at 596 (“It is a tenet of the First Amendment that the State cannot require one of its citizens to forfeit his or her rights and benefits as the price of resisting conformance to state-sponsored religious practice.”); *Schempp*, 374 U.S. at 288 (Brennan, J., concurring) (“Thus, the short, and to me sufficient, answer is that the availability of excusal or exemption simply has no relevance to the establishment question . . .”).

It is unlawful for any school-sponsored event, including an after school awards banquet, to open with prayer. FFRF requests that you take immediate action to ensure that future school events do not include prayer. Please inform us in writing of the steps Moore County Schools is taking so that we may notify our complainant.

Sincerely,



Patrick C. Elliott
Staff Attorney

¹ “Nones on the Rise: One-in-Five Adults Have No Religious Affiliation,” Pew Research Center, The Pew Forum on Religion & Public Life (October 9, 2012), available at <http://www.pewforum.org/Unaffiliated/nones-on-the-rise.aspx>