

FREEDOM FROM RELIGION *foundation*

P.O. BOX 750 · MADISON, WI 53701 · (608) 256-8900 · WWW.FFRF.ORG

November 17, 2011

**SENT VIA U.S. MAIL & FAX
(715) 443-2611**

Mr. Rick Parks
District Administrator
Marathon School District
204 East St
Marathon, WI 54448-9642

COPY

Re: Unconstitutional Prayers at Veterans Day Assembly

Dear Mr. Parks:

I am writing on behalf of a concerned parent and other Wisconsin members of the Freedom From Religion Foundation (FFRF) who object to the school district holding prayer at school sponsored events. FFRF is a national nonprofit organization with over 17,000 members across the country including over 1300 in Wisconsin. Our purpose is to protect the constitutional principle of separation between state and church.

It is our information and understanding that Marathon Area Elementary School (MAES) hosted a Veterans Day ceremony featuring music, flag presentations, and local veterans from the community. According to the program and our complainant, an invocation and closing prayer were part of the program held on November 11, 2011. It is our further understanding that the prayer was given by Mr. LeRoy Knauf, a military chaplain and that all faculty and students were present for this assembly. We further understand that the assembly and prayers occurred at 9:30 during a school day, meaning that students and faculty were required to be there. We are also told that the prayers were sectarian and offered "in Jesus' name."

While it is laudable for schools in your District to organize, sponsor and host a Veterans Day assembly, it is unconstitutional to allow Christian or other religious messages to be part of school-sponsored activities such as student assemblies. *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); *Lee v. Weisman*, 505 U.S. 577 (1992) (ruled prayers at public 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."). In all of the aforementioned cases, the federal courts have struck down prayer in public schools because it

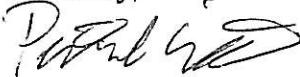
constitutes a government-endorsement of religion, which violates the Establishment Clause of the First Amendment.

Prayer occurring as part of an 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. This “[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 (2001)(quoting *Lynch v. Donnelly*, 465 U.S. at 668)(O’Connor, J., concurring). Prayer at these programs turns non-Christian and nonreligious Marathon Public School students into outsiders.

Finally, not only did this ceremony inflict unlawful prayer on schoolchildren, but it also it defeated the purpose of schools by misleading instead of educating children. Many “atheists in foxholes” have served our country with distinction. Veterans of whatever religion or no religion should be equally honored. Prayers at these ceremonies amount to a governmental endorsement of religion that exclude the 15% of the U.S. population that is nonreligious (American Religious Identification Survey 2008) and the 23.4% of atheist, agnostic, or military personnel having no religious preference (2010 MAAF study based on Department of Defense data). These prayers further perpetuate the myth that there are no “atheist in foxholes” and that the only veterans worth memorializing are Christians.

It is unlawful for any school-sponsored event, such as a school-sponsored Veterans Day assembly, to open or close with prayer. FFRF asks that you immediately take action to ensure that future District programs and assemblies do not include prayer. We request an immediate apology from the school and training for principals and administrators to avoid this issue in the future. Please inform us in writing of the steps your District is taking so that we may notify our complainant.

Sincerely,



Patrick Elliott
Staff Attorney

Cc: Jeff Reiche, Principal Marathon Area Elementary School

Veterans Day Program
Marathon Area Elementary School
November 11, 2011
9:30 a.m.

1. Opening Remarks - Bill Butke, Post Commander

PLEASE STAND AND REMAIN STANDING

2. Presentation of Colors - Color Guard
3. National Anthem - MAES Choir - Directed by Mr. Brock Kukulinski
4. "American Spirit Overture" - MAES Band - Directed by Mrs. Sara Sternberg
5. Pledge of Allegiance to the Flag
6. Presentation of MIA/POW Flag
7. Invocation - LeRoy Knauf, Post Chaplain

PLEASE SIT DOWN

8. American Legion Auxiliary Poppy Princess - Sascha Hornung
9. Veterans Day Program - Duane Handrick
10. Middle School Chorus - "A Patriotic Salute"
11. Presentation on the flag - Sharon Seibert
12. Presentation of U.S. Flag and Donation to the Principal - Mr. Reiche

PLEASE STAND

13. Moment of silent reverence in memory of all Veterans who sacrificed their lives for our country.
14. Closing Prayer - LeRoy Knauf, Post Chaplain
15. Bagpipers - Hunter Reed plays "Taps"
16. Retire the MIA/POW Flag
17. Closing Remarks - Bill Butke
18. Color Guard will retire the Colors