

# FREEDOM FROM RELIGION *foundation*

P.O. BOX 750 • MADISON, WI 53701 • (608) 256-8900 • WWW.FFRF.ORG  
May 30, 2018

**SENT VIA EMAIL & U.S. MAIL**  
**robert.richardson@brimfield309.com**

Mr. Robert Richardson  
Superintendent  
Brimfield CUSD 309  
P.O. Box 380  
Brimfield, IL 61517

Re: Unconstitutional Prayer at Graduation

Dear Superintendent Richardson:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding a constitutional violation occurring at Brimfield High School. FFRF is a national nonprofit organization with more than 33,000 members across the country, including more than 1,000 members in Illinois. FFRF's purposes are to protect the constitutional principle of separation between state and church, and to educate the public on matters relating to nontheism.

A concerned District community member contacted FFRF to report that the Brimfield High School graduation ceremony on May 20<sup>th</sup>, 2018, included two separate Christian prayers. A copy of the ceremony's written program is enclosed for your review and includes both an "INVOCATION" and a "BENEDICTION."

We understand that students voted on whether there would be a prayer, and then admin staff instructed the valedictorians to select who among them would deliver the prayers during the ceremony. Our complainant reports that numerous attendees stated the prayers made them feel uncomfortable. Additionally, we understand that Brimfield High School graduation ceremonies have included prayers since at least 2010.

Including religious rituals, such as prayer, in school-sponsored functions shows school endorsement of religion, which violates the Establishment Clause of the First Amendment to the U.S. Constitution. We request assurances that future District events will not include prayer or other religious rituals.

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). School officials may not invite a teacher, faculty member, clergyperson, or even a student to give any type of prayer, invocation, or benediction at a public high school graduation. "The design of the Constitution is that preservation and transmission of religious beliefs and worship is a responsibility and a choice committed to the private sphere." *Id.* at 590.

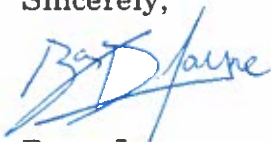
In *Santa Fe Indep. Sch. Dist. v. Doe*, the U.S. Supreme Court specifically struck down a school policy that authorized students to vote on whether to hold a prayer at school-sponsored events. 530 U.S. 290 (2000). In finding the student vote unconstitutional, the Court specifically addressed the constitutional problem this practice poses, stating, “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,’ the District’s elections are insufficient safeguards of diverse student speech.” *Id.* at 304–05 (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. 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 . . . prayer as stamped with her school’s seal of approval.” *Id.*

Given clear precedent prohibiting prayer at high school graduations, and prohibiting prayer at school-sponsored events initiated by student votes, it is puzzling why the District decided to ask students to vote on whether to have an unconstitutional prayer. It makes no difference how many students want prayer or would not be offended by prayer at their graduation ceremony. The Supreme Court has settled this matter—high school graduations must be secular to protect the freedom of conscience of all students, including the 38% of younger Americans who are not religious.<sup>1</sup>

FFRF requests written assurances that the District will not schedule or approve prayers as a part of future graduation ceremonies, including allowing students to vote on whether or not to have a prayer. Please inform us in writing of the steps the District takes so that we may inform our local complainant that this serious constitutional violation will not reoccur.

Sincerely,



Ryan Jayne  
Staff Attorney

RDJ:bp

Enclosure

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<sup>1</sup> Robert P. Jones & Daniel Cox, *America’s Changing Religious Identity*, PUBLIC RELIGION RESEARCH INSTITUTE (Sept. 6, 2017), available at [www.prrri.org/wp-content/uploads/2017/09/PRRI-Religion-Report.pdf/](http://www.prrri.org/wp-content/uploads/2017/09/PRRI-Religion-Report.pdf/).

ANNUAL COMMENCEMENT EXERCISE  
BRIMFIELD COMMUNITY UNIT GYMNASIUM  
SUNDAY, MAY 20, 2018  
2:00 P.M.

PRELUDE

\*PROCESSIONAL ..... "POMP AND CIRCUMSTANCE"  
.....SIR EDWARD ELGAR

WELCOME & .....  
RECOGNITION OF VETERANS ..... EMILY MCCAULEY, VALEDICTORIAN

\*PLEDGE OF ALLEGIANCE..... KATELYN GOLEMON, VALEDICTORIAN

INVOCATION..... ELLIE GRAHAM, VALEDICTORIAN

VALEDICTORY ..... ALYSSA ROLL, VALEDICTORIAN

VALEDICTORY ..... SAMUEL HEDRICK, VALEDICTORIAN

RECOGNITION OF SCHOLARS ..... KIMBERLY ROSS

TOP TEN AWARD ..... ROBERT RICHARDSON; KIMBERLY ROSS

PRESENTATION OF CLASS OF 2018 ..... ROBERT RICHARDSON

PRESENTATION OF DIPLOMAS .....SCOTT CARLSON,  
..... SENIOR CLASS SPONSOR  
..... DAN HEINZ, BOARD PRESIDENT

BENEDICTION..... ELIZABETH TREADWAY, VALEDICTORIAN

TASSEL..... CALE THOMPSON, CLASS PRESIDENT

\*RECESSIONAL ..... "WAR MARCH OF THE PRIESTS"  
..... FROM "ATHALIA" – MENDELSSOHN

(\* ) AUDIENCE, PLEASE STAND

ACCOMPANIST ..... TYLER HARR

MARSHALLS/USHERS ..... CLARE HARMON, ASHLEY STREITMATTER  
.....ALEXIS BRYANT, CHASE GORE

A TRADITION OF EXCELLENCE

\*PLEASE TURN CELL PHONES OFF\*

~ CLASS QUOTE ~

*"TAKE THE WORLD AS YOU FIND IT, BUT LEAVE IT A BETTER PLACE"*