

FREEDOM FROM RELIGION *foundation*

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

November 17, 2015

SENT VIA U.S. MAIL AND EMAIL tfoster@coloradomesa.edu

Mr. Tim Foster
President, Colorado Mesa University
1100 North Avenue
Grand Junction, CO 81501

Re: Inappropriate bible distribution at nursing graduation ceremony

Dear Mr. Foster:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) to urge you to discontinue the practice of permitting faculty to distribute bibles and scheduling prayer at nursing program graduation ceremonies. FFRF is a national nonprofit organization representing over 23,000 members across the country, including more than 650 members in Colorado with chapters in both Colorado Springs and Denver. Our purpose is to protect the constitutional principle of separation between state and church and to educate about nontheism.

Several students and members of the CMU community inform us bibles will be distributed at the Nursing Department's pinning or graduation ceremony on December 11, 2015. Nursing students have apparently been told this is a "non-negotiable" part of the ceremony.

We understand that Gideon's International, a self-described as an association of Christian business and professional men who are members of Protestant or evangelical churches, may be behind this distribution. Their website states that they are "dedicated to telling people about Jesus through sharing personally and by providing Bibles and New Testaments." The Gideons' website openly refers to public elementary schools as a prime target. The Gideons send grown men into public schools to deliberately violate the rights of school children. CMU should not facilitate this predatory and, as one student who complained to us put it, "creepy" behavior.¹

As an attorney from my alma mater (L.L.M, Denver Law), I'm sure you share a commitment to upholding the Constitution and protecting the rights of your minority students. Distributing bibles and scheduling religious invocations at university-sponsored events such as graduation ceremonies raise constitutional concerns. This is particularly true because of the proselytizing nature of bible distribution. It is a fundamental principle of Establishment Clause jurisprudence that publicly-funded institutions cannot in any way promote, advance, or otherwise endorse religion. The United States "Constitution guarantees that government may not coerce anyone to support or participate in religion or its exercise, or otherwise act in a way in which 'establishes a [state] religion or religious faith, or tends to do so.'" *Lee v. Weisman*, 505 U.S. 577, 578 (1992). Therefore, it is inappropriate for a public institution such as CMU to facilitate bible distributions. Such a practice demonstrates the college's apparent endorsement not only of religion over nonreligion, but also of Christianity over all other faiths.

¹ See, generally, The Gideons International, <http://www.gideons.org> (last visited May 8, 2014).

This matter is especially troublesome in light of the wide range of cultures and faiths that were represented at graduation. The college holds as its mission to “by encouraging diversity, critical thinking, and social responsibility” and provide services to the “diversity of students, faculty, [and] staff” which the school serves.² The culmination of years of secular, publicly funded education should not end in an exclusionary distribution of bibles.

Thrusting bibles at students—who may be of varying faiths or no faith—at graduation is coercive, embarrassing, and beyond the scope of our public higher education system. Individuals are free to worship on their own time in their own way. Students and supporters in the audience should not be expected to show obeisance toward religious ritual or belief systems which are not their own. CMU ought not to lend its power and prestige to religion, amounting to a governmental endorsement of religion that excludes the 23% Americans that identify as nonreligious.³ Not only are 1-in-4 Americans nonreligious, about 35% of millennials—born after 1981, i.e., your students—are nonreligious.⁴ The practice of distributing Bibles alienates non-Christian students, teachers, and members of the public whose religious beliefs are inconsistent with the message being promoted by the school.

It is no defense that these ceremonies are events at which participation or attendance is voluntary, nor is it a defense that graduates need not take a bible while other students do. Graduates will want to attend and celebrate their achievement with family. Therefore, it is all the more important that these events are secular in nature to respect the freedom of conscience of all students. A graduating student should not have to stay home from his or her own graduation in order to avoid exposure to state-sponsored religious practice. “The Constitution, moreover, demands that the school may not force this difficult choice upon these students for ‘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.’” *Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290, 312 (2000) (quoting *Lee v. Weisman*, 505 U.S. 577, 596 (1992)). Students wishing to participate should not be forced to forego this momentous occasion in their lives to avoid religious content that will exclude and embarrass them.

On behalf of our complainant, we ask that you discontinue the practice of distributing bibles as part of future graduations. We further ask that you inform us in writing of the steps CMU is taking to keep graduations secular and free from religious proselytizing. Thank you in advance for considering the point of view of this country’s increasingly large segment of nonreligious Americans and honoring America’s foundational principle: separation between state and church.

Sincerely,



Andrew L. Seidel
Staff Attorney

Cc: Debra Bailey, Head of Health Sciences Department, dbailey@coloradomesa.edu

² Mission Statement <http://www.coloradomesa.edu/about/values.html>

³ *America’s Changing Religious Landscape*, Pew Research Center (May 12, 2015), available at www.pewforum.org/2015/05/12/americas-changing-religious-landscape/.

⁴ *Id.*