

FREEDOM FROM RELIGION *foundation*

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

May 22, 2014

Mr. Bernie L. Patterson
Chancellor
University of Wisconsin - Stevens Point
213 Old Main, 2100 Main Street
Stevens Point, WI 54481-3897

Re: Inappropriate religious remarks at graduation ceremony

Dear Chancellor Patterson:

I am writing on behalf of the Freedom From Religion Foundation (“FFRF”) to urge you to discontinue the practice of including religious remarks when speaking at graduation ceremonies as chancellor of UW Stevens Point (“University”). FFRF is a national nonprofit organization, based in Madison, Wisconsin. We represent more than 20,000 members across the country, including over 1,300 members in Wisconsin. Our purpose is to protect the constitutional principle of separation between state and church.

It is our understanding that at this year’s graduation ceremony on May 17 you spoke to the assembled graduates in your official capacity as chancellor of the University. A concerned parent of a student from the graduating class contacted us to report that you concluded your speech with the advice that when faced with an ethical dilemma, graduates should lean on their foundation: their education and their “faith in God.” We are informed that you have included the same “faith in God” line in past graduation ceremonies, including in your 2012 address, which can be viewed online at www.youtube.com/watch?v=PLigeOik8Rk.

We write to ask that in the future you refrain from including religious references in your graduation remarks.

Including religious remarks at University-sponsored events such as graduation ceremonies raises constitutional concerns. As a state-run institution, the University is bound by the Constitution’s Establishment Clause, which “mandates governmental neutrality between religion and religion, and between religion and nonreligion.” *Epperson v. Arkansas*, 393 U.S. 97, 104 (1968). As chancellor, you are tasked with representing the University and your remarks carry the weight of University endorsement. Therefore, it is inappropriate for you to include religious remarks in a secular graduation ceremony.

The Supreme Court said it best when it wrote that “[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)). Graduation should be an inclusive, unifying event designed to celebrate the accomplishments and prospects of the graduates. Including religious references does exactly the opposite, isolating non-Christian and nonreligious students, cheapening their participation by sending the message that they are outsiders at their own graduation and in their own community.

When you speak as University chancellor, your speech is not private speech, but government speech subject to the requirements of the Establishment Clause. *See Garcetti v. Ceballos*, 547 U.S. 410, 421 (2006) (“We hold that when public employees make statements pursuant to their official duties, the employees are not speaking as citizens for First Amendment purposes, and the Constitution does not insulate their communications from employer discipline.”). While you are free to promote your personal religious beliefs on your own time, it is inappropriate to do so when you are afforded a special platform due to your position within the University.

The University should be particularly sensitive to respecting the rights and conscience of the nonreligious, given that universities serve the least religious population in the country: 1-in-3 college-aged Americans (ages 18-29) are not religious.¹ We ask that you respect the rights and conscience of your entire student body by refraining from making religious remarks in your graduation speeches. Please inform us of the steps you take to keep future graduations inclusive and secular.

Sincerely,



Sam Grover
Staff Attorney
Freedom From Religion Foundation

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>.