

FREEDOM FROM RELIGION *foundation*

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SENT VIA EMAIL & U.S. MAIL

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Mr. Kip Baker
Willard Public Schools Board of Education
500 Kime St.
Willard, MO 65781

Re: Unconstitutional school-sponsored religious activities

Dear President Baker and Board Members:

I am writing on behalf of the Freedom From Religion Foundation (“FFRF”) regarding blatant violations of student rights by Superintendent Kent Medlin. We were contacted by a concerned student. FFRF is a national nonprofit organization with more than 29,000 members nationwide including members in Missouri. Our purpose is to protect the constitutional principle of separation between state and church.

As you know, Dr. Medlin gave religious remarks and a prayer at the Willard High School graduation ceremony. He reportedly quoted the bible repeatedly in his commencement address, proselytized by discussing his savior, and asked students and their families to join him in a prayer.

You also are likely aware that Dr. Medlin is notorious for pushing his religion on staff and students. Over the last few years, FFRF has sent several complaints to the school system. While it is no surprise that someone who has routinely abused his position of authority to promote his religion did so again, it is a shame that this was done as part of a momentous occasion for students.

We request that the Board of Education take immediate affirmative steps to comply with constitutional requirements. While Dr. Medlin is retiring, his troubled legacy of religious proselytization and exclusion of non-Christians must end.

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) (declaring unconstitutional prayers at a public school graduation). School officials may not deliver prayers or invite others to give any type of prayer, invocation, or benediction at a public school graduation. *See Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290 (2000) (holding that a school’s policy allowing student-delivered prayers at high school football games violates the Establishment Clause). The Supreme Court has settled this matter—high school graduations must be secular to protect the freedom of conscience of all students.

Public schools must not advance or endorse religion. The Supreme Court has explained that “the prohibition against governmental endorsement of religion ‘preclude[s] government from conveying or attempting to convey a message that religion or a particular religious belief is favored or preferred.’” *Cnty. of Allegheny v. ACLU Greater Pittsburgh Ch.*, 492 U.S. 573, 593 (1989). The goal of this “endorsement test” is to ensure that the government does not “appear to take a position on questions of religious belief.” *Id.* at 594. There can be no doubt that religious proselytizing by the school superintendent at a school function amounts to religious endorsement.

It should be noted that the Supreme Court has broadly protected the rights of students from school-sponsored religious practices. *See, e.g., Santa Fe*, 530 U.S. 290; *Lee*, 505 U.S. 577; *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”); *Abington Twp. Sch. Dist. v. Schempp*, 374 U.S. 203 (1963) (declaring school-sponsored devotional Bible reading and recitation of the Lord’s Prayer unconstitutional); *Engel v. Vitale*, 370 U.S. 421 (1962) (declaring prayers in public schools unconstitutional).

The Board must stop these religious practices not only because it is constitutionally required, but also to avoid the significant costs it would incur to take on an unwinnable legal challenge. When FFRF secured a court order against a California school district regarding its school board prayers and proselytizing by school officials last year, the court ordered the district to pay more than \$200,000 in the plaintiffs’ attorney fees and costs. *Freedom From Religion Found. v. Chino Valley Unified Sch. Dist.*, No. EDCV 14-2336-JGB (DTBx) (C.D. Cal. Feb. 18, 2016) (appeal pending).

Willard Public Schools has a duty to remain neutral toward religion. By promoting religion and prayers at school events, the school system abridges that duty and alienates the 35% of young Americans who are not religious.¹

We request a written response from the Board outlining what policies and training will be instituted to prevent future violations of the constitutional rights of students and staff. Thank you for your time and attention to this matter.

Sincerely,



Patrick Elliott
Staff Attorney

CC: Board Members (via email)

¹ *America's Changing Religious Landscape*, PEW RESEARCH CENTER (May 12, 2015), available at www.pewforum.org/2015/05/12/americas-changing-religious-landscape/.