

# FREEDOM FROM RELIGION *foundation*

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

February 14, 2023

**SENT VIA EMAIL AND U.S. MAIL:**

**amartell@canton.k12.pa.us**

Amy Martell  
Superintendent  
Canton Area School District  
509 E Main St  
Canton, PA 17724

Re: Unconstitutional prayer in school assemblies

Dear Dr. Martell:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding a constitutional violation occurring in the Canton Area School District. FFRF is a national nonprofit organization with more than 40,000 members across the country, including over 1,100 members in Pennsylvania and a local chapter, Central PA Rationalists. Our 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 member of the Canton Area School District community contacted us to report that assemblies held at Canton High School are regularly opened with Christian prayer given by a local pastor. It is our understanding that this practice has made a significant number of students feel uncomfortable and unwelcome in their school, and that when they voiced their concerns to teachers, they were ignored.

We write to request that the District cease its partnership with local churches, and refrain from opening assemblies with prayer in the future.

It is well settled that public schools may not violate the First Amendment rights of students by showing favoritism towards or coercing belief or participation in religion. *Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290 (2000); *Lee v. Weisman*, 505 U.S. 577 (1992); *Wallace v. Jaffree*, 472 U.S. 38 (1985); *Epperson v. Arkansas*, 393 U.S. 97 (1967); *Sch. Dist. of Abington Twp. v. Schempp*, 374 U.S. 203 (1963); *Engel v. Vitale*, 370 U.S. 421 (1962); *McCullum v Bd. of Ed.*, 333 U.S. 203 (1948). Government-sponsored religious exercise “has the improper effect of coercing those present to participate in an act of religious worship.” *Santa Fe*, at 312. Yet, favoritism towards religion is exactly what a public school district accomplishes when it allows a pastor to come in to lead students in prayer. Moreover, the District violated students’ constitutional rights

by directly coercing them into attending assemblies with religious rituals. School assemblies typically occur during the school day, are mandatory, are used to present a wide variety of information to students, and are often a key part of the student experience. Here, students were forced to choose between violating their own conscience by attending this assembly or refusing to attend knowing they could face disciplinary action or at the very least forfeit inclusion in a school-sponsored activity. This is no choice at all.

Allowing a religious leader regular, or even one-time access to preach to students violates the Establishment Clause of the First Amendment. The courts have protected public school students from overreaching outsiders in similar situations. *See, e.g., Berger v. Rensselaer Sch. Dist.*, 982 F.2d 1160 (7th Cir. 1993) (holding that distribution of bibles by Gideons in school violated Establishment Clause). Courts have granted injunctions against schools for their complacency in such situations. *See, e.g., Roark v. S. Iron R-1 Sch. Dist.* 540 F. Supp.2d 1047, 1059 (E.D. Mo. 2008); *upheld in relevant part by* 573 F.3d 556 (8th Cir. 2009) (holding that school policy allowing evangelical Christian organizations to distribute bibles in school violated Establishment Clause). This practice demonstrates an unlawful preference for religion over non-religion and, specifically, Christianity over all other faiths.

The District must immediately cease any partnership with local churches and must refrain from opening assemblies with prayer. The District must respect the constitutional rights of all students, including the right to be free from religious indoctrination and coercion in their own public schools. Please inform us in writing of the steps you are taking to ensure that this violation does not recur.

Sincerely,

A handwritten signature in black ink, appearing to read "Kat D. Grant". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Kat D. Grant

*Equal Justice Works Fellow (sponsored by the Wm. Collins Kohler Foundation)  
Freedom From Religion Foundation*