

FREEDOM FROM RELIGION *foundation*

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SENT VIA EMAIL & U.S. MAIL
scott.cowart@carrollcountyschools.com

Scott Cowart
Superintendent
Carroll County Schools
164 Independence Dr.
Carrollton, GA 30116

Re: School Sponsorship of Baccalaureate Ceremony

Dear Superintendent Cowart:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding a constitutional violation occurring in Carroll County Schools. We were contacted by a concerned student. FFRF is a national nonprofit organization with over 22,000 members across the country, including more than 400 members in Georgia and a state chapter. Our purpose is to protect the constitutional principle of separation between state and church.

It is our understanding that staff at Mount Zion High School, government teacher Judy Crews in particular, are planning a baccalaureate ceremony. We understand it is scheduled for Wednesday, May 20 at Kansas Baptist Church, with a rehearsal that morning. Our complainant reports that students need written permission from a parent and "a valid excuse" not to attend the ceremony.

We further understand seniors are pulled out of class weekly to learn Christian worship songs, specifically "How Great is Our God" by Chris Tomlin¹ and "I Have Been Blessed,"² which will be performed at the ceremony. Our complainant also reports that a pastor is slated to speak at the event.

The Establishment Clause of the First Amendment prohibits public schools from sponsoring any type of religious practices. *See Lee v. Weisman*, 505 U.S. 577, 590 (1992). Baccalaureate programs are religious services. Schools may not in any way plan, design, or supervise baccalaureate programs. *See, e.g., Warnock v. Archer*, 443 F.3d 954 (8th Cir. 2006) (upholding injunction prohibiting school district from orchestrating or supervising prayers at school graduation or baccalaureate ceremonies).

¹ Lyrics include: "The Godhead Three in One / Father Spirit Son . . . / Name above all names / Worthy of our praise / My heart will sing / How great is our God."

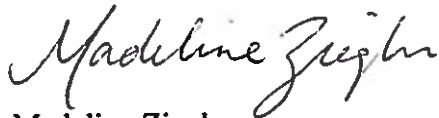
² Lyrics include: "I have been blessed / God's so good to me / precious are His thoughts of you and me," and "Our pastor to lead us / an altar to pray / stripes that can heal and blood that can save / Oh I have been blessed."

The school's role in planning and promoting this event and mandating seniors' participation would cause any reasonable graduating senior or parent to conclude that the District endorses the religious messages associated with the baccalaureate. To avoid the perception of school sponsorship of religious practices, the District cannot have any involvement in this event.

When courts have permitted privately sponsored baccalaureate services in public schools, the schools took significant steps to ensure that there was no school endorsement. *See Randall v. Pagan*, 765 F. Supp. 793 (W.D.N.Y. 1991) (noting that "the school board has already formally and publicly dissociated itself from the baccalaureate service, has canceled its prior order for programs and has refused to lend any financial support, either direct or indirect, to assist the [religious group] in its sponsorship of the event." In addition, no "district personnel are involved in any aspect of the service, either in their capacities as District employees or . . . in their personal, individual capacities."); *Verbena Methodist Church v. Chilton Bd. of Educ.*, 765 F. Supp. 704 (M.D. Ala. 1991) ("The Board must also ensure that no other school officials promote, lead, or participate in the service.").

We ask that you commence an investigation into this planned baccalaureate service. If our student complainant's allegations are confirmed, Carrollton County Schools must immediately end all involvement with the baccalaureate and/or cancel the event altogether. No public school employees can be involved in any further organization, planning or coordination of the baccalaureate service, and the District must stop removing students from class to teach them Christian music to sing at a religious event. The District may not coerce students into participating in the baccalaureate because they do not have a "valid excuse" to miss it. Please inform us in writing of the steps you are taking to end this constitutional violation.

Sincerely,



Madeline Ziegler
Attorney