

FREEDOM FROM RELIGION *foundation*

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

June 14, 2023

SENT VIA EMAIL & U.S. MAIL: cvoelkel@dickinsonisd.org

Carla Voelkel
Superintendent
Dickinson Independent School District
PO Drawer Z
Dickinson, TX 77539

Re: Unconstitutional religious remarks at graduation ceremony

Dear Superintendent Voelkel:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding a constitutional violation that occurred in the Dickinson Independent School District (“the District”). FFRF is a national nonprofit organization with over 41,000 members across the country, including more than 1,700 members and a chapter in Texas. 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 District parent reported that Principal Billye Smith delivered proselytizing remarks and quoted scripture during the 2023 Dickinson High School graduation ceremony. We are told that graduating seniors, including our complainant’s child, were not aware that Principal Smith would be delivering a religious speech during their graduation ceremony. Principal Smith’s speech included reciting a passage from a book recounting the biblical story of Genesis:

In the beginning, after He labored over the heavens and the earth, the light and the dark, the land and the sea, and all the living things that dwell therein, He created man and woman, and before he rested, God Almighty gave us one final gift: The gift of story. Ladies and gentlemen seated before me, God has made you the author of your story.¹

We write to request that the District investigate this matter and ensure that no future school-sponsored events include religious statements or proselytizing by administrators, faculty, or staff.

Public school students have a constitutional right to be free from religious indoctrination in their public schools, including while participating in graduation ceremonies. The Supreme Court has continually struck down proselytizing at school-sponsored events, including public school graduations. *See Lee v. Weisman*, 505 U.S. 577 (1992) (declaring unconstitutional clergy-delivered prayers at a public school graduation). It is well-settled that school officials, including administrators, may not deliver a religious speech or proselytize as part of a school-sponsored event.

¹ *Dickinson High School 2023 Commencement Ceremony*, YouTube (May 25, 2023; 46:00), <https://www.youtube.com/watch?v=mSWCeMxGQIQ>.

It makes no difference how many students wouldn't be offended by religious remarks at their graduation ceremony; the courts have continually reaffirmed that the rights of minorities are nonetheless protected by the Constitution. As the Supreme Court has said, "fundamental rights may not be submitted to vote; they depend on the outcome of no elections." *Id.* at 304–05 (quoting *W. Va. Bd. of Educ. v. Barnette*, 319 U.S. 624, 638 (1943)). "The very purpose of a Bill of Rights was to withdraw certain subjects from the vicissitudes of political controversy, to place them beyond the reach of majorities and officials and to establish them as legal principles to be applied by the courts." *Barnette*, 319 U.S. at 638. The District has a constitutional duty to remain neutral toward religion. By making religious statements at the graduation ceremony, Principal Smith, and thus the District, abridged that duty and needlessly alienated students and families like our complainant's who are a part of the 49 percent of Generation Z who are religiously unaffiliated.²

The District must ensure that all future school-sponsored events, including graduations, do not include religious remarks or proselytizing by District administrators, faculty, or staff in order to respect the First Amendment rights of students and their families. Please respond in writing with the steps the District is taking to address this constitutional violation so that we may inform our complainant. Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "Samantha F. Lawrence". The signature is written in a cursive style with a large, looped initial "S".

Samantha F. Lawrence
Anne Nicol Gaylor Legal Fellow
Freedom From Religion Foundation

² 2022 Cooperative Election Study of 60,000 respondents, analyzed by Ryan P. Burge
<https://religioninpublic.blog/2023/04/03/gen-z-and-religion-in-2022/>