

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: SaylesAdamsL@District112.org

Lisa Sayles-Adams
Superintendent
Eastern Carver County Schools
11 Peavey Road
Chaska, MN 55318

Re: Graduation ceremony in church

Dear Superintendent Sayles-Adams:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding the troubling decision to hold the graduation ceremonies for Chaska and Chanhassen High Schools at Grace Church. FFRF is a national nonprofit organization with over 41,000 members across the country, including more than 900 members and local chapters in Minnesota. Our purposes are to protect the constitutional principle of separation between state and church, and to educate the public on matters relating to nontheism.

We have received a report that Eastern Carver County Schools (“the District”) has been holding the graduation ceremonies for Chaska and Chanhassen High Schools at Grace Church for over a decade. Grace Church is an evangelical Protestant church whose mission is “to glorify God by making disciples of Jesus Christ across the street and around the world.”¹

A petition by a current Chaska High sophomore, Eli Frost, to change the graduation ceremonies venue has garnered over 600 signatures so far.² The petition explains:

Chaska and Chanhassen High School have now hosted their graduation ceremony at Grace Church for the last 15 years. Grace Church has a long history of making derogatory, public statements against the LGBTQ+ community. Further, they do not support divorce even in situations of domestic violence. As a community of students and parents who represent a wide variety of marginalized identities, we must change this venue. While it is time consuming to make changes that have been in place for over a decade, it’s critical for ECCS to advocate on behalf of all of their students. Continuing to have students have to choose whether or not to attend their graduation ceremony in a place that condemns their identity does not uphold the anti-discrimination policy that Eastern Carver County Schools stands

¹ Grace Church, *Who We Are: Beliefs* (last accessed June 12, 2023), <https://grace.church/who-we-are/our-beliefs/>.

² Update the District 112’s High School Graduation Ceremony Venue and Support Our Students! (last accessed June 12, 2023), https://www.change.org/p/maybe-change-the-title-to-update-the-chaska-high-school-graduation-ceremony-venue-and-support-our-students?utm_source=substack&utm_medium=email.

by. In today's political climate, it's more important than ever that we allow students to celebrate their accomplishments in a place that accepts everyone for who they are. Please join me in support of students across our district to relocate the Chaska and Chanhassen High School graduation as we can not allow the normalization of discrimination.³

Per a local news source, multiple students and community members have expressed concerns regarding hosting graduation at Grace Church in part due to the church's anti-LGBTQ+ viewpoints, as well as the church's opposition to divorce.⁴ While the District states that Grace Church is able to meet the District's needs for the graduation ceremonies, there appear to be secular options available that other districts have contracted with, including the Minneapolis Convention Center.⁵ Additionally, it apparently costs the District close to \$28,000 to host the graduation ceremonies at Grace Church, which suggests that the location is not being used for financial reasons and the District can likely afford to explore secular venues⁶

We write to request that the District cease holding its graduation ceremonies at Grace Church and instead select a secular facility in order to respect the diversity and constitutional rights of its students and their families.

Public school students have the First Amendment right to be free from religious indoctrination in their public schools, including when participating in graduation ceremonies. It is unconstitutional for a public high school to compel or coerce its graduating students, their parents, teachers and other members of their families or friends, to enter a house of worship in order to participate in or attend a graduation ceremony. *See, e.g., Lee v. Weisman*, 505 U.S. 577, 587 (1992) ("It is beyond dispute that, at a minimum, the constitution guarantees that government may not coerce anyone to support or participate in religion or its exercise."); *Everson v. Bd. of Educ.*, 330 U.S. 1, 15 (1947) ("The 'establishment of religion' clause of the First Amendment means at least this: neither a state nor the Federal Government can . . . force nor influence a person to go to or remain away from church against his will"). Moreover, this practice affiliates the District with the Christian religion and specifically the evangelical views espoused by Grace Church.

Many courts have held that holding graduations in churches violates the Establishment Clause. *See, e.g., Does v. Enfield Public Sch.*, 716 F. Supp. 2d 172 (D. Conn. 2010) ("By choosing to hold graduations at [a church], [a school] sends the message that it is closely linked with [the church] and its religious mission, that it favors the religious over the irreligious, and that it prefers Christians over those that subscribe to other faiths, or no faith at all."); *Musgrove v. Sch. Bd. of Brevard Co.*, 608 F. Supp. 2d 1303 (M.D. Fla. 2005) (ruling that plaintiffs had demonstrated likelihood of success on the merits of their claim that holding public high school graduations in a church violates the Establishment Clause).

³ *Id.*

⁴ Eder Campuzzano, *Eastern Carver County Schools hold graduation at a church. A student petition aims to change that*, Star Tribune (June 7, 2023, 4:48 p.m.), <https://www.startribune.com/petition-seeks-to-move-chaska-chanhassen-high-school-graduations-from-grace-church/600280842/>.

⁵ *Id.*

⁶ *Id.*

It is no defense that graduations are events at which participation or attendance is voluntary. Courts have summarily rejected arguments that voluntariness excuses a constitutional violation. *See Lee*, at 596 (“It is a tenet of the First Amendment that the State cannot require one of its citizens to forfeit his or her rights and benefits as the price of resisting conformance to state-sponsored religious practice.”); *Abington Sch. Dist. v. Schempp*, 374 U.S. 203, 288 (1963) (Brennan, J., concurring) (“Thus, the short, and to me sufficient, answer is that the availability of excusal or exemption simply has no relevance to the establishment question”); *Mellen v. Bunting*, 327 F.3d 355, 372 (4th Cir. 2003) (“VMI cannot avoid Establishment Clause problems by simply asserting that a cadet’s attendance at supper or his or her participation in the supper prayer are ‘voluntary.’”).

Furthermore, high school graduations are viewed as special, once-in-a-lifetime moments for graduating students and their families. *See Lee*, at 595 (“graduation is one of life’s most significant occasions”). Students wishing to participate should not be forced to forgo this momentous occasion in their lives simply because the District deems it necessary to hold the graduation in a church. As its own students and community members have pointed out, the District should strive to host graduation in a venue that is welcoming and inclusive for students and all attendees. This is especially true in light of the fact that nearly half of Generation Z is nonreligious⁷ and about two in ten non-Christians are members of the LGBTQ community, including 19 percent of the religiously unaffiliated.⁸

As a final matter, we note that “a student who graduates typically continues to have a live claim for damages against a school for a past constitutional violation.” *Am. Humanist Ass’n v. Greenville Cty. Sch. Dist.*, 652 F. App’x 224, 228 (4th Cir. 2016). If the District continues to hold ceremonies at Grace Church, any parent or student whose rights were violated could pursue legal claims after the fact.

We respectfully ask that the District select a more appropriate, secular venue for its graduation ceremonies in order to respect the First Amendment rights of its students and their families. Please inform us in writing of the steps the District is taking to address this situation. Thank you for your time and attention to this matter.

Sincerely,



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

⁷ 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/>.

⁸ More Acceptance but Growing Polarization on LGBTQ Rights: Findings From the 2022 American Values Atlas,
www.prii.org/research/findings-from-the-2022-american-values-atlas/.