

FREEDOM FROM RELIGION *foundation*

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May 19, 2023

SENT VIA EMAIL & U.S. MAIL: jamie.grube@gocruisers.org

Jamie Grube
Superintendent
Groveport Madison Schools
4400 Marketing Pl., Suite B
Groveport, OH 43125

Re: Graduation ceremony in church

Dear Superintendent Grube:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding the troubling decision to hold Groveport Madison Schools' graduation ceremonies at World Harvest Church. FFRF is a national nonprofit organization with over 40,000 members across the country, including more than 1,000 members and a local chapter in Ohio. 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 Groveport Madison Schools ("GMS") alumnus and community member reported that since 2020, GMS has been hosting its graduation ceremonies at World Harvest Church. Per the official GMS website, this custom and practice is continuing, as the 2023 high school graduation ceremony will be held on May 26 at World Harvest Church as well.¹ We are told that students have protested against GMS hosting their graduation ceremony in a church, and that LGBTQ+ students and students of various non-Christian faiths have been particularly vocal. However, it is our understanding that GMS has ignored students' concerns in favor of continuing to host its official graduation ceremonies at World Harvest Church in the same room where worship services are held. Please see the enclosed photograph of the room where graduation ceremonies are held.

We are informed that GMS does not have an indoor auditorium large enough to accommodate graduation ceremonies. While this may be true, our complainant further reports that there are alternative secular facilities throughout the community that GMS could use instead of a church.²

¹ <https://www.gocruisers.org/Classof2023.aspx>.

² Alternative secular options in the community include Aladdin Shrine Center, <https://aladdinshrine.org/>; the Center of Science and Inquiry, <https://cosi.org/MOBILEAPP/events/index.php>; and the Greater Columbus Convention Center, <https://www.columbusconventions.com/>.

We write to request that GMS cease holding graduation ceremonies at World Harvest 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 school-sponsored events. 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 GMS with the Christian religion and specifically the views espoused by World Harvest 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).

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, graduations are viewed as special, once-in-a-lifetime moments for graduating students. *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 GMS deems it necessary to hold the graduation in a church. GMS should strive to create a welcoming, inclusive environment for students, including graduating seniors, especially in light of the fact that nearly half of Generation Z is nonreligious.³

³ 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/>

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 GMS continues to hold ceremonies at World Harvest Church, any parent or student whose rights were violated could pursue legal claims after the fact.

We respectfully ask that GMS select a more appropriate, secular location for these important occasions in order to respect the First Amendment rights of its students and their families. Please inform us in writing of the steps GMS is taking to address this matter so that we may inform our complainant.

Sincerely,

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

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

Enclosure

