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May 25, 2012

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Re: Unlawful Graduation Prayer, Irmo High School

Greetings:

This firm represents the Freedom from Religion Foundation (FFRF) and one of its constituents whose fundamental rights will be trampled by unwelcome exposure to a school-sanctioned prayer at his high school graduation at Irmo High on May 30th.

The district policy that purportedly authorizes such an event is patently violative of the Establishment Clause, and as previously explained to you, simply fosters tyranny of the majority. As the Supreme Court explained in *Santa Fe Independent School District v. Doe*¹, "Because fundamental rights may not be submitted to vote; they depend on the outcome of no elections, the District's elections are insufficient safeguards of diverse student speech."²

I have reviewed your district policy. It is nearly identical to the one struck down in *Santa Fe Independent School District*. The authorities cited in your policy offer no constitutional shelter.

¹ 530 U.S. 290 (2000).

² *Id.* at 305.

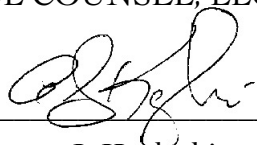
You were previously contacted by FFRF and asked to refrain from violating my client's rights. It is my understanding that you have refused to do so. I hope you will avoid the time, trouble and expense of litigation and honor my client's request by immediately prohibiting delivery of the graduation prayer, and by rescinding or suspending the unlawful district policy.

If the prayer is delivered, it is my clients' present intention to seek damages, permanent injunctive relief, and under 42 U.S.C. § 1988, attorneys fees and costs. Should you have any questions, please contact your own attorney.

Sincerely,

CAPITOL COUNSEL, LLC

By:



Aaron J. Kozloski

C: FFRF
Max Nielson