

# FREEDOM FROM RELIGION *foundation*

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

August 5, 2020

**SENT VIA EMAIL & U.S. MAIL:**

**david.trimble@pikeville.kyschools.us**

David Trimble  
Superintendent  
Pikeville Independent Schools  
148 Second Street  
Pikeville, KY 41501

Re: Unconstitutional prayer at graduation ceremony

Dear Superintendent Trimble:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding a constitutional violation that occurred at the Pikeville High School 2020 graduation ceremony. FFRF is a national nonprofit organization with more than 32,000 members across the country, including hundreds of members in Kentucky. 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 citizen contacted us to report that the July 2020 Pikeville High School graduation program included three student-led prayers. We are informed that these prayers were exclusively Christian in nature, including language such as “Oh Heavenly Father,” “In your son’s name, we pray,” and thanks to the “Lord and saviour, Jesus Christ,” as well as warnings of the “war on the Christian faith.”<sup>1</sup>

The Supreme Court has continually struck down prayers 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). School officials may not invite a student, teacher, faculty member, or clergy to give any type of prayer, invocation, or benediction at a public high school graduation. *See Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290 (2000) (holding that a school’s policy allowing student-delivered prayers at high school football games violates the Establishment Clause). “Regardless of the listener’s support for, or objection to, the message, an objective . . . student will unquestionably perceive the inevitable . . . prayer as stamped with her school’s seal of approval.” *Id.* at 308. It is well-settled that schools may not include prayer in graduation ceremonies.

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<sup>1</sup> 2020 Pikeville High School Graduation,  
<https://www.facebook.com/wprgtv/videos/347366786254030/?v=347366786254030>.

It makes no difference how many students want prayer or wouldn't be offended by prayer 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 duty to remain neutral toward religion, and by scheduling prayers at graduation, it abridges that duty and alienates the 38 percent of younger Americans who are not religious.<sup>2</sup>

Pikeville Independent Schools should refrain from allowing religious rituals—including prayers, benedictions, and invocations—as part of future graduation ceremonies or any other school-sponsored events. Please respond in writing detailing the steps you take to address this issue. Thank you for your time and attention to this matter, and we hope this letter finds you in good health.

Sincerely,

A handwritten signature in black ink, appearing to read 'BJ', with a long horizontal line extending to the right.

Brendan Johnson  
*Robert G. Ingersoll Legal Fellow*  
*Freedom From Religion Foundation*

BCJ:sfb

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<sup>2</sup> *In U.S., Decline of Christianity Continues at Rapid Pace*, PEW RESEARCH CENTER (Oct. 17, 2019), available at <https://www.pewforum.org/2019/10/17/in-u-s-decline-of-christianity-continues-at-rapid-pace/>.