

FREEDOM FROM RELIGION *foundation*

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

June 15, 2020

SENT VIA EMAIL ONLY: sshugart@valenciacollege.edu

Dr. Sanford Shugart
President, Valencia College
P.O. Box 3028
Orlando, FL 32802

Re: Invocation Practices

Dear President Shugart and Trustees:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding a constitutional concern relating to Valencia College Board of Trustees meetings. FFRF is a national nonprofit organization with more than 33,000 members across the country, including more than 1,600 members in Florida and a local chapter, Central Florida Freethought Community. Our purposes are to protect the constitutional principle of separation between state and church, and to educate the public on matters relating to nontheism.

It is our understanding that Valencia College Board of Trustees meetings regularly open with invocations led by trustees or Valencia College employees. For example, the February 26, 2020 meeting agenda lists an invocation delivered by James Galbraith, Vice President for Public Affairs & Marketing. The agendas for many other Board of Trustees meetings list invocations as well.

Prayer at board meetings is unnecessary, inappropriate, and divisive. Valencia College Board of Trustees members are free to pray privately or to worship on their own time in their own way. They do not need to worship at a time when they are gathered to address matters concerning a public college.

The Board ought not to lend its power and prestige to religion by scheduling, hosting or conducting governmental prayers. Citizens, including members of the Valencia College community who are nonreligious, come before you on important university matters. These prayers exclude the 24% of Americans who are not religious.¹ It is coercive, embarrassing and intimidating for nonreligious citizens to be required to make a public showing of their nonbelief (by not rising or praying) or else to display deference or obeisance toward a religious sentiment in which they do not believe, but which their Board of Trustees members clearly do. This “sponsorship of a religious message is impermissible because it sends the ancillary message to . .

¹ Robert P. Jones & Daniel Cox, *America's Changing Religious Identity*, Public Religion Research Institute (Sept. 6, 2017), available at www.prrri.org/wp-content/uploads/2017/09/PRRI-Religion-Report.pdf.

. nonadherents ‘that they are outsiders, not full members of the political community and accompanying message to adherents that they are insiders, favored members of the political community.’” *Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290, 309-10 (2000) (quoting *Lynch v. Donnelly*, 465 U.S. at 668 (O’Connor, J., concurring)).

Moreover, government officials should not be in the business of writing and offering prayers. The U.S. Supreme Court’s decision in *Town of Greece, N.Y. v. Galloway*, which allows invocations at city council meetings under certain circumstances, did not address situations in which government officials themselves lead prayers at meetings. 134 S. Ct. 1811 (2014). “Our Government is prohibited from prescribing prayers to be recited in our public institutions.” *Id.* at 1822 (citing *Engel v. Vitale*, 370 U.S. 421, 430 (1962)). *Greece* also did not address prayers in a public school or public college context, and in subsequent cases, courts have held that *Greece* does not apply and that prayer is not permissible at school board meetings. *FFRF v. Chino Valley Unified Sch. Dist. Bd. of Educ.*, 896 F.3d 1132 (9th Cir.), *en banc denied*, 910 F.3d 1297 (9th Cir. 2018).

In order to demonstrate the Board of Trustees’ respect for the diverse range of religious and nonreligious persons within the Valencia College community, we urge you to concentrate on college matters and leave religion to the private conscience of each individual by ending the practice of hosting prayers at your meetings. Please inform us in writing of the steps you are taking to resolve this matter.

Sincerely,

A handwritten signature in blue ink that reads "Chris Line". The signature is written in a cursive, flowing style with a long horizontal stroke extending to the right.

Christopher Line
Staff Attorney
Freedom From Religion Foundation