

FREEDOM FROM RELIGION *foundation*

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

May 23, 2024

SENT VIA EMAIL & U.S. MAIL: ssafratowich@parkrapids.k12.mn.us

Chair Sherry Safratowich
Park Rapids Area School District Board of Education
301 Huntsinger Avenue
Park Rapids, MN 56470

Re: Proposed Unconstitutional Ten Commandments display

Dear Chair Safratowich:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding a Ten Commandments display proposal at the Park Rapids Area School District. FFRF is a national nonprofit organization with more than 40,000 members across the country, including over 800 members and two chapters in Minnesota. Our purposes are to protect the constitutional principle of separation between state and church, and to educate the public on nontheism.

We have been informed that on May 20, 2024, a former board member proposed¹ to display the Ten Commandments on Park Area School District property. Local media confirms this report.² This former member—Dennis Dodge—proposed that a stone Ten Commandments monument be placed on public property outside the school. Attached to Dodge’s presentation was a blueprint for the Ten Commandments display, which has the Ten Commandments on one side³ and a quote on another. This quote reads: “We must put God back into our educational system before we lose our children and this great nation.”

Dodge went on to argue that “Satan seems to be winning because we are allowing him to...Our society has lost its moral compass, its values and its respect for each other...if we can save even one child from Satan’s grapes, it is worth every cent we spend on this donation, because God’s children are priceless.”

The Board must reject this unconstitutional religious monument.

In the seminal case on Ten Commandments displays in schools—*Stone v. Graham*—the Supreme Court of the United States held that a Ten Commandments poster violated the First Amendment’s Establishment Clause. 449 U.S. 39 (1980). FFRF has successfully litigated two of these issues as well. *Freedom from Religion Found., Inc. v. New Kensington-Arnold Sch. Dist.*, 118 F. Supp. 3d

¹ <https://www.parkrapids.k12.mn.us/school-board/agenda-and-minutes>.

² Robin Fish, *Dodge offers to place 10 Commandments at Park Rapids school*, Park Rapids Enterprise, May 21, 2024, <https://www.parkrapidsenterprise.com/news/local/dodge-offers-to-place-10-commandments-at-park-rapids-school>.

³ Actually, Dodge’s Ten Commandments blueprint only features *nine* commandments. The monument sends the message that school children don’t need to learn how to count. *See Id.*

821 (W.D. Pa. 2015); *Freedom from Religion Found., Inc. v. Connellsville Area Sch. Dist.*, 127 F. Supp. 3d 283 (W.D. Pa. 2015). In both cases, the school district’s were required to remove Ten Commandments monuments and pay FFRF’s attorneys’ fees.

In his proposal, Dodge cited *Van Orden v. Perry*, as a Supreme Court case allowing a long-standing public Ten Commandment display to remain on public property. 545 U.S. 677 (2005). However, he fails to mention the majority’s distinction between a Ten Commandments display on Texas’s Capitol grounds and those in schools. *Id.* at 678. There are “particular concerns that arise in the context of public elementary and secondary schools.” *Id.* at 691 (quoting *Edwards v. Aguillard*, 482 U.S. 578, 584-585 (1987)). So too here; a Ten Commandments display on school grounds touches the same concerns as the school Establishment Clause cases. So, *Van Orden* is inapplicable. *See also Id.* at 703 (Breyer, J., concurring).

The donation aspect of Dodge’s proposal is similarly irrelevant. “It does not matter that the posted copies of the Ten Commandments are financed by voluntary private contributions, for the mere posting of the copies under the auspices of the legislature provides the ‘official support of the State . . . Government’ that the Establishment Clause prohibits.” *Stone*, 449 U.S. at 42 (quoting *Abington Sch. Dist. v. Schempp*, 374 U.S. 203, 222 (1963)). And government speech—particularly in the classroom—may not be sectarian. Thus, even with a Ten Commandment display donated to the school board, the District still speaks a sectarian message and subjects itself to litigation.

In addition to its unconstitutional purpose, erecting a Ten Commandments monument “sends the ancillary message to nonadherents ‘that they are outsiders, not full members of the political community, and an 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, 310 (2000) (quoting *Lynch v. Donnelly*, 465 U.S. 668, 688 (O’Connor, J., concurring)). That will needlessly alienate the forty-nine percent of Generation Z students who are religiously unaffiliated.⁴

To respect students’ and employees’ First Amendment rights, the District must reject the proposed Ten Commandments monument. Thank you for your time and attention.

Sincerely,



Hirsh M. Joshi
Patrick O’Reiley Legal Fellow
Freedom From Religion Foundation
Enclosure

⁴ Ryan P. Burge, *2022 Cooperative Election Study of 60,000 respondents*, Apr. 3, 2023, www.religioninpublic.blog/2023/04/03/gen-z-and-religion-in-2022/.



This form must be signed and submitted before we will start work on your job.

Salesperson: Adam H Date: 3/15/24 Stone Color: Sawn Rustic Mahogany Drawn by: Nick A.
Family: V-Sunk Name/Dates: V-Sunk

GOD'S TEN COMMANDMENTS

- | | |
|--|---|
| I. YOU SHALL HAVE NO OTHER GODS BEFORE ME | VI. YOU SHALL NOT MURDER |
| III. YOU SHALL NOT TAKE THE LORD'S NAME IN VAIN | VII. YOU SHALL NOT COMMIT ADULTERY |
| IV. REMEMBER THE SABBATH DAY BY KEEPING IT HOLY | VIII. YOU SHALL NOT STEAL |
| V. HONOR YOUR FATHER AND MOTHER | IX. YOU SHALL NOT COVET YOUR NEIGHBOR'S WIFE |
| | X. YOU SHALL NOT COVET YOUR NEIGHBORS GOODS |

5-0 x 0-8 x 3-0 6-0 x 1-0 x 0-6

Colors shown above are not an actual representation of final product.

10 Commandments 3