

FREEDOM FROM RELIGION *foundation*

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May 18, 2026

SENT VIA U.S. MAIL & EMAIL: ctimpson@ccschools.us

Superintendent Carol Timpson
Colorado City USD
P.O. Box 309
Colorado City, AZ 86021

Re: Unconstitutional school-sponsored graduation prayers

Dear Superintendent Timpson:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding unconstitutional school-sponsored prayer planned for a Colorado City USD graduation ceremony. FFRF is a national nonprofit organization with over 41,000 members across the country, including more than 1,000 members and a chapter in Arizona. 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 student at El Capitan High School states that the District and its Governing Board have a pattern and practice of mandating prayer at the school's graduation ceremony. The student who contacted us stated that the invocation and benediction have been "a mandatory practice for all previous graduation years." The District plans to include prayers at the June 3, 2026 graduation ceremony, evidenced by the ceremony program that was given to participating students in advance. A copy of the program provided to FFRF shows that two students were selected ahead of time to lead the entire audience, including fellow students, in an invocation and benediction. Please see the enclosed photograph of the program.

Our student-complainant reports that a number of El Capitan High School's graduating students complained to the District and Governing Board about the mandatory prayers at graduation. We're told that the Governing Board resisted removing the prayers, and that a board member stated at a recent meeting that "it is the school's graduation, not the students'."

It's our understanding that due to complaints the District and Governing Board have altered the 2026 graduation program. Now, reportedly the entire audience and students will be led in a school-sponsored prayer "before the ceremony starts" and the prayer is "now optional." However, moving the school-sponsored prayer to the top of the program and making it "optional" does not solve the numerous legal and policy problems with shoehorning government-sponsored prayer into a public high school graduation ceremony.

Finally, the student who contacted us explained that:

This entire process has caused a lot of my peers and I frustration. Instead of focusing on celebrating our academic achievements, my peers and I have spent the final days of high school dealing with a stubborn administration trying to find legal loopholes to enforce religious exercises.

We write to request that the District investigate and ensure that El Capitan High School does not include school-sponsored prayers at its 2026 graduation ceremony or any future ceremonies. School-sponsored prayer is unconstitutional even if it is technically voluntary and takes place at the top of the event.

Public schools may not constitutionally show favoritism toward or coerce belief or participation in religion. *See generally Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290 (2000), *Lee v. Weisman*, 505 U.S. 577 (1992); *Wallace v. Jaffree*, 472 U.S. 38 (1985); *Epperson v. Arkansas*, 393 U.S. 97 (1967); *Sch. Dist. of Abington Twp. v. Schempp*, 374 U.S. 203 (1963); *Engel v. Vitale*, 370 U.S. 421 (1962). The Supreme Court has continually struck down prayers at school-sponsored events, including graduations. *See Lee*, 505 U.S. 577 (declaring clergy-delivered prayers unconstitutional at a public school graduation); *Santa Fe*, 530 U.S. 290.

School officials may not invite a student, clergymember, community member, teacher, administrator, or anyone else to give any type of prayer, invocation, benediction, or sermon at a public high school-sponsored event. *See Santa Fe*, 530 U.S. 290 (holding that even student-delivered prayers pursuant to school policy at high school football games violate the Establishment Clause). “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[.]” *Lee*, at 587. Furthermore, government-sponsored prayer “has the improper effect of coercing those present to participate in an act of religious worship.” *Santa Fe*, at 312.

El Capitan High School’s custom and practice of including school-sponsored prayers at graduation directly violates students’ First Amendment rights. The school cannot avoid a constitutional violation by assigning students to lead prayers, moving the prayer to the top of the ceremony, or proclaiming that the prayer is no longer mandatory. As the Board has noted, the ceremony is under the control of the school. A public school cannot constitutionally implement religious worship as part of a school activity.

Additionally, it makes no difference how many students want prayer or wouldn’t be offended by prayer at their graduation ceremony; though, it appears that a significant amount of graduating students are against their school board and administrators hijacking their graduation ceremony in order to push religion. The courts have continually reaffirmed that the rights of minorities are 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. Public schools have a constitutional obligation to remain neutral toward religion and to protect the rights of conscience of students.

The District may be aware of the Supreme Court’s ruling in *Kennedy v. Bremerton School District* that an assistant high school football coach’s quiet, private post-game prayer was constitutional. 597 U.S. 507, 512–14 (2022). The Court’s decision in *Kennedy* did not overrule the above cited cases nor does it apply to this situation. Throughout its opinion, the Court repeatedly stressed that the coach quietly prayed alone. *Id.* (the coach “offered his prayers quietly while his students were otherwise occupied.”). The prayers “were not publicly broadcast or recited to a captive audience. Students were not required or expected to participate.” *Id.* at 542. In contrast, El Capitan High School has a years-long pattern and practice of selecting students to lead all attendees, including fellow students, in prayers at its high school graduation ceremonies.

High school graduation is a once in a lifetime event that students spend over a decade working toward. As our student-complainant explained, the school forcing prayer on graduating students has caused the students “frustration” instead of allowing them to focus on their achievements. Including prayers at graduation puts many students and families in the difficult position of choosing between exiting the

ceremony or violating their conscience. The First Amendment forbids public schools from coercing students to make this choice. Including prayer at graduation ceremonies and other school-sponsored events needlessly marginalizes students and families who are nonreligious or members of minority faiths. Thirty-eight percent of the American population is non-Christian, including the almost 30 percent who are nonreligious.¹ More than half of Generation Z (those born after 1996) is non-Christian, including 43 percent who are nonreligious.²

In order to protect students' First Amendment rights, Colorado City USD must investigate and ensure that El Capitan High School's 2026 graduation ceremony does not include school-sponsored prayer. We further urge the District to take steps to ensure that no future graduations or other school-sponsored events include school-sponsored prayer. We expect a response in writing with the steps being taken to address this constitutional violation so that we may inform the student who contacted us.

Sincerely,

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

Samantha F. Lawrence
Staff Attorney
Freedom From Religion Foundation

Enclosure

¹ Pew Research Center (2024), <http://bit.ly/3W6Cl3m>.

² Pew Research Center (2024), <http://bit.ly/48Drzce>.

Commencement Program

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| Welcome | Richard Campbell |
| Processional | Yvonne Hammon |
| Invocation | Charles Hammon |
| Scholarships | Garkane, MCC, other |
| Board Speaker | Marion Zitting |
| "Country Roads" | Graduates |
| Salutatorian | Priscilla Black/ Terra Christensen |
| "Slipping Through My Fingers" | Graduates |
| Guest Speaker | Mr. Charles Williams |
| Guest Speaker | Ms. Saria Dutson |
| "Battle Hymn of the Republic" | Graduates |
| Valedictorian | Jonathan Richter |
| "Like An Eagle" | Graduates |
| Presentation of Diplomas | Rebecca Barlow |
| Slide Show | Senior Class |
| Benediction | Aaron Dockstader |