

July 6, 2010

Superintendent Peter Nero
Cranston Public Schools
845 Park Avenue
Cranston, RI 02910

Dear Superintendent Nero:

Our office recently received a complaint from a parent in your school district who was extremely concerned and troubled upon observing the display of a prayer on the wall of the auditorium at Cranston High School West. Because we believe the complaint has merit, we are hoping that you will take the necessary steps to resolve the matter by having the display removed.

I understand that this prayer may have been posted in the auditorium for a long time. However, the crucial protections of the Bill of Rights have been around even longer. Even if there have been few, if any, formal complaints in the past from parents or students about this display, I can assure you – based on our long experience dealing with these matters – there are people, like our complainant, who have been offended by or concerned about it but who were fearful of coming forward.

For more than forty-five years, the U.S. Supreme Court has consistently ruled unconstitutional voluntary school-sponsored prayer in the public schools and at public school activities. As you are probably aware, one of those key cases, concerning prayers at school graduation ceremonies, originated in Rhode Island. The fact that the prayer at CHSW is permanently displayed, rather than spoken, only exacerbates the legal concerns. In fact, among the Supreme Court's many decisions in this area is one that specifically ruled unconstitutional a law providing for the posting of the Ten Commandments in public school classrooms. In short, there can be no question that the school auditorium's prayer display violates a core principle of the First Amendment.

Frankly, we are surprised that school officials have apparently seen fit to allow this display to remain untouched despite decades of court decisions clearly pointing to its illegality, especially in light of the school district's long-standing recognition of the important role of church-state separation in a pluralistic society. Indeed, as Cranston school district policy succinctly notes: "The proper setting for religious observance is the home and the place of worship." Under the circumstances, it is therefore worth briefly re-emphasizing why the First Amendment prohibits government-sponsored prayer like this in the public school setting.

Rhode Island, as a pluralistic state founded on religious freedom, should be particularly sensitive to the divisiveness of government-sponsored displays promoting religion. While students remain free to privately pray at appropriate times, prayer does not need, nor should it have, the guiding hand of government for its effectuation. No student should be forced to attend his or her public school only at the cost of being subject to a religious message that may run directly counter to his or her deeply-held beliefs.

In other contexts, we have heard people justify prayers like this one as being merely “ceremonial” or “non-sectarian.” However, calling a prayer ceremonial only serves to trivialize what is, at its core, a deeply religious message. It is, after all, an entreaty to God. That argument reminds us of the attempts by Pawtucket city officials many years ago to justify their sponsorship of a nativity scene by comparing the Christmas creche to a Thanksgiving turkey – as nothing more than just another secular symbol of a national holiday. The genius of the First Amendment principle barring government entanglement with religion is that it protects majority religions from being trivialized or politicized by governmental actions that only weaken the meaning of religion itself.

Of course, the First Amendment is also, and primarily, designed to protect members of minority religions and the non-believer as well. A person should not be made to feel like an outsider because his or her government seeks to involve itself in divisive theological matters. Unfortunately, the “non-sectarian” nature of a school prayer hardly solves that problem.

Indeed, for those who sincerely believe that prayer does not belong in government-sponsored settings, especially in public schools, the posting of a “non-sectarian” prayer in a public school remains offensive and inappropriate. As U.S. Supreme Court Justice Anthony Kennedy noted in addressing a similar situation in *Lee v. Weisman*, our Affiliate’s successful challenge to public school graduation prayers: “That the [prayer] was in the course of promulgating religion that sought to be civic or non-sectarian rather than pertaining to one sect does not lessen the offense or isolation to the objectors. At best it narrows their numbers, at worst increases their sense of isolation and affront.”

I could not improve upon the further insight offered by Justice Kennedy in the course of his opinion in *Weisman*: “The lessons of the First Amendment are as urgent in the modern world as in the 18th Century when it was written. One timeless lesson is that if people are subjected to state-sponsored religious exercises, the State disavows its own duty to guard and respect that sphere of inviolable conscience and belief which is the mark of a free people.” As he noted, and as your school district’s policy echoes, the “design of the Constitution is that preservation and transmission of religious beliefs and worship is a responsibility and a choice committed to the *private* sphere, which itself is promised freedom to pursue that mission.” In short, the concerns of those who object to these displays are legitimate, deeply held and cannot be ignored.

Page Three
Supt. Peter Nero
July 6, 2010

We therefore urge you to take prompt action to remove the prayer display from the school. Doing so is not only in keeping with school district policy, it will demonstrate both the school district's respect for the rights of religious minorities, and its recognition of the importance of complying with the Constitution. There are no better lessons that your students can be taught.*

Thank you in advance for your prompt attention to this matter, and I look forward to hearing back from you about it soon. If you have any questions about this, please feel free to let me know.

Sincerely,

Steven Brown
Executive Director

cc: Steven Knowlton, Principal

* It is our understanding that a similar prayer may be on display in at least one other auditorium in the school district. The concerns expressed here about CHSW obviously apply to any similar prayers posted at other school locations in your district, and we would request that those be removed as well.