

# FREEDOM FROM RELIGION *foundation*

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

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**SENT VIA EMAIL & U.S. MAIL: [harrison.goodwin@kcsdschools.net](mailto:harrison.goodwin@kcsdschools.net)**

J. Harrison Goodwin  
Superintendent  
Kershaw County School District  
2029 W DeKalb St  
Camden, SC 29020

Re: Unconstitutional prayer at athletic events

Dear Superintendent Goodwin:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding a constitutional violation occurring in the Kershaw County School District. FFRF is a national nonprofit organization with more than 40,000 members across the country, including more than 300 members in South Carolina. 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 District community member has reported that the District has been imposing prayer on students, parents, and community members before its football games. Our complainant reports that on October 6, 2023, a preacher from a local church delivered a Christian prayer over the loudspeaker before a football game at North Central High School. Our complainant reports that the prayer was delivered “in Jesus’ name” and made requests to “our Lord and Savior Jesus Christ.” Our complainant is an atheist and felt alienated by this official school-sponsored Christian prayer.

We write to ask that the District immediately cease opening its football games with school-sponsored prayer in order to uphold the rights of its students, parents, and local community members.

The Supreme Court has specifically struck down invocations given over the loudspeaker at public school athletic events, even when student-led. *Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290, 320 (2000) (striking down a school policy that authorized students to vote on whether to have a prayer at high school football games). The Court reasoned that because the football game was a school-sponsored event, hosting prayer was a constitutional violation. *Id.* at 307. Even if student-led, the Court said prayers at a “regularly scheduled school-sponsored function conducted on school property” would lead an objective observer to perceive it as state advancement of religion. *Id.* at 308.

Like the prayer practices in *Santa Fe*, the prayers at District football games are also inappropriate and unconstitutional. Not only is the District showing favoritism towards religion by allotting

time for prayer at the start of games, but it is also coercing participation in these prayers by providing the prayer-giver with the public address system needed to impose these prayers on all students and community members at games. Public school events must be secular to protect the freedom of conscience of all students. A reasonable District student would certainly perceive the prayers “as stamped with her school’s seal of approval.” *Id.* Government-sponsored prayer “has the improper effect of coercing those present to participate in an act of religious worship.” *Id.* at 312.

It is important to note that this situation differs significantly from the Supreme Court’s recent decision in *Kennedy v. Bremerton School District*, holding that a high school football coach’s silent, private post-game prayer was constitutional. 142 S.Ct. 2407 (2022). The ruling in *Kennedy v. Bremerton Sch. Dist.* has not radically changed, and arguably has not changed at all, the law regarding what school districts can or cannot do at high school football games. Throughout its opinion, the Court repeatedly stressed that the coach silently prayed alone. *Id.* at 2415–16. (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 2432. The Court explicitly distinguished the circumstances in *Bremerton* from those in *Santa Fe*:

[T]his case looks very different from those in which this Court has found prayer involving public school students to be problematically coercive... In *Santa Fe Independent School Dist. v. Doe*, the Court held that a school district violated the Establishment Clause by broadcasting a prayer “over the public address system” before each football game. 530 U.S. 290, 294, 120 S.Ct. 2266, 147 L.Ed.2d 295 (2000).

*Id.* at 2431.

Furthermore, imposing prayer on students, parents, and community members violates their religious rights. The District serves a diverse population with diverse religious beliefs. “School sponsorship of a religious message is impermissible because it 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.*, 530 U.S. at 309-310 . This coercive religious practice alienates the thirty-seven percent of Americans who are non-Christian, including the nearly one in three Americans who identify as religiously unaffiliated.<sup>1</sup> At least a third of Generation Z (those born after 1996) have no religion<sup>2</sup>, with a recent survey revealing almost half of Gen Z qualify as “nones” (religiously unaffiliated).<sup>3</sup> The District must be neutral with regard to religion in order to respect and protect the rights of conscience of all students and their families.

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<sup>1</sup> Gregory A. Smith, *About Three-in-Ten U.S. Adults Are Now Religiously Unaffiliated*, Pew Research Center (Dec. 14, 2021), [www.pewforum.org/2021/12/14/about-three-in-ten-u-s-adults-are-now-religiously-unaffiliated/](http://www.pewforum.org/2021/12/14/about-three-in-ten-u-s-adults-are-now-religiously-unaffiliated/).

<sup>2</sup> Samuel J. Abrams, *Perspective: Why even secular people should worry about Gen Z’s lack of faith*, Deseret News (Mar. 4, 2023), [www.deseret.com/2023/3/4/23617175/gen-z-faith-religious-nones-civic-life-volunteers-charity](http://www.deseret.com/2023/3/4/23617175/gen-z-faith-religious-nones-civic-life-volunteers-charity)

<sup>3</sup> 2022 Cooperative Election Study of 60,000 respondents, analyzed by Ryan P. Burge [www.religioninpublic.blog/2023/04/03/gen-z-and-religion-in-2022/](http://www.religioninpublic.blog/2023/04/03/gen-z-and-religion-in-2022/).

The District must take immediate action to end the practice of scheduling prayer at school-sponsored events. Please inform us in writing of the steps the District is taking to remedy this violation of the First Amendment so that we may inform our complainant.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Line", with a long horizontal flourish extending to the right.

Christopher Line  
Staff Attorney  
Freedom From Religion Foundation