Highland Local Schools
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June 29, 2010

Rebecca S. Markert
Staff Attorney
Freedom From Religion Foundation
P.O. Box 750
Madison WI 53701

Re: Highland Local School District High School Choir Program

Dear Ms. Markert:

I am writing to acknowledge receipt of your recent letter pertaining to the Highland Local School District's high school choir and issues arising under the religion provisions of the First Amendment. I am also enclosing copies of certain documents in response to your public records request.

I and the District take our constitutional obligations seriously and are committed to operating our educational program within constitutional bounds. Your letter prompted a review of how the choir program has recently operated and of the legal issues you raised. I do believe, in light of the First Amendment and court cases that have interpreted its requirements as to religion and public schools, that offering prayer at the annual choir banquet and having the choir perform as part of a local church's worship services are problematic, and I am taking appropriate steps to alter these practices.

As for the local ministerial association's request to use our auditorium for a voluntary baccalaureate service, Ohio Revised Code Sections 3313.76 and 3313.77 as well as our own policy and regulations come into play. We are, as we must be, religion-neutral in granting access to school facilities. I am sensitive to the need to avoid actual or an appearance of school sponsorship and endorsement in this area and am also taking steps to ensure that appropriate distance is maintained.

What does and does not go into a particular employee's personnel file is a decision made at the local educational level. In light of what is stated above, I obviously already have and will continue to discuss appropriate parameters with our choir director to assure compliance with all legal requirements.

Sincerely yours,

Catherine Aukerman

Catherine Aukerman
Superintendent

Enclosure

Catherine L. Aukerman, Superintendent

Mary M. Markle
Treasurer

Laurie Boedicker
Director of Curriculum & Instruction

John Opperman, Ph.D.
Director of Special Education

James Reusch
Director of Operations