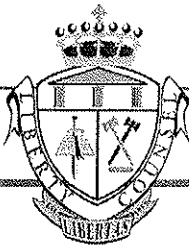


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Reply to: Virginia

December 8, 2010

Via U.S. Mail and Email dr.p@cherokee.k12.ga.us

Dr. Frank Petruzielo, Superintendent
Cherokee County Public Schools
221 W. Main St.
Canton, GA 30114

RE: Hosting Graduation Ceremonies at Religious Venues

Dear Superintendent Petruzielo:

I have recently been made aware of the District's practice of hosting its graduation services for students in the District at local churches and I write to offer *pro bono* legal representation to the District to defend potential legal challenge that may be brought as a result of this situation.

By way of introduction, Liberty Counsel is a national public interest law firm specializing in constitutional law, particularly free speech, religious freedom, and church-state matters. We have offices in Florida, Virginia, Texas, and the District of Columbia, and hundreds of affiliate attorneys across the nation. We have opposed Americans United for Separation of Church and State and other similar organizations' overreaching efforts in courts across America and have particular expertise in defending local governments and school districts from attacks of this nature.

I understand that the District hosts graduation ceremonies at First Baptist Church of Woodstock. The District does so in order to maximize the amount of family and friends that each student can invite. Hosting the ceremonies at District facilities would severely limit the amount of invitations each student would be allocated. Additionally, the cost to the District of hosting the ceremonies at the church is only \$2,000 per year and that hosting it at other, non-religious facilities of equal seating capacity would dramatically increase that cost to approximately \$40,000. I understand the Americans United for Separation of Church and State has contacted the District and threatened suit if the ceremonies are not moved to different facilities. This organization has filed similar lawsuits in districts around the country and is threatening suit in several districts

throughout the metro-Atlanta area. Barry Lynn, Executive Director for the organization has been quoted saying that he does not believe the District can "trade away any students' constitutional rights just to get a cheaper or bigger space and they simply must find a secular alternative."

Liberty Counsel does not agree with the position taken by Americans United for Separation of Church and State. The District does not violate any student's constitutional rights by simply using a church building to host graduation ceremonies. Attached is legal memorandum concerning use of religious venues for public school events which contains numerous citations to legal authority for our conclusion.

Based on our understanding of the facts, Liberty Counsel stands ready to defend Cherokee County Public Schools against the Americans United for Separation of Church and State's challenge. We would provide *pro bono* representation and cover all the legal costs incurred by Liberty Counsel in providing such representation. Should any of you wish clarification on this offer, or wish to obtain any further information about Liberty Counsel's experience in these matters, please do not hesitate to contact me by calling toll free at 1-800-671-1776.

I look forward to hearing from you or another representative of the District.

Sincerely,

LIBERTY COUNSEL



David M. Corry[†]

Enc.

cc: **Via Email**

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Superintendent Frank Petruzielo
Cherokee County Public Schools
December 8, 2010
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