



STATE OF MICHIGAN
DEPARTMENT OF EDUCATION
LANSING

GRETCHEN WHITMER
GOVERNOR

MICHAEL F. RICE, Ph.D.
STATE SUPERINTENDENT

MEMORANDUM

DATE: February 6, 2020

TO: Local and Intermediate School District Superintendents
Public School Academy Directors

FROM: Kyle L. Guerrant, Deputy Superintendent *KG*
Finance and Operations

SUBJECT: Updated Guidance on Constitutionally Protected Prayer

The United States Department of Education (USED) has updated guidance concerning constitutionally protected prayer in public elementary and secondary schools, as required by section 8424(a) of the Elementary and Secondary Education Act of 1965 (ESEA) as amended.

The updated guidance covers topics such as prayer during non-instructional time; accommodation of prayer during instructional time; prayer at graduation; moments of silence; the gathering of religious student groups for prayer; and the rights of teachers and other school employees. It also includes information about the Equal Access Act, which applies to public secondary schools. Prayer is a form of religious expression, and this updated guidance provides relevant content.

The updated guidance is publicly available on the USED website at:
https://www2.ed.gov/policy/gen/guid/religionandschools/prayer_guidance.html.

Local Educational Agencies (LEAs) must continue to file with the Michigan Department of Education (MDE) annually the statutorily required certification that no policy of the LEA prevents, or otherwise denies participation in, constitutionally protected prayer in public elementary and secondary schools, as detailed in Section II of the updated guidance.

Please direct questions or concerns to Louis Burgess at 517-241-2208.

cc: Michigan Education Alliance

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