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February 11, 2019

Members of the House Standing Committee on Education,

We write to ask you to vote “no” on House Bill 166, “An Act relating to a day of prayer for students.” As a private, non-partisan, non-profit group, we firmly believe that no person’s exercise of their faith should be restricted by governmental action, just as no governmental action should endorse specific faith traditions. Matters of faith and religious belief should be left to individuals, families, and churches, and we encourage the General Assembly to avoid entangling itself inappropriately with religious practice.

HB166 amounts to governmental direction of and involvement in a private and personal matter – that is, the practice of one’s faith, or decision to practice no faith. In years past, its sponsor has made clear that this proposal is part of a much larger prayer initiative¹, and that students will be encouraged to host their own prayer events on school grounds. Such an initiative is an inappropriate use of governmental resources.

The ACLU of Kentucky agrees with the General Assembly that Kentucky students are our greatest resource, and encourages the General Assembly to focus on strengthening our schools and curriculum, and developing even greater opportunities for our students to succeed and lead. Citizens in Kentucky should feel free to pray for, meditate on, think about, and encourage the success of Kentucky students every day of the year; we do not need the General Assembly to exert resources setting a designated date, one day a year, for this practice.

Our Supreme Court has recognized, time and again, the richness that religious diversity plays in our national history and identity:

This Nation is heir to a history and tradition of religious diversity that dates from the settlement of the North American Continent. Sectarian differences among various Christian denominations were central to the origins of our Republic. Since then, adherents of religions too numerous to name have made the United States their home, as have those whose beliefs expressly exclude religion.

Precisely because of the religious diversity that is our

¹ See, e.g., Valarie Honeycutt Spears, “Will legislature make an annual day of prayer at schools state law?”, Lexington Herald-Leader, March 16, 2018, *available at* <https://www.kentucky.com/news/local/education/article205562774.html>.



national heritage, the Founders added to the Constitution a Bill of Rights, the very first words of which declare: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof..."

County of Allegheny v. ACLU, 491 U.S. 573, 589-90 (1989). Fully embracing this religious diversity means not allowing the government to inappropriately direct religious activity, especially when it may be seen to endorse one religious practice over another.

With over 8,000 members in Kentucky, we embody this historical tradition of religious diversity. Many of our members and employees belong to a faith tradition, which often guides and instructs their life choices and how they interact in the world. Many others subscribe to no faith tradition, which is a decision that equally informs who they are and their social and cultural interactions. All people should have the freedom to choose their own individual faith or spiritual practices and journeys, or to choose not to participate in a faith practice, without direction or involvement from the government. HB166 encroaches on this freedom, and for that reason, we ask you to vote "no." Matters of faith are best left to individuals, families, and religious organizations, not state government.

Sincerely,

A handwritten signature in black ink that reads "Corey Shapiro". The signature is fluid and cursive, with a long horizontal stroke at the end.

Corey Shapiro
Legal Director