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Members of the Kentucky General Assembly:

We write to ask you to vote “no” on Senate Bill 143, “an Act relating to moments of silence and reflection.” This bill would mandate all teachers to force students to participate in a moment of silent prayer or reflection for at least one minute every morning. As a private, non-partisan, non-profit group, the ACLU of Kentucky firmly believes that no person’s exercise of their faith should be coerced or influenced by governmental action, just as no governmental action should coerce or endorse specific faith traditions. We consistently work to ensure that all people have the freedom to choose whether and how to exercise their deeply held beliefs. These ideals were enshrined in our nation’s founding from the very beginning and remain as crucial today as they were when the Bill of Rights was ratified in 1791.

SB 143 amounts to governmental direction of, and involvement in, the deeply private matter of personal faith. SB 143 directs every school district to establish a moment of silence at the commencement of each day in all public schools irrespective of the views of their local community. As we have before, we ask you to refrain from implementing any thinly veiled religious observation in our public schools. We are concerned that SB 143, if passed and implemented, would impede upon the rights to freedom of conscience and religion enjoyed by Kentucky youth. Freedom of religion is perhaps the most inalienable of all human rights, so much so that the First Amendment of the United States Constitution states: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.” The Supreme Court has warned that, because students are young and impressionable, “there are heightened concerns with protecting freedom of conscience from subtle and coercive pressure in the elementary and secondary public schools.” *Lee v. Weisman*, 505 U.S. 577, 592 (1992).

Further, mandating a moment of silence for students is unnecessary. Students may already reflect for a moment of their choosing at any point throughout the day. A brief, government-mandated moment of silence serves no secular or educational purpose. We are aware it is a budget year and we firmly believe that our legislature should be working to ensure that schools are adequately funded, that teachers are appropriately compensated, and that our students receive the highest quality education possible.



These should be our priorities—not requiring that every school in the Commonwealth pressure students to begin each school day with prayer. We emphatically encourage the General Assembly to avoid creating a situation in which students could be excluded or made to feel uncomfortable simply because of their religious beliefs.

Kentuckians subscribe to many beliefs; some adhere to religious practices, and some subscribe to no faith tradition. Whether a Kentuckian practices Hinduism, Judaism, or abstains from religion altogether, that decision equally informs who they are and their social and cultural interactions. Forcing school children to engage in a moment of silence or prayer etches away at the very freedoms that our laws guarantee and require. Our Constitution recognizes that all people—including children—have the freedom to choose their own religious beliefs and displays of faith, including when and if to engage in a moment of silence. SB 143 encroaches on this freedom in a compulsory educational setting. Because the Commonwealth has no business coercing children to engage in religious practices, we ask you to vote “no” on this legislation. Matters of faith are best left to individuals, families, and religious organizations, not state government.

Sincerely,

A handwritten signature in black ink, appearing to read "Corey Shapiro", followed by a long, horizontal, slightly wavy line that extends to the right.

Corey Shapiro
Legal Director