



SUPPORT HB 4180 (Fritchey): **AMEND “THE SILENT REFLECTION & STUDENT PRAYER ACT”**

Current state law requires every school in Illinois to conduct a daily “period of silence” for “silent prayer or for silent reflection on the anticipated activities of the day.” 105 ILCS 20/1. The *Silent Reflection and Student Prayer Act* (the Act) does no good, and it does significant harm. Indeed, a federal judge last fall enjoined the law in one school district upon finding “a strong likelihood” that the Act violates the religious liberty guaranty of the Constitution. *Sherman v. Township Sch. Dist. 214*, No. 07C6048, 2007 WL 3446213 at *4 (N.D. Ill. Nov. 15, 2007).

Thus, the Act should be repealed. At a minimum, it should be amended as provided in HB 4180:

- **First**, HB 4180 would return to Illinois’ 869 local school districts the power to decide whether to conduct a daily moment of silence, rather than mandating such moments on a statewide basis.
- **Second**, HB 4180 would remove the word “prayer” from the title and body of the Act.
- **Third**, HB 4180 would provide that students may silently reflect “as may be desired by each individual pupil,” and not only “on the anticipated activities of the day.”



Religious belief and practice should be a matter for students and their parents, not politicians and public school officials. Accordingly, the government should not enact laws like the *Silent Reflection and Student Prayer Act*:

- **The Act is wholly unnecessary.** Students already have a legal right to voluntarily choose to pray throughout the school day in a non-disruptive manner, without any need for a collective moment of silence.
- **The Act coerces students to pray:**
 - On its face, the Act requires every public school student in Illinois, every day, to decide whether or not they want to pray, or instead engage in a narrow statutory alternative: “reflection on the anticipated activities of the day.” Impressionable youth, and especially children in lower grades, will interpret these government instructions as encouragement to pray.
 - In a classroom where most students are obviously engaged in prayer (with eyes closed, lips moving, and hands together), the minority of non-praying students will feel daily pressure to join the prayer.
 - For example, on Veterans’ Day in 2007, a principal used the school’s intercom to instruct every student to keep our nation’s veterans “in their prayers and thoughts” during the moment of silence. Another example of coercion is when a third-grade teacher routinely leads the moment of silence with her eyes closed and head bowed, clearly implying to the impressionable youth that prayer was appropriate or preferred.
- **The Act privileges some religions over others.** Some faiths pray with motion and vocalization – like Catholic genuflection or Pentecostal speaking in tongues. The Act only accommodates those faiths that pray silently and without motion.
- **The Act was intended to promote prayer.** On and off the legislative floor, sponsors of the recent amendment to the Act repeatedly compared legislative prayer to school moments of silence.

###

For further information, please contact:

Mary Dixon (815-483-1990) or Jim Ferg-Cadima (312-925-9394)

(2/26/2008)