First Reading: September 30, 2014

Second Reading: October 14, 2014

Pass:

Other:

Resolution 4-14-F Resolution to Support Adopting a Nonsectarian Prayer Policy.

PURPOSE: For the Student Government Association of Western Kentucky University to support the adoption of the public prayer policy passed by the University Senate at their meeting held on March 23, 2014.

WHEREAS: Western Kentucky University is a multicultural community, with students, faculty, and staff of many different religions, and

WHEREAS: The Student Government Association Constitution mandates that SGA “encourage diversity and tolerance between all groups and individuals,” and

WHEREAS: The Supreme Court has held that public officials must be neutral in matters of religion, neither supporting nor hindering any religion[[1]](#footnote-1), or leading religious activities[[2]](#footnote-2), and

WHEREAS: Courts have held that nonsectarian prayers and moments of silence in a university setting are constitutionally allowable under the Establishment Clause of the First Amendment to the United States Constitution[[3]](#footnote-3), and

WHEREAS: A nonsectarian prayer policy has a secular purpose, neither advances nor inhibits any specific religion, and does not foster an excessive government entanglement with religion[[4]](#footnote-4), and

WHEREAS: A nonsectarian prayer does not violate the Free Exercise Clause of the First Amendment of the United States Constitution because no one is “required to participate in any religious exercise [they] find objectionable,”[[5]](#footnote-5) and

WHEREAS: This policy would not prevent individuals from praying and exercising their personal religious beliefs, but rather prevent the use of sectarian prayers, spoken aloud to groups, at university-sponsored events, and

WHEREAS: This policy would not prevent student from praying, “individually or in groups, during or surrounding institution-related events.”[[6]](#footnote-6)

THEREFORE: Be it resolved that the Student Government Association supports the adoption of a nonsectarian prayer policy or a policy mandating moments of silence rather than prayer for Western Kentucky University, and

THEREFORE: Be it further resolved that the Student Government Association of Western Kentucky University supports the University Senate and the proposed public prayer policy.

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1. See *Everson v. Board of Education*, 330 U.S. 1 (1947). [↑](#footnote-ref-1)
2. See *Engel v. Vitale*, 370 U.S. 421 (1962), *Abington School District v. Schempp*, 374 U.S. 203 (1963), *Westside School District v. Mergens*, 496 U.S. 226 (1990). [↑](#footnote-ref-2)
3. See *Chaudhuri v. Tennessee*, 130 F. 3d 232 (1995) and *Tanford v. Brand*, 104 F. 3d 982. [↑](#footnote-ref-3)
4. See *Lemon v. Kurtzman*, 403 U.S. 602 for the test. This was specifically examined by the courts in *Chaudhuri v. Tennessee*. [↑](#footnote-ref-4)
5. See *Chaudhuri v. Tennessee*. [↑](#footnote-ref-5)
6. See Joseph Storch and Brendan Venter, “Prayer at public college and university events: parsing the free speech, free exercise and establishment clause issues,” *National Association of College and University Attorneys Notes* 11, no. 11 (2013). [↑](#footnote-ref-6)