



# AMERICAN ATHEISTS

---

January 27, 2020

The Honorable Sen. Manny Diaz Jr.  
Chairperson, Senate Education Committee  
306 Senate Building  
404 South Monroe Street  
Tallahassee, Florida 32399-1100

**Re: OPPOSE S946, Moments of Silence in Public Schools**

Dear Chairperson Diaz and Members of the Senate Education Committee:

As a Florida resident and assistant state director for American Atheists, which has more than 2,700 constituents in Florida, I testify in opposition to S946, which would require public school teachers to lead students in a moment of silence at the start of the school day. This legislation has the effect of endorsing religious practice, and therefore may confuse public school administrators and educators, it puts schools at risk for liability, and it may result in religious coercion against Florida students and families. Therefore, we strongly urge you to oppose S946.

American Atheists is a national civil rights organization that works to achieve religious equality for all Americans by protecting what Thomas Jefferson called the “wall of separation” between government and religion created by the First Amendment. We strive to create an environment where atheism and atheists are accepted as members of our nation’s communities and where casual bigotry against our community is seen as abhorrent and unacceptable. We promote understanding of atheists through education, outreach, and community-building and work to end the stigma associated with being an atheist in America. As advocates for religious liberty, American Atheists believes that no young person should be subject to religious coercion by the government.

While moments of quiet reflection are not always explicitly religious in nature, S946 amends Section 1003.45, which explicitly permits public school boards the option to provide the study of the Bible to students. While this section provides that such classes much be conducted in a secular and objective manner, it lacks sufficient safeguards to ensure that the course is taught in a constitutional way. And in fact, most such classes do not meet constitutional requirements.<sup>1</sup>

Amending a statute concerning the study of the Bible and religion to include a moment of silence has the implication, and can lead school officials and teachers to interpret, the activity as religious in nature. Requiring usage of school class time and that all public students to take part in this activity will lead to

---

<sup>1</sup> Chancey MA. (2012). Reading, Writing & Religion II. Texas Freedom Network Education Fund. Available at <https://www.smu.edu/~media/Images/News/PDFs/Mark-Chancey-Reading-Writing-Religion-study.ashx?la=en&la=en>. (Finding that most Bible courses in Texas have teachers with no academic training in biblical, religious, or theological studies, and some were even taught by local clergy; most Bible courses are taught as religious and devotional classes that promote one faith perspective over all others; and most Bible courses advocate an ideological agenda that is hostile to religious freedom, science, and public education itself.)

confusion among educators, students, and their families about the intent of the legislation. Moreover, it is a wasteful use of scarce educational resources and puts schools in dangerous legal territory. The Constitution places strict requirements on the study of religious practice in public school settings. We are concerned that a moment of silence law passed in this context may encourage educators to engage in improper proselytization in Florida public schools.

While S946 limits teachers from making suggestions on the type of reflection in the moment of silence, in context this bill shows clear favoritism for Christian students and beliefs because of the placement in Section 1003.45, authorizing Bible courses in schools. Moreover, there is no guidance for teachers regarding how they can discuss the moment of silence in a way which does not promote religious practice with students and parents.

If S946 is passed, Florida schools will doubtless face scrutiny in the implementation of the moment of silence activities. The current legislation does not provide any effective safeguards to protect the First Amendment rights of students subject to religious coercion. Since this legislation requires teachers to set aside one to two minutes of class time for a moment of silence, there is a very real danger that students may be singled out and harassed for not participating or that the activity will fail to meet constitutional requirements. Together these factors put school districts under this legislation at substantial risk for liability. Taxpayer dollars should fund public education, not be wasted on efforts to indoctrinate students, nor to defend such unconstitutional indoctrination in court.

S946 would needlessly waste education resources, put school districts at risk, and leave children in Florida unprotected from religious coercion. We strongly urge you to vote against this unnecessary and controversial bill. If you should have any questions regarding American Atheists' opposition to S946, Alison Gill, American Atheists' Vice President for Legal & Policy at 908.276.7300 x309 or by email at [agill@atheists.org](mailto:agill@atheists.org).

Sincerely,



Devon Graham  
Florida Assistant State Director  
American Atheists

cc: All Members of the Florida Senate Education Committee