

House Resolution 172

By: Representatives Howard of the 98th, Murphy of the 97th and Warren of the 99th

A RESOLUTION

1 Urging the United States Congress to take action regarding quiet reflection in all government
2 institutions including public schools and at sporting events sponsored by such public
3 institutions; and for other purposes.

4 WHEREAS, the first amendment to the United States Constitution provides that "Congress
5 shall make no law respecting an establishment of religion, or prohibiting the free exercise
6 thereof..."; and

7 WHEREAS, although school sponsored prayer or religious teaching was once common in
8 the nation's public schools, the practice was discontinued after a decision of the United States
9 Supreme Court found that prayer or religious teaching sponsored by public schools
10 constituted an establishment of religion in violation of the United States Constitution; and

11 WHEREAS, the United States Supreme Court has held that the test for determining whether
12 a government's action tends to establish a religion requires examining whether there is a
13 secular purpose for the action, whether the action has the primary effect of advancing or
14 inhibiting religion, and whether the government's action excessively entangles the
15 government with religion; and

16 WHEREAS, Code Section 20-2-1050 of the Official Code of Georgia Annotated requires a
17 brief moment of quiet reflection in each public school classroom at the opening of school
18 upon every school day, not as a religious service or exercise but as an opportunity for a
19 moment of silent reflection on the anticipated activities of the day; and

20 WHEREAS, this moment of quiet reflection was upheld as constitutional by the federal
21 District Court for Northern Georgia in 1995 and by the Eleventh Circuit Court of Appeals
22 in 1997; and

1 WHEREAS, it has come to the attention of the House of Representatives that some public
2 schools in this state do not observe the moment of quiet reflection and many public
3 institutions do not permit such moments of reflection; and

4 WHEREAS, noncompliance with Georgia law requiring a moment of quiet reflection may
5 result in part from misinformation regarding the constitutionality of the law and from the
6 absence of a similar requirement throughout the nation; and

7 WHEREAS, in this era when disorder and violence are not uncommon in public schools
8 throughout the nation and tragedy has beset our people, and when the entire nation has been
9 grieved by the spectacle of students shooting and killing teachers and other students, and
10 when the exploration of space has led to disaster for our astronauts in the Columbia space
11 shuttle shocking our country, it seems that a few moments of calm and quiet at the beginning
12 of each day and before each sporting event sponsored by a public institution could help ease
13 some of the sadness, fear, and desperation evident in such institutions and schools.

14 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that
15 the members of this body urge the United States Congress to take legislative action to require
16 a period of quiet reflection lasting up to five minutes at the beginning of each day in each
17 American public school classroom and at the beginning of each sporting event sponsored by
18 a public school and to authorize such period of quiet reflection in all public institutions.

19 BE IT FURTHER RESOLVED that the Clerk of the House of Representatives is authorized
20 and directed to transmit an appropriate copy of this resolution to each member of Congress
21 who represents the State of Georgia.