



NDSA-14-2425

A Resolution in Opposition to HB 1145: Requiring the Ten Commandments to be Posted in All Higher Education Classrooms

WHEREAS, the North Dakota Student Association (NDSA) represents the voice of North Dakota's 45,000 public college and university students; and,

WHEREAS, the purpose of NDSA is to represent all students enrolled in the North Dakota University System (NDUS) and advocate on issues of higher education in support of access, affordability, quality, and the student experience; and,

WHEREAS, during the North Dakota 69th Legislative Session, legislators have proposed HB 1145, a bill that would require the 10 commandments to be displayed in higher education institutions and public schools; and,

WHEREAS, across the United States, there has been legislation similar to HB 1145 that has been proposed that the United States Supreme Court struck down due to violations of the 1st Amendment; and,

WHEREAS, in *Stone v. Graham* (1980) the Supreme Court ruled that the Kentucky state statute requiring that schools post a copy of the Ten Commandments in every public classroom was unconstitutional in violation of the establishment clause in the 1st Amendment of the United States Constitution; and,

WHEREAS, in *Engel v. Vitale* (1962), the Supreme Court ruled that even though the prayer that the state of New York required to be recited every day was nondenominational, it was a violation of students' religious freedom and of the establishment clause; and,

WHEREAS, HB 1145 would violate the rights and religious freedoms of NDUS students who are not Christian, whether they don't practice any religion or practice a religion other than a Christian denomination; and,

WHEREAS, the introduction of a bill like HB 1145 only continues to open the door to allowing more outside influences into the classroom and erodes the separation of church and state outlined by the Founders; and,¹

WHEREAS, in Section 1.5, the HB 1145 states that NDUS institutions may spend its funds or donated funds to purchase these displays; and,

WHEREAS, there is no appropriation in HB 1145 to provide funding for purchasing these displays, even though under this bill the display of the Ten Commandments is mandatory, placing additional financial burden on North Dakota's institutions of higher education; so,

THEREFORE, BE IT RESOLVED, that the NDSA opposes HB 1145 and asks the North Dakota legislature to not adopt the proposed legislation; and,

¹ Michael Kryzaneck, "The Doctrine of Separation of Church and State," Bridgewater State University. Last modified May 30, 2023. <https://www.bridgew.edu/stories/2023/doctrine-separation-church-and-state>.



BE IT FURTHER RESOLVED, the NDSA asks that the NDUS and State Board of Higher Education join the NDSA in opposition of this bill.

*Approved by the North Dakota Student Association General Assembly
Saturday, January 25th, 2025*