



NEW MEXICO MILITARY INSTITUTE

101 West College Boulevard
Roswell, New Mexico 88201-5173
575-624-8400
Fax: 575-624-8459



COMMANDANT OF CADETS

DEAN OF STUDENTS

Memorandum for: Corps of Cadets and Commandant Staff

1 August 2020

Subject: Standard Operating Procedure for religious events at New Mexico Military Institute.

1. Purpose:

- a. To provide a Standard Operating Procedure (SOP) for Qualified Religious Events at New Mexico Military Institute, (NMMI). A “Qualified Religious Event” is one which is Cadet initiated and Cadet led. Faculty/staff can be involved only to monitor, facilitate, or supervise, and non-school persons cannot be regularly and directly involved in the meetings. Attendance will be voluntary. “Cadet led” does not pertain to events held inside Alumni Memorial Chapel, although attendance at religious events in Alumni Memorial Chapel will be voluntary. Qualified Religious Events must comply with NMMI policies and federal, state, and local laws. Events cannot endanger the health, safety, or welfare of cadets, faculty, or staff. Events cannot interfere with NMMI's educational mission and must respect the rights of others to privacy.

2. Applicability:

- a. This SOP applies to all religious events held within the boundaries of NMMI. The NMMI Chaplain will provide oversight of all religious events, etc. held at NMMI. “Religion” as defined here includes all aspects of religious belief, observance, and practice; as well as all widely held practiced beliefs, to include “other” systems of belief or worship. The NMMI Chaplain will be the Point of Contact (POC) as well as advise on restrictions, time, location, etc. under the direction of the Commandant of Cadets/Dean of Students. Any religious events not meeting the above definition of “Qualified Religious Event” are unauthorized.

3. Scope:

- a. NMMI Alumni Memorial Chapel:
 - 1) The NMMI Alumni Memorial Chapel is available for use. Scheduling will be based on a first come first serve basis. NMMI will protect the well-being of Cadets and will assure that attendance of Cadets is voluntary.
- b. Locations other than the NMMI Alumni Memorial Chapel:
 - 1) Authorized with exception - The rights of student events at NMMI are protected by the First Amendment to the U.S. Constitution and the Equal Access Act, passed by Congress in 1984. NMMI retains the ability to regulate and restrict events that materially and substantially interfere with the orderly conduct of educational activities within the school. NMMI must protect the well-being of Cadets, and assure that attendance of Cadets is voluntary.

4. Responsibilities:

a. Leadership:

- 1) Qualified Religious Events must be voluntary and Cadet initiated and led, there can be no sponsorship by NMMI and/or employees or agents of the school. Cadets are free to discuss any issues and engage in any religious speech they desire at the event. NMMI does not have control over the content of the event, even though the meeting takes place on the NMMI campus. Therefore, Cadets may pray, sing songs, read the Bible, teach, etc. during their meetings. The restrictions here would be on faculty and/or staff who attend. Since faculty and staff are employees of the school, there is concern that what they say may be considered speech endorsed by NMMI. This would violate the Establishment Clause of the First Amendment. Cadets who participate are not employees, and therefore there is no concern that their speech would be misunderstood as government or school speech.

*This does not pertain to meetings held inside Alumni Memorial Chapel

b. Staff/Faculty oversight:

- 1) Staff or faculty members can attend Qualified Religious Events only to monitor, facilitate, and/or supervise. NMMI may require that there be a sponsor. However, the activities of the event must be primarily led by Cadets. It is up to NMMI officials, not the Cadets, to make it clear that the event is Cadet led.

*This does not pertain to meetings held inside Alumni Memorial Chapel

c. Outside oversight:

- 1) Non-school persons may not direct, conduct, control, or regularly attend activities of Qualified Religious Events. Therefore, if a parent or some other person who does not either attend the school or work at the school wants to be involved in the event, they can only do so in a facilitative manner, and cannot lead.

*This does not pertain to meetings held inside Alumni Memorial Chapel

d. Outside speakers:

- 1) Outside speakers are permissible, and they can speak on any topic. However, if a speaker is invited for a school-wide assembly which could conceivably bear the stamp of approval of the school, then there can be no endorsement of religion in the speech, especially if the NMMI assembly is mandatory for all Cadets. An event inviting speakers to supplement their presentation must follow NMMI policies related to recognized use of school facilities, etc. Promotion of the event must make it clear that attendance is purely voluntary, and that the speaker is hosted and endorsed by the event, not the school.

*This does not pertain to meetings held inside Alumni Memorial Chapel

e. Scheduling:

- 1) Qualified Religious Events, (as defined herein) must take place on campus during non-instructional time. Non-instructional time means time set aside before

actual classroom instruction begins or after actual classroom instruction ends. The important aspect of the Qualified Religious Event is that it is voluntary, not as to whether the Cadets have to be at school during that time, but whether they may choose to attend the event itself.

f. Equipment:

- 1) Equal access ensures neutrality, rather than showing partiality of the school. Therefore allowing equal access to NMMI equipment is not improper endorsement of religion by the school. NMMI does not have to allow use of supplies or equipment such as audio/visual or transportation equipment that clearly fall outside the realm of incidental costs of providing a meeting place.

g. Advertising:

- 1) Cadets have First Amendment free speech rights to distribute religious literature. However, NMMI may impose content-neutral time, place, and manner restrictions on the advertisement of Cadet events. All advertising for Qualified Religious Events will be approved by the NMMI Chaplain prior to distribution.

h. Funding:

- 1) Funding for all Qualified Religious Events will be submitted to the Alumni Memorial Chapel Foundation Fund. Checks can be made to the Alumni Memorial Chapel and specific category for donation placed on the “notes” line. Private fundraising is not authorized.

5. Procedures:

- a.** Parties interested in holding a Qualified Religious Event at NMMI will schedule an appointment with the NMMI Chaplain.
- b.** The Standard Operating Procedure for religious events at NMMI will be reviewed.
- c.** Scheduling of time and location will occur.

6. POC – NMMI Chaplain – 575-624-8211

Arthur C. Houghtby II
Lieutenant Colonel, USMCR
Interim Commandant of Cadets