

1 HB281
2 156664-1
3 By Representatives Butler, Williams (D), Roberts, Farley,
4 Rich, Johnson (W), Baughn, Sessions, Henry, Standridge,
5 Johnson (K), Lee, Hill, Weaver, Harper, Shedd, Nordgren,
6 Collins and McCutcheon
7 RFD: Education Policy
8 First Read: 16-JAN-14

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8 SYNOPSIS: This bill would create the Alabama Student
9 Religious Liberties Act of 2014.

10 This bill would prohibit school districts
11 from discriminating against a student or parent on
12 the basis of a religious viewpoint or religious
13 expression in public schools.

14 This bill would require school districts to
15 allow religious expression in class assignments,
16 coursework, and artwork.

17 This bill would require school districts to
18 provide students with the freedom to organize
19 religious groups and activities.

20 This bill would also require school
21 districts to adopt and implement a policy regarding
22 voluntary student expression of religious
23 viewpoints.

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25 A BILL
26 TO BE ENTITLED
27 AN ACT

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Relating to religious expression; to create the Alabama Student Religious Liberties Act of 2014; to prohibit school districts from discriminating against a student or parent on the basis of a religious viewpoint or religious expression in public schools; to require school districts to allow religious expression in class assignments, coursework, and artwork; to require school districts to provide students with the freedom to organize religious groups and activities; and to require school districts to adopt and implement a policy regarding voluntary student expression of religious viewpoints.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall be known and may be cited as the "Alabama Student Religious Liberties Act of 2014."

Section 2. A public school district may not discriminate against students or parents on the basis of a religious viewpoint or religious expression. A school district shall treat a student's voluntary expression of a religious viewpoint, if any, on an otherwise permissible subject in the same manner the district treats a student's voluntary expression of a secular or other viewpoint on an otherwise permissible subject and may not discriminate against the student based on a religious viewpoint expressed by the student on an otherwise permissible subject.

Section 3. Students may express their beliefs about religion in homework, artwork, and other written and oral

1 assignments free from discrimination based on the religious
2 content of their submissions. Homework and classroom
3 assignments shall be judged by ordinary academic standards of
4 substance and relevance and against other legitimate
5 pedagogical concerns identified by the school district.
6 Students may not be penalized or rewarded on account of the
7 religious content of their work. If an assignment requires a
8 student's viewpoint to be expressed in coursework, artwork, or
9 other written or oral assignments, a public school may not
10 penalize or reward a student on the basis of religious content
11 or a religious viewpoint. In such an assignment, a student's
12 academic work that expresses a religious viewpoint shall be
13 evaluated based on ordinary academic standards of substance
14 and relevance to the course curriculum or requirements of the
15 coursework or assignment.

16 Section 4. (a) Students in public schools may pray
17 or engage in religious activities or religious expression
18 before, during, and after the school day in the same manner
19 and to the same extent that students may engage in
20 nonreligious activities or expression. Students may organize
21 prayer groups, religious clubs, "see you at the pole"
22 gatherings, or other religious gatherings before, during, and
23 after school to the same extent that students are permitted to
24 organize other noncurricular student activities and groups.
25 Religious groups shall be given the same access to school
26 facilities for assembling as is given to other noncurricular
27 groups without discrimination based on the religious content

1 of the students' expression. If student groups that meet for
2 nonreligious activities are permitted to advertise or announce
3 meetings of the groups, the school district may not
4 discriminate against groups that meet for prayer or other
5 religious speech. A school district may disclaim school
6 sponsorship of noncurricular groups and events in a manner
7 that neither favors nor disfavors groups that meet to engage
8 in prayer or religious speech.

9 (b) Students in public schools may wear clothing,
10 accessories and jewelry that display religious messages or
11 religious symbols in the same manner and to the same extent
12 that other types of clothing, accessories and jewelry that
13 display messages or symbols are permitted.

14 Section 5. In order to ensure that a school district
15 does not discriminate against a student's publicly stated
16 voluntary expression of a religious viewpoint, if any, and to
17 eliminate any actual or perceived affirmative school
18 sponsorship or attribution to the school district of a
19 student's expression of a religious viewpoint, if any, each
20 school district shall adopt a policy governing voluntary
21 religious expression in its schools.

22 Section 6. This act shall not be construed to
23 authorize this state or any of its political subdivisions to
24 do either of the following:

25 (1) Require any person to participate in prayer or
26 in any other religious activity.

27 (2) Violate the constitutional rights of any person.

1 Section 7. This act shall not be construed to limit
2 the authority of any public school to do any of the following:

3 (1) Maintain order and discipline on the campus of
4 the public school in a content and viewpoint neutral manner.

5 (2) Protect the safety of students, employees, and
6 visitors of the public school.

7 (3) Adopt and enforce policies and procedures
8 regarding student speech at school provided that the policies
9 and procedures do not violate the rights of students as
10 guaranteed by the United States and Alabama constitutions and
11 laws.

12 Section 8. This act shall apply beginning with the
13 2015-16 school year.

14 Section 9. This act shall become effective on the
15 first day of the third month following its passage and
16 approval by the Governor, or its otherwise becoming law.