HOUSE BILL NO. HB0077

Student religious liberties.

Sponsored by: Representative(s) Kroeker, Baker, Hutchings, Jaggi, McKim, Miller, Reeder, Watt and Winters and Senator(s) Cooper and Nutting

A BILL

for

- 1 AN ACT relating to education; providing for voluntary
- 2 student expression of religious expression of religious
- 3 viewpoints in public schools; specifying requirements for
- 4 school districts; and providing for an effective date.

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6 Be It Enacted by the Legislature of the State of Wyoming:

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- 8 **Section 1.** W.S. 21-4-701 through 21-4-706 are created
- 9 to read:

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- 11 ARTICLE 7
- 12 WYOMING STUDENT RELIGIOUS LIBERTIES ACT OF 2014

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- 14 21-4-701. Wyoming Student Religious Liberties Act of
- 15 **2014.**

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- 1 This article shall be cited as the "Wyoming Student
- 2 Religious Liberties Act of 2014."

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4 21-4-702. Student expression.

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- 6 (a) A public school district shall not discriminate
- 7 against students or parents on the basis of a religious
- 8 viewpoint or religious expression.

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- 10 (b) A school district shall treat a student's
- 11 voluntary expression of a religious viewpoint, if any, on
- 12 an otherwise permissible subject in the same manner the
- 13 district treats a student's voluntary expression of a
- 14 secular or other viewpoint on an otherwise permissible
- 15 subject and may not discriminate against the student based
- 16 on a religious viewpoint expressed by the student on an
- 17 otherwise permissible subject.

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19 21-4-703. Religious expression in class assignments.

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- 21 Students may express their beliefs about religion in
- 22 homework, artwork and other written and oral assignments
- 23 free from discrimination based on the religious content of
- 24 their submissions. Homework and classroom assignments shall

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

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21-4-704. Freedom to organize religious groups and activities.

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(a) Students in public schools may pray or engage in religious activities or religious expression before, during and after the school day in the same manner and to the same extent that students may engage in nonreligious activities or expression. Students may organize prayer groups, religious clubs or other religious gatherings before, during and after school to the same extent that students

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1 are permitted to organize other noncurricular student

2 activities and groups.

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4 (b) Religious groups shall be given the same access

5 to school facilities for assembling as is given to other

6 noncurricular groups without discrimination based on the

7 religious content of the students' expression. If student

8 groups that meet for nonreligious activities are permitted

9 to advertise or announce meetings of the groups, the school

10 district may not discriminate against groups that meet for

11 prayer or other religious speech.

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13 (c) A school district may disclaim school sponsorship

14 of noncurricular groups and events in a manner that neither

15 favors nor disfavors groups that meet to engage in prayer

16 or religious speech.

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18 (d) Students in public schools may wear clothing,

19 accessories and jewelry that display religious messages or

20 religious symbols in the same manner and to the same extent

21 that other types of clothing, accessories and jewelry that

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22 display messages or symbols are permitted.

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policy.

21-4-705. Limited public forum; school district 1

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4 (a) To ensure that the school district does not 5 discriminate against a student's publicly stated voluntary expression of a religious viewpoint, if any, and to 6 eliminate any actual or perceived affirmative school 7 sponsorship or attribution to the district of a student's 8 expression of a religious viewpoint, if any, a school 9 district shall adopt a policy, which shall include the 10 establishment of a limited public forum for student 11 speakers at all school events at which a student is to

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publicly speak.

(b) The policy regarding the limited public forum 15 shall require the school district to: 16

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(i) Provide the forum in a manner that does not 18 discriminate against a student's voluntary expression of a 19 20 religious viewpoint, if any, on an otherwise permissible 21 subject;

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1 (ii) Provide a method, based on neutral

2 criteria, for the selection of student speakers at school

3 events and graduation ceremonies;

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5 (iii) Ensure that a student speaker does not

6 engage in obscene, vulgar, offensively lewd or indecent

7 speech; and

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9 (iv) State, in writing, orally, or both, that

10 the student's speech does not reflect the endorsement,

11 sponsorship, position or expression of the district.

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13 (c) The school district disclaimer required by

14 paragraph (b)(iv) of this section shall be provided at all

15 school events and graduation ceremonies. The school

16 district shall continue to provide the disclaimer at any

17 other event in which a student speaks publicly for as long

18 as a need exists to dispel confusion over the district's

19 nonsponsorship of the student's speech.

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21 (d) Student expression on an otherwise permissible

22 subject shall not be excluded from the limited public forum

23 because the subject is expressed from a religious

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24 viewpoint.

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2 Not later than August 15, 2014, all school (e) districts shall adopt and implement a policy regarding a 3 4 limited public forum and voluntary student expression of 5 religious viewpoints. 6 7 21-4-706. Construction. 8 This act shall not be construed to authorize the 9 (a) state or any of its political subdivisions to: 10 11 12 (i) Require any person to participate in prayer or in any other religious activity; or 13 14 15 (ii) Violate the constitutional rights of any 16 person. 17 18 (b) This act shall not be construed to limit the authority of any public school to: 19

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(i) Maintain order and discipline on the campus
of the public school in a content and viewpoint neutral
manner;

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(ii) Protect the safety of students, employees 1 2 and visitors of the public school; or 3 (iii) Adopt and enforce policies and procedures 4 5 regarding student speech at school provided that the policies and procedures do not violate the rights of 6 students as guaranteed by the United States and Wyoming 7 constitutions and laws. 8 9 10 Section 2. This act applies beginning with the 2014-2015 school year. 11 12 Section 3. This act is effective July 1, 2014. 13 14

15 (END)