

1 A bill to be entitled
2 An act relating to religious expression in public
3 schools; providing a short title; prohibiting a school
4 district from discriminating against students,
5 parents, or school personnel on the basis of religious
6 viewpoints or expression; prohibiting penalty or
7 reward for a student's religious expression in
8 coursework, artwork, or other specified assignments;
9 authorizing a student to wear clothing, accessories,
10 and jewelry displaying religious messages or symbols;
11 authorizing a student to pray or engage in religious
12 activities or expression; authorizing a student to
13 organize prayer groups, religious clubs, and other
14 religious gatherings; prohibiting a school district
15 from preventing school personnel from participating in
16 voluntary, student-initiated religious activities on
17 school grounds under specified circumstances;
18 requiring that a school district provide religious
19 groups with equal access to school facilities;
20 authorizing religious groups to advertise or announce
21 meetings in the same manner and to the same extent as
22 secular groups; requiring that a school district adopt
23 a limited public forum policy and deliver a disclaimer
24 at school events; requiring that the Department of
25 Education develop and publish a model policy regarding

26 a limited public forum and religious expression;
27 requiring that each district school board adopt and
28 implement such model policy; providing an effective
29 date.

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31 Be It Enacted by the Legislature of the State of Florida:

32
33 Section 1. Religious expression in public schools.-

34 (1) This section may be cited as the "Florida Student and
35 School Personnel Religious Liberties Act."

36 (2) A school district may not discriminate against a
37 student, parent, or school personnel on the basis of a religious
38 viewpoint or religious expression. A school district shall treat
39 a student's voluntary expression of a religious viewpoint on an
40 otherwise permissible subject in the same manner that the school
41 district treats a student's voluntary expression of a secular
42 viewpoint.

43 (3) (a) A student may express his or her religious beliefs
44 in coursework, artwork, and other written and oral assignments
45 free from discrimination. A student's homework and classroom
46 assignments shall be evaluated, regardless of their religious
47 content, based on expected academic standards relating to the
48 course curriculum and requirements. A student may not be
49 penalized or rewarded based on the religious content of his or
50 her work if the coursework, artwork, or other written or oral

51 assignments require a student's viewpoint to be expressed.

52 (b) A student may wear clothing, accessories, and jewelry
53 that display a religious message or symbol in the same manner
54 and to the same extent that secular types of clothing,
55 accessories, and jewelry that display messages or symbols are
56 permitted to be worn.

57 (4) (a) A student may pray or engage in religious
58 activities or religious expression before, during, and after the
59 school day in the same manner and to the same extent that a
60 student may engage in secular activities or expression. A
61 student may organize prayer groups, religious clubs, and other
62 religious gatherings before, during, and after the school day in
63 the same manner and to the same extent that a student is
64 permitted to organize secular activities and groups.

65 (b) 1. A school district may not prevent school personnel
66 from participating in religious activities on school grounds
67 that are initiated by students at reasonable times before or
68 after the school day if such activities are voluntary and do not
69 conflict with the responsibilities or assignments of such
70 personnel.

71 2. A school district shall comply with the federal
72 requirements in Title VII of the Civil Rights Act of 1964, which
73 prohibits an employer from discriminating against an employee on
74 the basis of religion.

75 (c) A school district shall give a religious group access

76 to the same school facilities for assembling as given to secular
77 groups without discrimination based on the religious content of
78 the group's expression. A group that meets for prayer or other
79 religious speech may advertise or announce its meetings in the
80 same manner and to the same extent that a secular group may
81 advertise or announce its meetings.

82 (5) (a) A school district shall adopt a policy that
83 establishes a limited public forum for student speakers at any
84 school event at which a student is to speak publicly. The
85 limited public forum policy shall require the school district
86 to:

87 1. Provide the forum in a manner that does not
88 discriminate against a student's voluntary expression of a
89 religious viewpoint on an otherwise permissible subject;

90 2. Provide a method based on neutral criteria for the
91 selection of student speakers at school events, activities, and
92 graduation ceremonies;

93 3. Ensure that a student speaker does not engage in
94 obscene, vulgar, offensively lewd, or indecent speech; and

95 4. State in written or oral form that the student's speech
96 does not reflect the endorsement, sponsorship, position, or
97 expression of the school district.

98 (b) The school district shall deliver the disclaimer
99 required in subparagraph (a)4. at all graduation events and any
100 other event at which a student speaks publicly.

101 (c) Student expression of a religious viewpoint on an
102 otherwise permissible subject may not be excluded from the
103 limited public forum.

104 (6) The Department of Education shall develop a model
105 policy regarding a limited public forum and voluntary expression
106 of religious viewpoints by students and school personnel in
107 public schools pursuant to this section. The department shall
108 publish the model policy on its website. Each district school
109 board shall adopt and implement the department's model policy.

110 Section 2. This act shall take effect July 1, 2017.