

1 HB1
2 156664-5
3 By Representatives Butler, Rowe, Williams (D), Farley,
4 Sanderford, Rich, Whorton (R), Wilcox and Sessions
5 RFD: Education Policy
6 First Read: 03-MAR-15
7 PFD: 01/15/2015

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2 ENROLLED, An Act,

3 Relating to religious expression; to create the
4 Alabama Student Religious Liberties Act of 2015; to prohibit
5 local boards of education from discriminating against a
6 student or parent on the basis of a religious viewpoint or
7 religious expression in public schools; to require local
8 boards of education to allow religious expression in class
9 assignments, coursework, and artwork; to require local boards
10 of education to provide students with the freedom to organize
11 religious groups and activities; and to require local boards
12 of education to adopt and implement a policy regarding
13 voluntary student expression of religious viewpoints.

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

15 Section 1. This act shall be known and may be cited
16 as the "Alabama Student Religious Liberties Act of 2015."

17 Section 2. A public ~~school district~~ local board of
18 education may not discriminate against students or parents on
19 the basis of a religious viewpoint or religious expression. A
20 ~~school district~~ local board of education shall treat a
21 student's voluntary expression of a religious viewpoint, if
22 any, on an otherwise permissible subject in the same manner
23 the ~~district~~ local board of education treats a student's
24 voluntary expression of a secular or other viewpoint on an
25 otherwise permissible subject and may not discriminate against

1 the student based on a religious viewpoint expressed by the
2 student on an otherwise permissible subject.

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

20 Section 4. (a) Students in public schools may pray
21 or engage in religious activities or religious expression
22 before, during, and after the school day in the same manner
23 and to the same extent that students may engage in
24 nonreligious activities or expression. Students may organize
25 prayer groups, religious clubs, "see you at the pole"

1 gatherings, or other religious gatherings before, during, and
2 after school to the same extent that students are permitted to
3 organize other noncurricular student activities and groups.
4 Religious groups shall be given the same access to school
5 facilities for assembling as is given to other noncurricular
6 groups without discrimination based on the religious content
7 of the students' expression. If student groups that meet for
8 nonreligious activities are permitted to advertise or announce
9 meetings of the groups, the ~~school district~~ local board of
10 education may not discriminate against groups that meet for
11 prayer or other religious speech. A ~~school district~~ local
12 board of education may disclaim school sponsorship of
13 noncurricular groups and events in a manner that neither
14 favors nor disfavors groups that meet to engage in prayer or
15 religious speech.

16 (b) Students in public schools may wear clothing,
17 accessories and jewelry that display religious messages or
18 religious symbols in the same manner and to the same extent
19 that other types of clothing, accessories and jewelry that
20 display messages or symbols are permitted.

21 Section 5. In order to ensure that a ~~school district~~
22 local board of education does not discriminate against a
23 student's publicly stated voluntary expression of a religious
24 viewpoint, if any, and to eliminate any actual or perceived
25 affirmative school sponsorship or attribution to the ~~school~~

1 ~~district~~ local board of education of a student's expression of
2 a religious viewpoint, if any, each ~~school-district~~ local
3 board of education shall adopt a policy governing voluntary
4 religious expression in its schools.

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

8 (1) Require any person to participate in prayer or
9 in any other religious activity.

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

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

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

15 (2) Protect the safety of students, employees, and
16 visitors of the public school.

17 (3) Adopt and enforce policies and procedures
18 regarding student speech at school provided that the policies
19 and procedures do not violate the rights of students as
20 guaranteed by the United States and Alabama constitutions and
21 laws.

22 Section 8. This act shall apply to all religions. It
23 shall not be construed as establishing a particular religion
24 nor as prohibiting the free exercise of a particular religion.

1 Section 9. This act shall apply beginning with the
2 2015-16 school year.

3 Section 10. This act shall become effective on the
4 first day of the third month following its passage and
5 approval by the Governor, or its otherwise becoming law.

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 11-MAR-15, as amended.

Jeff Woodard
Clerk

Senate

05-MAY-15

Passed