

HOUSE BILL NO. HB0077

Student religious liberties.

Sponsored by: Representative(s) Kroeker

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.

5

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

7

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

10

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

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

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15 **21-4-704. Freedom to organize religious groups and**
16 **activities.**

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

1 are permitted to organize other noncurricular student
2 activities and groups.

3

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
22 display messages or symbols are permitted.

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

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

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

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18 (i) Provide the forum in a manner that does not
19 discriminate against a student's voluntary expression of a
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
24 viewpoint.

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2 (e) Not later than August 15, 2014, all school
3 districts shall adopt and implement a policy regarding a
4 limited public forum and voluntary student expression of
5 religious viewpoints.

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7 **21-4-706. Construction.**

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9 (a) This act shall not be construed to authorize the
10 state or any of its political subdivisions to:

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12 (i) Require any person to participate in prayer
13 or in any other religious activity; or

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15 (ii) Violate the constitutional rights of any
16 person.

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18 (b) This act shall not be construed to limit the
19 authority of any public school to:

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

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