

HOUSE BILL NO. HB0090

Student religious liberties.

Sponsored by: Representative(s) Kroeker, Baker, Edmonds,
Gay, Halverson, Jaggi, Jennings, Loucks,
McKim, Miller, Piiparinen, Reeder, Steinmetz
and Winters and Senator(s) Dockstader

A BILL

for

1 AN ACT relating to education; providing for voluntary
2 student expression of religious expression in public
3 schools; specifying requirements for school districts; and
4 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 2015

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1 **21-4-701. Wyoming Student Religious Liberties Act of**
2 **2015.**

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4 This article shall be cited as the "Wyoming Student
5 Religious Liberties Act of 2015."

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7 **21-4-702. Student expression.**

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9 (a) A public school district shall not discriminate
10 against students or parents on the basis of a religious
11 viewpoint or religious expression.

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

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22 **21-4-703. Religious expression in class assignments.**

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

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20 **21-4-704. Freedom to organize religious groups and**
21 **activities.**

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1 (a) Students in public schools may pray or engage in
2 religious activities or religious expression before, during
3 and after the school day in the same manner and to the same
4 extent that students may engage in nonreligious activities
5 or expression. Students may organize prayer groups,
6 religious clubs or other religious gatherings before,
7 during and after school to the same extent that students
8 are permitted to organize other noncurricular student
9 activities and groups.

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11 (b) Religious groups shall be given the same access
12 to school facilities for assembling as is given to other
13 noncurricular groups without discrimination based on the
14 religious content of the students' expression. If student
15 groups that meet for nonreligious activities are permitted
16 to advertise or announce meetings of the groups, the school
17 district shall not discriminate against groups that meet
18 for prayer or other religious speech.

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20 (c) A school district may disclaim school sponsorship
21 of noncurricular groups and events in a manner that neither
22 favors nor disfavors groups that meet to engage in prayer
23 or religious speech.

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2 (d) Students in public schools may wear clothing,
3 accessories and jewelry that display religious messages or
4 religious symbols in the same manner and to the same extent
5 that other types of clothing, accessories and jewelry that
6 display messages or symbols are permitted.

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8 **21-4-705. Limited public forum; school district**
9 **policy.**

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11 (a) To ensure that the school district does not
12 discriminate against a student's publicly stated voluntary
13 expression of a religious viewpoint, if any, and to
14 eliminate any actual or perceived affirmative school
15 sponsorship or attribution to the district of a student's
16 expression of a religious viewpoint, if any, a school
17 district shall adopt a policy, which shall include the
18 establishment of a limited public forum for student
19 speakers at all school events at which a student is to
20 publicly speak.

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

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2 (i) Provide the forum in a manner that does not
3 discriminate against a student's voluntary expression of a
4 religious viewpoint, if any, on an otherwise permissible
5 subject;

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7 (ii) Provide a method, based on neutral
8 criteria, for the selection of student speakers at school
9 events and graduation ceremonies;

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11 (iii) Ensure that a student speaker does not
12 engage in obscene, vulgar, offensively lewd or indecent
13 speech; and

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15 (iv) State, in writing, orally, or both, that
16 the student's speech does not reflect the endorsement,
17 sponsorship, position or expression of the district.

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19 (c) The school district disclaimer required by
20 paragraph (b)(iv) of this section shall be provided at all
21 school events and graduation ceremonies. The school
22 district shall continue to provide the disclaimer at any
23 other event in which a student speaks publicly for as long

1 as a need exists to dispel confusion over the district's
2 nonsponsorship of the student's speech.

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4 (d) Student expression on an otherwise permissible
5 subject shall not be excluded from the limited public forum
6 because the subject is expressed from a religious
7 viewpoint.

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9 (e) Not later than August 15, 2015, all school
10 districts shall adopt and implement a policy regarding a
11 limited public forum and voluntary student expression of
12 religious viewpoints.

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14 **21-4-706. Construction.**

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

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19 (i) Require any person to participate in prayer
20 or in any other religious activity; or

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22 (ii) Violate the constitutional rights of any
23 person.

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

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

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9 (ii) Protect the safety of students, employees
10 and visitors of the public school; or

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12 (iii) Adopt and enforce policies and procedures
13 regarding student speech at school provided that the
14 policies and procedures do not violate the rights of
15 students as guaranteed by the United States and Wyoming
16 constitutions and laws.

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18 **Section 2.** This act applies beginning with the
19 2015-2016 school year.

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