

Committee on Education

SB 436 — Religious Expression in Public Schools

by Senators Baxley, Steube, Mayfield, Stargel, Campbell, Brandes, and Broxson

The bill creates the “Florida Student and School Personnel Religious Liberties Act,” and specifies that a school district may not discriminate against a student, parent, or school personnel on the basis of a religious viewpoint or religious expression. Specifically, the bill:

- Authorizes a student to:
 - Express his or her religious beliefs in written and oral assignments free from discrimination.
 - Wear clothing, accessories, and jewelry that display a religious message or symbol to the same extent as secular types of clothing, accessories, and jewelry that display messages or symbols are permitted.
 - Pray or engage in and organize religious activities before, during, and after the school day to the same extent that student engagement in secular activity or expression and the organization of secular activities and groups are permitted.
- Requires a school district to:
 - Comply with Title VII of the Civil Rights Act of 1964 and specifies that a school district may not prevent school personnel from participating in religious activities on school grounds that are student-initiated at reasonable times before or after the school day.
 - Give a religious group access to the same school facilities for assembling as given to a secular group without discrimination and authorizes such a religious or secular group to advertise or announce its meetings.
 - Adopt a policy that establishes a limited public forum for student speakers at any school event at which a student is to speak publicly.
- Requires the Florida Department of Education to develop and publish on its website a model policy regarding a limited public forum and the voluntary expression of religious viewpoints by students and school personnel in public schools. The model policy must be adopted and implemented by each district school board.

If approved by the Governor, these provisions take effect July 1, 2017.

Vote: Senate 23-13; House 103-12