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LEGISLATIVE ACTION

Senate

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House

Floor: WD

05/04/2017 10:24 AM

Senator Baxley moved the following:

1 **Senate Amendment to House Amendment (471677) (with title**
2 **amendment)**

3
4 Delete lines 5 - 58

5 and insert:

6 Section 1. Religious expression in public schools.-

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

9 (2) A school district may not discriminate against a
10 student, parent, or school personnel on the basis of a religious
11 viewpoint or religious expression. A school district shall treat



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12 a student's voluntary expression of a religious viewpoint on an
13 otherwise permissible subject in the same manner that the school
14 district treats a student's voluntary expression of a secular
15 viewpoint.

16 (3) (a) A student may express his or her religious beliefs
17 in coursework, artwork, and other written and oral assignments
18 free from discrimination. A student's homework and classroom
19 assignments shall be evaluated, regardless of their religious
20 content, based on expected academic standards relating to the
21 course curriculum and requirements. A student may not be
22 penalized or rewarded based on the religious content of his or
23 her work if the coursework, artwork, or other written or oral
24 assignments require a student's viewpoint to be expressed.

25 (b) A student may wear clothing, accessories, and jewelry
26 that display a religious message or symbol in the same manner
27 and to the same extent that secular types of clothing,
28 accessories, and jewelry that display messages or symbols are
29 permitted to be worn.

30 (4) (a) A student may pray or engage in religious activities
31 or religious expression before, during, and after the school day
32 in the same manner and to the same extent that a student may
33 engage in secular activities or expression. A student may
34 organize prayer groups, religious clubs, and other religious
35 gatherings before, during, and after the school day in the same
36 manner and to the same extent that a student is permitted to
37 organize secular activities and groups.

38 (b)1. A school district may not prevent school personnel
39 from participating in religious activities on school grounds
40 that are initiated by students at reasonable times before or



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41 after the school day if such activities are voluntary and do not
42 conflict with the responsibilities or assignments of such
43 personnel.

44 2. A school district shall comply with the federal
45 requirements in Title VII of the Civil Rights Act of 1964, which
46 prohibits an employer from discriminating against an employee on
47 the basis of religion.

48 (c) A school district shall give a religious group access
49 to the same school facilities for assembling as given to secular
50 groups without discrimination based on the religious content of
51 the group's expression. A group that meets for prayer or other
52 religious speech may advertise or announce its meetings in the
53 same manner and to the same extent that a secular group may
54 advertise or announce its meetings.

55 (5) (a) A school district shall adopt a policy that
56 establishes a limited public forum for student speakers at any
57 school event at which a student is to speak publicly. The
58 limited public forum policy shall require the school district
59 to:

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

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

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

68 4. State in written or oral form that the student's speech
69 does not reflect the endorsement, sponsorship, position, or



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70 expression of the school district.

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

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

77 (6) The Department of Education shall develop a model
78 policy regarding a limited public forum and voluntary expression
79 of religious viewpoints by students and school personnel in
80 public schools pursuant to this section. The department shall
81 publish the model policy on its website. Each district school
82 board shall adopt and implement the department's model policy.

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

84
85 ===== T I T L E A M E N D M E N T =====

86 And the title is amended as follows:

87 Delete lines 64 - 84

88 and insert:

89 An act relating to religious expression in public
90 schools; providing a short title; prohibiting a school
91 district from discriminating against students,
92 parents, or school personnel on the basis of religious
93 viewpoints or expression; prohibiting penalty or
94 reward for a student's religious expression in
95 coursework, artwork, or other specified assignments;
96 authorizing a student to wear clothing, accessories,
97 and jewelry displaying religious messages or symbols;
98 authorizing a student to pray or engage in religious



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99 activities or expression; authorizing a student to
100 organize prayer groups, religious clubs, and other
101 religious gatherings; prohibiting a school district
102 from preventing school personnel from participating in
103 voluntary, student-initiated religious activities on
104 school grounds under specified circumstances;
105 requiring a school district to comply with the federal
106 requirements in Title VII of the Civil Rights Act of
107 1964; requiring that a school district provide
108 religious groups with equal access to school
109 facilities; authorizing religious groups to advertise
110 or announce meetings in the same manner and to the
111 same extent as secular groups; requiring that a school
112 district adopt a limited public forum policy and
113 deliver a disclaimer at school events; requiring that
114 the Department of Education develop and publish a
115 model policy regarding a limited public forum and
116 religious expression; requiring that each district
117 school board adopt and implement such model policy;
118 providing an effective date.