

By Senator Massullo

11-01467-26

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Senate Joint Resolution

A joint resolution proposing the creation of Section 33 of Article X of the State Constitution to provide protection from discrimination for student and school personnel religious expression in public schools.

Be It Resolved by the Legislature of the State of Florida:

That the following creation of Section 33 of Article X of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE X

MISCELLANEOUS

SECTION 33. Religious expression in public schools.-

(a) A school district may not discriminate against a student, a parent, or school personnel on the basis of a religious viewpoint or religious expression. A school district shall treat a student's voluntary expression of a religious viewpoint on an otherwise permissible subject in the same manner that the school district treats a student's voluntary expression of a secular viewpoint.

(b) A public school must allow:

(1) A student to express his or her religious beliefs in coursework, artwork, and other written and oral assignments free from discrimination. A student's homework and classroom assignments shall be evaluated, regardless of any religious content, based on expected academic standards relating to the

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30 course curriculum and requirements. A student may not be
31 penalized or rewarded based on the religious content of his or
32 her work if the coursework, artwork, or other written or oral
33 assignment requires a student's viewpoint to be expressed.

34 (2) A student to wear clothing, accessories, and jewelry
35 that display a religious message or symbol in the same manner
36 and to the same extent that secular types of clothing,
37 accessories, and jewelry that display messages or symbols are
38 allowed to be worn.

39 (3) A student to pray or engage in religious activities or
40 expression before, during, and after the school day in the same
41 manner and to the same extent that a student may engage in
42 secular activities or expression. A student may organize prayer
43 groups, religious clubs, and other religious gatherings in the
44 same manner and to the same extent that a student is permitted
45 to organize secular activities and groups.

46 (4) School personnel to participate in religious activities
47 on school grounds which are initiated by students at reasonable
48 times before or after the school day if such activities are
49 voluntary and do not conflict with the responsibilities or
50 assignments of such personnel.

51 (c) Without supporting or discouraging student prayer, each
52 public school must require teachers in first-period classrooms
53 in all grades to set aside at least one minute, but not more
54 than two minutes, daily for a moment of silence, during which a
55 student may not interfere with other students' participation.

56 (d) Each high school participating in a championship
57 contest or series of contests must have the opportunity to make
58 brief opening remarks, if requested by the school, using the

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59 public address system at the event. Remarks may include student-
60 led or school personnel-led prayer, may not be derogatory, rude,
61 or threatening, and may not be longer than two minutes per
62 school.

63 BE IT FURTHER RESOLVED that the following statement be
64 placed on the ballot:

65 CONSTITUTIONAL AMENDMENT

66 ARTICLE X, SECTION 33

67 PROTECTING RELIGIOUS EXPRESSION IN PUBLIC SCHOOLS.—

68 Proposing an amendment to the State Constitution to provide
69 protections from discrimination for student and school personnel
70 religious expression in public schools, including the expression
71 of religious beliefs in a student's school work or attire,
72 prayer, activities and religious expressions, moments of
73 silence, and opening remarks at high school championship contests
74 or series of contests.