

HOUSE BILL No. 4147

February 5, 2015, Introduced by Reps. Hooker, Chatfield, Johnson, Franz, Somerville,
Lucido, Sheppard and Goike and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
(MCL 380.1 to 380.1852) by adding section 1299a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 1299A. (1) THE GOVERNING BOARD OF A PUBLIC SCHOOL SHALL
2 ENSURE THAT THE PUBLIC SCHOOL DOES NOT DISCRIMINATE AGAINST A PUPIL
3 OR A PUPIL'S PARENT OR LEGAL GUARDIAN ON THE BASIS OF A RELIGIOUS
4 VIEWPOINT OR RELIGIOUS EXPRESSION. A PUBLIC SCHOOL SHALL TREAT A
5 PUPIL'S VOLUNTARY EXPRESSION OF A RELIGIOUS VIEWPOINT, IF ANY, ON
6 AN OTHERWISE PERMISSIBLE SUBJECT IN THE SAME MANNER THE PUBLIC
7 SCHOOL TREATS A PUPIL'S VOLUNTARY EXPRESSION OF A SECULAR OR OTHER
8 VIEWPOINT ON AN OTHERWISE PERMISSIBLE SUBJECT AND SHALL NOT
9 DISCRIMINATE AGAINST THE PUPIL BASED ON A RELIGIOUS VIEWPOINT
10 EXPRESSED BY THE PUPIL ON AN OTHERWISE PERMISSIBLE SUBJECT.

1 (2) THE GOVERNING BOARD OF A PUBLIC SCHOOL SHALL ENSURE ALL OF
2 THE FOLLOWING:

3 (A) THAT A PUPIL MAY EXPRESS HIS OR HER BELIEF ABOUT RELIGION
4 IN HOMEWORK, ARTWORK, AND OTHER WRITTEN AND ORAL ASSIGNMENTS FREE
5 FROM DISCRIMINATION BASED ON THE RELIGIOUS CONTENT OF THE PUPIL'S
6 SUBMISSION.

7 (B) THAT HOMEWORK AND CLASSROOM ASSIGNMENTS ARE JUDGED ONLY BY
8 ORDINARY ACADEMIC STANDARDS OF SUBSTANCE AND RELEVANCE AND AGAINST
9 OTHER LEGITIMATE PEDAGOGICAL CONCERNS IDENTIFIED BY THE PUBLIC
10 SCHOOL.

11 (C) THAT A PUPIL IS NOT PENALIZED OR REWARDED DUE TO THE
12 RELIGIOUS CONTENT OF HIS OR HER WORK.

13 (D) THAT, IF AN ASSIGNMENT REQUIRES A PUPIL'S VIEWPOINT TO BE
14 EXPRESSED IN COURSEWORK, ARTWORK, OR OTHER WRITTEN OR ORAL
15 EXPRESSION, A PUPIL IS NOT PENALIZED OR REWARDED ON THE BASIS OF
16 RELIGIOUS CONTENT OR A RELIGIOUS VIEWPOINT. IN SUCH AN ASSIGNMENT,
17 A PUPIL'S ACADEMIC WORK THAT EXPRESSES A RELIGIOUS VIEWPOINT SHALL
18 BE EVALUATED BASED ONLY ON ORDINARY ACADEMIC STANDARDS OF SUBSTANCE
19 AND RELEVANCE TO THE COURSE CURRICULUM OR REQUIREMENTS OF THE
20 COURSEWORK OR ASSIGNMENT.

21 (3) THE GOVERNING BOARD OF A PUBLIC SCHOOL SHALL ENSURE ALL OF
22 THE FOLLOWING:

23 (A) THAT A PUPIL OR GROUP OF PUPILS IN A PUBLIC SCHOOL MAY
24 PRAY OR ENGAGE IN RELIGIOUS ACTIVITIES OR RELIGIOUS EXPRESSION
25 BEFORE, DURING, AND AFTER THE SCHOOL DAY IN THE SAME MANNER AND TO
26 THE SAME EXTENT THAT PUPILS MAY ENGAGE IN NONRELIGIOUS ACTIVITIES
27 OR EXPRESSION.

1 (B) THAT PUPILS MAY ORGANIZE PRAYER GROUPS, RELIGIOUS CLUBS,
2 "SEE YOU AT THE POLE" GATHERINGS, OR OTHER RELIGIOUS GATHERINGS
3 BEFORE, DURING, AND AFTER SCHOOL TO THE SAME EXTENT THAT PUPILS ARE
4 PERMITTED TO ORGANIZE OTHER NONCURRICULAR PUPIL ACTIVITIES AND
5 GROUPS.

6 (C) THAT RELIGIOUS GROUPS ARE GIVEN THE SAME ACCESS TO SCHOOL
7 FACILITIES FOR ASSEMBLING AS IS GIVEN TO OTHER NONCURRICULAR GROUPS
8 WITHOUT DISCRIMINATION BASED ON THE RELIGIOUS CONTENT OF THE
9 PUPILS' EXPRESSION, AS PROVIDED UNDER SECTION 1299. WITH REGARD TO
10 GROUP MEETINGS, IF STUDENT GROUPS THAT MEET FOR NONRELIGIOUS
11 ACTIVITIES ARE PERMITTED TO ADVERTISE OR ANNOUNCE MEETINGS OF THE
12 GROUP, THE PUBLIC SCHOOL SHALL NOT DISCRIMINATE AGAINST STUDENT
13 GROUPS THAT MEET FOR PRAYER OR OTHER RELIGIOUS SPEECH. A PUBLIC
14 SCHOOL MAY DISCLAIM SCHOOL SPONSORSHIP OF NONCURRICULAR GROUPS AND
15 EVENTS IN A MANNER THAT NEITHER FAVORS NOR DISFAVORS GROUPS THAT
16 MEET TO ENGAGE IN PRAYER OR RELIGIOUS SPEECH.

17 (D) THAT PUPILS MAY WEAR CLOTHING, ACCESSORIES, AND JEWELRY
18 THAT DISPLAY RELIGIOUS MESSAGES OR RELIGIOUS SYMBOLS IN THE SAME
19 MANNER AND TO THE SAME EXTENT THAT OTHER TYPES OF CLOTHING,
20 ACCESSORIES, AND JEWELRY THAT DISPLAY MESSAGES OR SYMBOLS ARE
21 PERMITTED.

22 (4) TO ENSURE THAT THE PUBLIC SCHOOL DOES NOT DISCRIMINATE
23 AGAINST A PUPIL'S PUBLICLY STATED VOLUNTARY EXPRESSION OF A
24 RELIGIOUS VIEWPOINT, IF ANY, AND TO ELIMINATE ANY ACTUAL OR
25 PERCEIVED AFFIRMATIVE SCHOOL SPONSORSHIP OR ATTRIBUTION TO THE
26 PUBLIC SCHOOL OF A PUPIL'S EXPRESSION OF A RELIGIOUS VIEWPOINT, IF
27 ANY, THE GOVERNING BOARD OF A PUBLIC SCHOOL SHALL ADOPT A POLICY

1 THAT PROVIDES FOR THE ESTABLISHMENT OF A LIMITED PUBLIC FORUM FOR
2 PUPIL SPEAKERS AT ALL SCHOOL EVENTS AT WHICH A PUPIL IS TO PUBLICLY
3 SPEAK. THE POLICY REGARDING THE LIMITED PUBLIC FORUM SHALL ALSO
4 REQUIRE THE PUBLIC SCHOOL TO DO ALL OF THE FOLLOWING:

5 (A) PROVIDE THE FORUM IN A MANNER THAT DOES NOT DISCRIMINATE
6 AGAINST A PUPIL'S VOLUNTARY EXPRESSION OF A RELIGIOUS VIEWPOINT, IF
7 ANY, ON AN OTHERWISE PERMISSIBLE SUBJECT.

8 (B) PROVIDE A METHOD, BASED ON NEUTRAL CRITERIA, FOR THE
9 SELECTION OF PUPIL SPEAKERS AT SCHOOL EVENTS AND GRADUATION
10 CEREMONIES.

11 (C) ENSURE THAT A PUPIL SPEAKER DOES NOT ENGAGE IN OBSCENE,
12 VULGAR, OFFENSIVELY LEWD, OR INDECENT SPEECH.

13 (D) STATE, IN WRITING, ORALLY, OR BOTH, THAT THE PUPIL'S
14 SPEECH DOES NOT REFLECT THE ENDORSEMENT, SPONSORSHIP, POSITION, OR
15 EXPRESSION OF THE PUBLIC SCHOOL. THE POLICY SHALL PROVIDE THAT THIS
16 DISCLAIMER MUST BE PROVIDED AT ALL GRADUATION CEREMONIES AND, IF A
17 NEED EXISTS TO DISPEL CONFUSION OVER THE PUBLIC SCHOOL'S
18 NONSPONSORSHIP OF THE PUPIL'S SPEECH, AT ANY OTHER EVENT IN WHICH A
19 PUPIL SPEAKS PUBLICLY.

20 (E) ENSURE THAT PUPIL EXPRESSION ON AN OTHERWISE PERMISSIBLE
21 SUBJECT MAY NOT BE EXCLUDED FROM THE LIMITED PUBLIC FORUM BECAUSE
22 THE SUBJECT IS EXPRESSED FROM A RELIGIOUS VIEWPOINT.

23 (5) THE BOARD OF A SCHOOL DISTRICT OR INTERMEDIATE SCHOOL
24 DISTRICT OR BOARD OF DIRECTORS OF A PUBLIC SCHOOL ACADEMY SHALL
25 ADOPT AND IMPLEMENT A LOCAL POLICY REGARDING A LIMITED PUBLIC FORUM
26 AND VOLUNTARY PUPIL EXPRESSION OF RELIGIOUS VIEWPOINTS.

27 (6) IF A SCHOOL DISTRICT, INTERMEDIATE SCHOOL DISTRICT, OR

1 PUBLIC SCHOOL ACADEMY VOLUNTARILY ADOPTS AND FOLLOWS THE MODEL
2 POLICY GOVERNING VOLUNTARY RELIGIOUS EXPRESSION IN PUBLIC SCHOOLS
3 CONTAINED IN THIS SUBSECTION, THE SCHOOL DISTRICT, INTERMEDIATE
4 SCHOOL DISTRICT, OR PUBLIC SCHOOL ACADEMY IS CONSIDERED TO BE IN
5 COMPLIANCE WITH THE PROVISIONS OF THIS SECTION THAT ARE COVERED BY
6 THE MODEL POLICY. THE TERM "SCHOOL DISTRICT" IN THE MODEL POLICY
7 MAY BE REVISED TO REFLECT USAGE BY AN INTERMEDIATE SCHOOL DISTRICT
8 OR PUBLIC SCHOOL ACADEMY. THE FOLLOWING IS THE MODEL POLICY
9 REGARDING A LIMITED PUBLIC FORUM AND VOLUNTARY PUPIL EXPRESSION OF
10 RELIGIOUS VIEWPOINTS:

11 "ARTICLE I

12 STUDENT EXPRESSION OF RELIGIOUS VIEWPOINTS

13 THE SCHOOL DISTRICT SHALL TREAT A STUDENT'S VOLUNTARY
14 EXPRESSION OF A RELIGIOUS VIEWPOINT, IF ANY, ON AN OTHERWISE
15 PERMISSIBLE SUBJECT IN THE SAME MANNER THE SCHOOL DISTRICT TREATS A
16 STUDENT'S VOLUNTARY EXPRESSION OF A SECULAR OR OTHER VIEWPOINT ON
17 AN OTHERWISE PERMISSIBLE SUBJECT AND MAY NOT DISCRIMINATE AGAINST
18 THE PUPIL BASED ON A RELIGIOUS VIEWPOINT EXPRESSED BY THE STUDENT
19 ON AN OTHERWISE PERMISSIBLE SUBJECT.

20 ARTICLE II

21 STUDENT SPEAKERS AT NONGRADUATION EVENTS

22 THE SCHOOL DISTRICT HEREBY CREATES A LIMITED PUBLIC FORUM FOR
23 STUDENT SPEAKERS AT ALL SCHOOL EVENTS AT WHICH A STUDENT IS TO
24 PUBLICLY SPEAK. FOR EACH SPEAKER, THE SCHOOL DISTRICT SHALL SET A
25 MAXIMUM TIME LIMIT REASONABLE AND APPROPRIATE TO THE OCCASION.
26 STUDENT SPEAKERS SHALL INTRODUCE:

27 (A) FOOTBALL GAMES;

1 (B) ANY OTHER ATHLETIC EVENTS DESIGNATED BY THE SCHOOL
2 DISTRICT;

3 (C) OPENING ANNOUNCEMENTS AND GREETINGS FOR THE SCHOOL DAY;
4 AND

5 (D) ANY ADDITIONAL EVENTS DESIGNATED BY THE SCHOOL DISTRICT,
6 WHICH MAY INCLUDE, WITHOUT LIMITATION, ASSEMBLIES AND PEP RALLIES.

7 THE FORUM SHALL BE LIMITED IN THE MANNER PROVIDED BY THIS
8 ARTICLE.

9 ONLY THOSE STUDENTS WHO ARE IN THE HIGHEST 2 GRADE LEVELS OF
10 THE SCHOOL AND WHO HOLD 1 OF THE FOLLOWING POSITIONS OF HONOR BASED
11 ON NEUTRAL CRITERIA ARE ELIGIBLE TO USE THE LIMITED PUBLIC FORUM:
12 STUDENT COUNCIL OFFICERS, CLASS OFFICERS OF THE HIGHEST GRADE LEVEL
13 IN THE SCHOOL, CAPTAINS OF THE FOOTBALL TEAM, AND OTHER STUDENTS
14 HOLDING POSITIONS OF HONOR AS THE SCHOOL DISTRICT MAY DESIGNATE.

15 AN ELIGIBLE STUDENT SHALL BE NOTIFIED OF THE STUDENT'S
16 ELIGIBILITY, AND A STUDENT WHO WISHES TO PARTICIPATE AS AN
17 INTRODUCING SPEAKER SHALL SUBMIT THE STUDENT'S NAME TO THE STUDENT
18 COUNCIL OR OTHER DESIGNATED BODY DURING AN ANNOUNCED PERIOD OF NOT
19 LESS THAN 3 DAYS. THE ANNOUNCED PERIOD MAY BE AT THE BEGINNING OF
20 THE SCHOOL YEAR, AT THE END OF THE PRECEDING SCHOOL YEAR SO STUDENT
21 SPEAKERS ARE IN PLACE FOR THE NEW YEAR, OR, IF THE SELECTION
22 PROCESS WILL BE REPEATED EACH SEMESTER, AT THE BEGINNING OF EACH
23 SEMESTER OR AT THE END OF THE PRECEDING SEMESTER SO SPEAKERS ARE IN
24 PLACE FOR THE NEXT SEMESTER. THE NAMES OF THE VOLUNTEERING STUDENT
25 SPEAKERS SHALL BE RANDOMLY DRAWN UNTIL ALL NAMES HAVE BEEN
26 SELECTED, AND THE NAMES SHALL BE LISTED IN THE ORDER DRAWN. EACH
27 SELECTED STUDENT WILL BE MATCHED CHRONOLOGICALLY TO THE EVENT FOR

1 WHICH THE STUDENT WILL BE GIVING THE INTRODUCTION. EACH STUDENT
2 MAY SPEAK FOR 1 WEEK AT A TIME FOR ALL INTRODUCTIONS OF EVENTS THAT
3 WEEK, OR ROTATE AFTER EACH SPEAKING EVENT, OR OTHERWISE AS
4 DETERMINED BY THE SCHOOL DISTRICT. THE LIST OF STUDENT SPEAKERS
5 SHALL BE CHRONOLOGICALLY REPEATED AS NEEDED, IN THE SAME ORDER. THE
6 SCHOOL DISTRICT MAY REPEAT THE SELECTION PROCESS EACH SEMESTER
7 RATHER THAN ONCE A YEAR.

8 THE SUBJECT OF THE STUDENT INTRODUCTIONS MUST BE RELATED TO
9 THE PURPOSE OF THE EVENT AND TO THE PURPOSE OF MARKING THE OPENING
10 OF THE EVENT, HONORING THE OCCASION, THE PARTICIPANTS, AND THOSE IN
11 ATTENDANCE, BRINGING THE AUDIENCE TO ORDER, AND FOCUSING THE
12 AUDIENCE ON THE PURPOSE OF THE EVENT. THE SUBJECT MUST BE
13 DESIGNATED, A STUDENT MUST STAY ON THE SUBJECT, AND THE STUDENT MAY
14 NOT ENGAGE IN OBSCENE, VULGAR, OFFENSIVELY LEWD, OR INDECENT
15 SPEECH.

16 THE SCHOOL DISTRICT SHALL TREAT A STUDENT'S VOLUNTARY
17 EXPRESSION OF A RELIGIOUS VIEWPOINT, IF ANY, ON AN OTHERWISE
18 PERMISSIBLE SUBJECT IN THE SAME MANNER THE SCHOOL DISTRICT TREATS A
19 STUDENT'S VOLUNTARY EXPRESSION OF A SECULAR OR OTHER VIEWPOINT ON
20 AN OTHERWISE PERMISSIBLE SUBJECT AND MAY NOT DISCRIMINATE AGAINST
21 THE STUDENT BASED ON A RELIGIOUS VIEWPOINT EXPRESSED BY THE STUDENT
22 ON AN OTHERWISE PERMISSIBLE SUBJECT.

23 IF THERE IS A NEED TO DISPEL CONFUSION OVER THE NONSPONSORSHIP
24 OF THE STUDENT'S SPEECH AT EACH EVENT IN WHICH A STUDENT WILL
25 DELIVER AN INTRODUCTION, A DISCLAIMER SHALL BE STATED IN WRITTEN OR
26 ORAL FORM, OR BOTH, SUCH AS, "THE STUDENT GIVING THE INTRODUCTION
27 FOR THIS EVENT IS A VOLUNTEERING STUDENT SELECTED ON NEUTRAL

1 CRITERIA TO INTRODUCE THE EVENT. THE CONTENT OF THE INTRODUCTION IS
2 THE PRIVATE EXPRESSION OF THE STUDENT AND DOES NOT REFLECT THE
3 ENDORSEMENT, SPONSORSHIP, POSITION OR EXPRESSION OF THE SCHOOL
4 DISTRICT."

5 CERTAIN STUDENTS WHO HAVE ATTAINED SPECIAL POSITIONS OF HONOR
6 IN THE SCHOOL HAVE TRADITIONALLY ADDRESSED SCHOOL AUDIENCES FROM
7 TIME TO TIME AS A TANGENTIAL COMPONENT OF THEIR ACHIEVED POSITIONS
8 OF HONOR, SUCH AS THE CAPTAINS OF VARIOUS SPORTS TEAMS, STUDENT
9 COUNCIL OFFICERS, CLASS OFFICERS, HOMECOMING KINGS AND QUEENS, PROM
10 KINGS AND QUEENS, AND THE LIKE, AND HAVE ATTAINED THEIR POSITIONS
11 BASED ON NEUTRAL CRITERIA. NOTHING IN THIS POLICY ELIMINATES THE
12 CONTINUATION OF THE PRACTICE OF HAVING THESE STUDENTS, IRRESPECTIVE
13 OF GRADE LEVEL, ADDRESS SCHOOL AUDIENCES IN THE NORMAL COURSE OF
14 THEIR RESPECTIVE POSITIONS. THE SCHOOL DISTRICT SHALL CREATE A
15 LIMITED PUBLIC FORUM FOR THE SPEAKERS AND SHALL TREAT A STUDENT'S
16 VOLUNTARY EXPRESSION OF A RELIGIOUS VIEWPOINT, IF ANY, ON AN
17 OTHERWISE PERMISSIBLE SUBJECT IN THE SAME MANNER THE DISTRICT
18 TREATS A STUDENT'S VOLUNTARY EXPRESSION OF A SECULAR OR OTHER
19 VIEWPOINT ON AN OTHERWISE PERMISSIBLE SUBJECT AND MAY NOT
20 DISCRIMINATE AGAINST THE STUDENT BASED ON A RELIGIOUS VIEWPOINT
21 EXPRESSED BY THE STUDENT ON AN OTHERWISE PERMISSIBLE SUBJECT.

22 ARTICLE III

23 STUDENT SPEAKERS AT GRADUATION CEREMONIES

24 THE SCHOOL DISTRICT HEREBY CREATES A LIMITED PUBLIC FORUM
25 CONSISTING OF AN OPPORTUNITY FOR A STUDENT TO SPEAK TO BEGIN
26 GRADUATION CEREMONIES AND ANOTHER STUDENT TO SPEAK TO END
27 GRADUATION CEREMONIES. FOR EACH SPEAKER, THE SCHOOL DISTRICT SHALL

1 SET A MAXIMUM TIME LIMIT REASONABLE AND APPROPRIATE TO THE
2 OCCASION.

3 THE FORUM SHALL BE LIMITED IN THE MANNER PROVIDED BY THIS
4 ARTICLE.

5 ONLY STUDENTS WHO ARE GRADUATING AND WHO HOLD 1 OF THE
6 FOLLOWING NEUTRAL CRITERIA POSITIONS OF HONOR SHALL BE ELIGIBLE TO
7 USE THE LIMITED PUBLIC FORUM: STUDENT COUNCIL OFFICERS, CLASS
8 OFFICERS OF THE GRADUATING CLASS, THE TOP 3 ACADEMICALLY RANKED
9 GRADUATES, OR A SHORTER OR LONGER LIST OF STUDENT LEADERS AS THE
10 SCHOOL DISTRICT MAY DESIGNATE. A STUDENT WHO WILL OTHERWISE HAVE A
11 SPEAKING ROLE IN THE GRADUATION CEREMONIES IS INELIGIBLE TO GIVE
12 THE OPENING AND CLOSING REMARKS. THE NAMES OF THE ELIGIBLE
13 VOLUNTEERING STUDENTS WILL BE RANDOMLY DRAWN. THE FIRST NAME DRAWN
14 WILL GIVE THE OPENING AND THE SECOND NAME DRAWN WILL GIVE THE
15 CLOSING.

16 THE TOPIC OF THE OPENING AND CLOSING REMARKS MUST BE RELATED
17 TO THE PURPOSE OF THE GRADUATION CEREMONY AND TO THE PURPOSE OF
18 MARKING THE OPENING AND CLOSING OF THE EVENT, HONORING THE
19 OCCASION, THE PARTICIPANTS, AND THOSE IN ATTENDANCE, BRINGING THE
20 AUDIENCE TO ORDER, AND FOCUSING THE AUDIENCE ON THE PURPOSE OF THE
21 EVENT.

22 IN ADDITION TO THE STUDENTS GIVING THE OPENING AND CLOSING
23 REMARKS, CERTAIN OTHER STUDENTS WHO HAVE ATTAINED SPECIAL POSITIONS
24 OF HONOR BASED ON NEUTRAL CRITERIA, INCLUDING, WITHOUT LIMITATION,
25 THE VALEDICTORIAN, WILL HAVE SPEAKING ROLES AT GRADUATION
26 CEREMONIES. FOR EACH SPEAKER, THE SCHOOL DISTRICT SHALL SET A
27 MAXIMUM TIME LIMIT REASONABLE AND APPROPRIATE TO THE OCCASION AND

1 TO THE POSITION HELD BY THE SPEAKER. FOR THIS PURPOSE, THE SCHOOL
2 DISTRICT CREATES A LIMITED PUBLIC FORUM FOR THESE STUDENTS TO
3 DELIVER THE ADDRESSES. THE SUBJECT OF THE ADDRESSES MUST BE RELATED
4 TO THE PURPOSE OF THE GRADUATION CEREMONY, MARKING AND HONORING THE
5 OCCASION, HONORING THE PARTICIPANTS AND THOSE IN ATTENDANCE, AND
6 THE STUDENT'S PERSPECTIVE ON PURPOSE, ACHIEVEMENT, LIFE, SCHOOL,
7 GRADUATION, AND LOOKING FORWARD TO THE FUTURE.

8 THE SUBJECT MUST BE DESIGNATED FOR EACH STUDENT SPEAKER, THE
9 STUDENT MUST STAY ON THE SUBJECT, AND THE STUDENT MAY NOT ENGAGE IN
10 OBSCENE, VULGAR, OFFENSIVELY LEWD, OR INDECENT SPEECH. THE SCHOOL
11 DISTRICT SHALL TREAT A STUDENT'S VOLUNTARY EXPRESSION OF A
12 RELIGIOUS VIEWPOINT, IF ANY, ON AN OTHERWISE PERMISSIBLE SUBJECT IN
13 THE SAME MANNER THE SCHOOL DISTRICT TREATS A STUDENT'S VOLUNTARY
14 EXPRESSION OF A SECULAR OR OTHER VIEWPOINT ON AN OTHERWISE
15 PERMISSIBLE SUBJECT AND MAY NOT DISCRIMINATE AGAINST THE STUDENT
16 BASED ON A RELIGIOUS VIEWPOINT EXPRESSED BY THE STUDENT ON AN
17 OTHERWISE PERMISSIBLE SUBJECT.

18 A WRITTEN DISCLAIMER SHALL BE PRINTED IN THE GRADUATION
19 PROGRAM THAT STATES: "THE STUDENTS WHO WILL BE SPEAKING AT THE
20 GRADUATION CEREMONY WERE SELECTED BASED ON NEUTRAL CRITERIA TO
21 DELIVER MESSAGES OF THE STUDENTS' OWN CHOICES. THE CONTENT OF EACH
22 STUDENT SPEAKER'S MESSAGE IS THE PRIVATE EXPRESSION OF THE
23 INDIVIDUAL STUDENT AND DOES NOT REFLECT ANY POSITION OR EXPRESSION
24 OF THE SCHOOL DISTRICT OR THE SCHOOL BOARD, OR THE SCHOOL
25 DISTRICT'S ADMINISTRATION, OR EMPLOYEES OF THE SCHOOL DISTRICT, OR
26 THE VIEWS OF ANY OTHER GRADUATE. THE CONTENTS OF THESE MESSAGES
27 WERE PREPARED BY THE STUDENT VOLUNTEERS, AND THE SCHOOL DISTRICT

1 REFRAINED FROM ANY INTERACTION WITH STUDENT SPEAKERS REGARDING THE
2 STUDENT SPEAKERS' VIEWPOINTS ON PERMISSIBLE SUBJECTS."

3 ARTICLE IV

4 RELIGIOUS EXPRESSION IN CLASS ASSIGNMENTS

5 STUDENTS MAY EXPRESS THE STUDENTS' BELIEFS ABOUT RELIGION IN
6 HOMEWORK, ARTWORK, AND OTHER WRITTEN AND ORAL ASSIGNMENTS FREE FROM
7 DISCRIMINATION BASED ON THE RELIGIOUS CONTENT OF THE STUDENTS'
8 SUBMISSION. HOMEWORK AND CLASSROOM WORK SHALL BE JUDGED BY ORDINARY
9 ACADEMIC STANDARDS OF SUBSTANCE AND RELEVANCE AND AGAINST OTHER
10 LEGITIMATE PEDAGOGICAL CONCERNS IDENTIFIED BY THE SCHOOL. STUDENTS
11 MAY NOT BE PENALIZED OR REWARDED ON ACCOUNT OF RELIGIOUS CONTENT.

12 IF A TEACHER'S ASSIGNMENT INVOLVES WRITING A POEM, THE WORK OF
13 A STUDENT WHO SUBMITS A POEM IN THE FORM OF A PRAYER (FOR EXAMPLE,
14 A PSALM) SHOULD BE JUDGED ON THE BASIS OF ACADEMIC STANDARDS,
15 INCLUDING LITERARY QUALITY, AND NOT PENALIZED OR REWARDED ON
16 ACCOUNT OF ITS RELIGIOUS CONTENT.

17 ARTICLE V

18 FREEDOM TO ORGANIZE RELIGIOUS GROUPS AND ACTIVITIES

19 STUDENTS MAY ORGANIZE PRAYER GROUPS, RELIGIOUS CLUBS, "SEE YOU
20 AT THE POLE" GATHERINGS, AND OTHER RELIGIOUS GATHERINGS BEFORE,
21 DURING, AND AFTER SCHOOL TO THE SAME EXTENT THAT STUDENTS ARE
22 PERMITTED TO ORGANIZE OTHER NONCURRICULAR STUDENT ACTIVITIES AND
23 GROUPS. RELIGIOUS GROUPS MUST BE GIVEN THE SAME ACCESS TO SCHOOL
24 FACILITIES FOR ASSEMBLING AS IS GIVEN TO OTHER NONCURRICULAR
25 GROUPS, WITHOUT DISCRIMINATION BASED ON THE RELIGIOUS CONTENT OF
26 THE GROUP'S EXPRESSION. IF STUDENT GROUPS THAT MEET FOR
27 NONRELIGIOUS ACTIVITIES ARE PERMITTED TO ADVERTISE OR ANNOUNCE THE

1 GROUPS' MEETINGS, FOR EXAMPLE, BY ADVERTISING IN A STUDENT
2 NEWSPAPER, PUTTING UP POSTERS, MAKING ANNOUNCEMENTS ON A STUDENT
3 ACTIVITIES BULLETIN BOARD OR PUBLIC ADDRESS SYSTEM, OR HANDING OUT
4 LEAFLETS, SCHOOL AUTHORITIES MAY NOT DISCRIMINATE AGAINST GROUPS
5 THAT MEET FOR PRAYER OR OTHER RELIGIOUS SPEECH. SCHOOL AUTHORITIES
6 MAY DISCLAIM SPONSORSHIP OF NONCURRICULAR GROUPS AND EVENTS,
7 PROVIDED THEY ADMINISTER THE DISCLAIMER IN A MANNER THAT DOES NOT
8 FAVOR OR DISFAVOR GROUPS THAT MEET TO ENGAGE IN PRAYER OR OTHER
9 RELIGIOUS SPEECH."

10 (7) THIS SECTION DOES NOT AUTHORIZE THIS STATE OR ANY OF ITS
11 POLITICAL SUBDIVISIONS TO DO EITHER OF THE FOLLOWING:

12 (A) REQUIRE ANY PERSON TO PARTICIPATE IN PRAYER OR IN ANY
13 OTHER RELIGIOUS ACTIVITY.

14 (B) VIOLATE THE CONSTITUTIONAL RIGHTS OF ANY PERSON.

15 (8) THIS SECTION DOES NOT LIMIT THE AUTHORITY OF ANY PUBLIC
16 SCHOOL TO DO ANY OF THE FOLLOWING:

17 (A) MAINTAIN ORDER AND DISCIPLINE ON THE CAMPUS OF THE PUBLIC
18 SCHOOL IN A CONTENT AND VIEWPOINT NEUTRAL MANNER.

19 (B) PROTECT THE SAFETY OF PUPILS, EMPLOYEES, AND VISITORS OF
20 THE PUBLIC SCHOOL.

21 (C) ADOPT AND ENFORCE POLICIES AND PROCEDURES REGARDING PUPIL
22 SPEECH AT SCHOOL IF THOSE POLICIES AND PROCEDURES DO NOT VIOLATE
23 THE RIGHTS OF PUPILS AS GUARANTEED BY STATE AND FEDERAL
24 CONSTITUTION AND LAW.

25 (9) THIS SECTION APPLIES BEGINNING WITH THE 2015-2016 SCHOOL
26 YEAR.

27 (10) AS USED IN THIS SECTION, "PUBLIC SCHOOL" INCLUDES A

- 1 PUBLIC SCHOOL'S EMPLOYEES AND PERSONS OR ENTITIES UNDER CONTRACT
- 2 WITH THE GOVERNING BODY OF THE PUBLIC SCHOOL.