

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 permitting a limited public  
18 forum for student speakers in the event students or parents  
19 request such a forum.

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21 (b) The policy regarding the limited public forum  
22 shall require the school district to, upon request, provide  
23 the forum in a manner that does not discriminate against a

1 student's voluntary expression of a religious viewpoint, if  
2 any, on an otherwise permissible subject.

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4 (c) 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 (d) 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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1       **Section 3.** This act is effective July 1, 2015.

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(END)

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