

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 COMMITTEE SUBSTITUTE  
4 FOR  
5 HOUSE BILL NO. 1001

By: Reynolds and Kern

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7 COMMITTEE SUBSTITUTE

8 An Act relating to schools; creating the Religious Viewpoints  
9 Antidiscrimination Act; requiring school districts to treat student expression in  
10 certain manner; allowing student religious expression in class assignments;  
11 specifying standards for judging homework and classroom assignments;  
12 allowing students to organize religious groups and activities; specifying  
13 treatment of religious groups; allowing school districts to disclaim school  
14 sponsorship of student groups; requiring school districts to adopt and implement  
15 a limited public forum and voluntary student expression of religious viewpoints  
16 policy; specifying that school districts adopting the model policy are compliant  
17 with the act; setting forth the Model Religious Viewpoints Antidiscrimination  
18 Policy; defining term; providing for student expression of religious viewpoints;  
19 providing for religious expression in class assignments; requiring homework and  
20 classroom work to be judged on certain standard; providing for the freedom to  
21 organize religious groups and activities; specifying treatment of religious  
22 groups; allowing school districts to disclaim sponsorship of groups and events;  
23 providing for codification; providing an effective date; and declaring an  
24 emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as  
Section 27-101 of Title 70, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the “Religious Viewpoints Antidiscrimination Act”.

1 SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as  
2 Section 27-102 of Title 70, unless there is created a duplication in numbering, reads as follows:

3 A school district shall treat the voluntary expression of a student of a religious viewpoint, if any,  
4 on an otherwise permissible subject in the same manner the district treats the voluntary expression by a  
5 student of a secular or other viewpoint on an otherwise permissible subject and may not discriminate  
6 against the student based on a religious viewpoint, if any, expressed by the student on an otherwise  
7 permissible subject.

8 SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as  
9 Section 27-103 of Title 70, unless there is created a duplication in numbering, reads as follows:

10 Students may express their beliefs about religion in homework, artwork, and other written and  
11 oral assignments free from discrimination based on the religious content of their submissions.  
12 Homework and classroom assignments shall be judged by ordinary academic standards of substance  
13 and relevance and against other legitimate pedagogical concerns identified by the school district.  
14 Students shall not be penalized or rewarded on account of the religious content of their work.

15 SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as  
16 Section 27-104 of Title 70, unless there is created a duplication in numbering, reads as follows:

17 Students may organize prayer groups, religious clubs, "see you at the pole" gatherings, or other  
18 religious gatherings before, during, and after school to the same extent that students are permitted to  
19 organize other noncurricular student activities and groups. Religious groups shall be given the same  
20 access to school facilities for assembling as is given to other noncurricular groups without  
21 discrimination based on the religious content of the student expression. If student groups that meet for  
22 nonreligious activities are permitted to advertise or announce meetings of the groups, the school  
23 district shall not discriminate against groups that meet for prayer or other religious speech. A school  
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1 district may disclaim school sponsorship of noncurricular groups and events in a manner that neither  
2 favors nor disfavors groups that meet to engage in prayer or religious speech.

3 SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as  
4 Section 27-105 of Title 70, unless there is created a duplication in numbering, reads as follows:

5 Each school district in the state shall adopt and implement a local policy regarding a limited  
6 public forum and voluntary student expression of religious viewpoints. If a school district voluntarily  
7 adopts and follows the model policy governing voluntary religious expression in public schools as  
8 provided by Section 6 of this act, the district shall be in compliance with the provisions of the  
9 Religious Viewpoints Antidiscrimination Act covered by the model policy.

10 SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as  
11 Section 27-106 of Title 70, unless there is created a duplication in numbering, reads as follows:

12 This section sets forth the provisions of the Model Religious Viewpoints Antidiscrimination  
13 Policy. As used in the Religious Viewpoints Antidiscrimination Act, "model policy" means a local  
14 policy adopted by a school district that is substantially identical to the following:

15 ARTICLE I. STUDENT EXPRESSION OF RELIGIOUS VIEWPOINTS

16 The school district shall treat the voluntary expression by a student of a religious viewpoint, if  
17 any, on an otherwise permissible subject in the same manner the district treats the voluntary expression  
18 by a student of a secular or other viewpoint on an otherwise permissible subject and may not  
19 discriminate against the student based on a religious viewpoint, if any, expressed by the student on an  
20 otherwise permissible subject.

21 ARTICLE II. RELIGIOUS EXPRESSION IN CLASS ASSIGNMENTS

22 Students may express the beliefs of the student about religion in homework, artwork, and other  
23 written and oral assignments free from discrimination based on the religious content of the submission  
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1 by the student. Homework and classroom work shall be judged by ordinary academic standards of  
2 substance and relevance and against other legitimate pedagogical concerns identified by the school.  
3 Students shall not be penalized or rewarded on account of religious content. If the assignment of a  
4 teacher involves writing a poem, the work of a student who submits a poem in the form of a prayer, for  
5 example a psalm, should be judged on the basis of academic standards, including literary quality, and  
6 not penalized or rewarded on account of its religious content.

### 7 ARTICLE III. FREEDOM TO ORGANIZE RELIGIOUS GROUPS AND ACTIVITIES

8 Students may organize prayer groups, religious clubs, "see you at the pole" gatherings, and other  
9 religious gatherings before, during, and after school to the same extent that students are permitted to  
10 organize other noncurricular student activities and groups. Religious groups shall be given the same  
11 access to school facilities for assembling as is given to other noncurricular groups, without  
12 discrimination based on the religious content of the expression of the group. If student groups that  
13 meet for nonreligious activities are permitted to advertise or announce the groups' meetings, for  
14 example, by advertising in a student newspaper, putting up posters, making announcements on a  
15 student activities bulletin board or public address system, or handing out leaflets, school authorities  
16 shall not discriminate against groups that meet for prayer or other religious speech. School authorities  
17 may disclaim sponsorship of noncurricular groups and events, provided they administer the disclaimer  
18 in a manner that does not favor or disfavor groups that meet to engage in prayer or other religious  
19 speech.

20 SECTION 7. This act shall become effective July 1, 2009.

21 SECTION 8. It being immediately necessary for the preservation of the public peace, health and  
22 safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in  
23 full force from and after its passage and approval.  
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