

HOUSE BILL No. 2779

By Committee on Federal and State Affairs

2-6

9 AN ACT relating to education; concerning a bill of religious rights for
10 students and others.

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12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. (a) The state board of education shall establish on or be-
14 fore September 1, 2008, a written religious bill of rights for public school
15 students and their parents or guardians that outline existing and inalien-
16 able individual religious rights. The religious bill of rights for public school
17 students and their parents or guardians shall include, but need not be
18 limited to, a declaration that a public school student has an inalienable
19 right to:

20 (1) Express such person's religious beliefs on a public school campus
21 and at a school-sponsored event to the same extent as such person may
22 express personal secular viewpoints;

23 (2) participate in a private religious ceremony held on a public school
24 campus outside of instructional time;

25 (3) exchange an item with a religious theme when greeting cards or
26 other items are exchanged at a public school;

27 (4) sing religious songs along with secular songs as part of a school-
28 sponsored or curriculum-related program;

29 (5) use a religious greeting;

30 (6) wear religious garb on a public school campus, including but not
31 limited to, clothing with a religious message;

32 (7) express such person's religious beliefs in responding to a school
33 assignment if the response fairly meets the educational purpose of the
34 assignment;

35 (8) select religious material for a school assignment if the material
36 fairly meets the educational purpose of the assignment; and

37 (9) recite religious material when an oral recitation is assigned if the
38 religious material fairly meets the educational purpose of the assignment.

39 (b) No later than September 1, 2008, the state board shall establish
40 a written religious bill of rights for teachers and employees of public
41 schools that outlines existing and inalienable individual religious rights.
42 The religious bill of rights for teachers and employees of public schools
43 shall include, but need not be limited to, a declaration that a teacher or

- 1 an employee of a public school has an inalienable right to:
- 2 (1) Teach a religious topic in public school for historical or literary
 - 3 purposes;
 - 4 (2) teach the religious origin of a holiday;
 - 5 (3) display religious materials and items that relate to a topic being
 - 6 discussed in the classroom, including, but not limited to, a creche during
 - 7 Christmas or a menorah during Hanukkah;
 - 8 (4) allow students to exchange items with religious themes when
 - 9 greeting cards or other items are normally exchanged;
 - 10 (5) participate in a non-school-sponsored activity that is considered
 - 11 religious, including, but not limited to, bible clubs and prayer meetings;
 - 12 (6) answer a student's question on a religious topic;
 - 13 (7) not be required to teach a topic that violates the teacher's religious
 - 14 beliefs and not be disciplined for refusing to teach the topic;
 - 15 (8) wear religious jewelry; and
 - 16 (9) use a religious greeting as a recognition of a religious holiday.
- 17 (c) On or before July 1, 2009, and on or before July 1 each year
- 18 thereafter, the state board shall prepare updated guidelines to the relig-
- 19 ious bills of rights and distribute them to the local boards of education.
- 20 (d) On or before August 1, 2008, the state board shall post the relig-
- 21 ious bills of rights on its official website.
- 22 Sec. 2. (a) In addition to any other duty required to be performed
- 23 by law, each local board of education no later than December 1, 2008,
- 24 shall adopt written policies and procedures to implement the religious
- 25 bills of rights as established by the state board of education under pro-
- 26 visions of section 1, and amendments thereto, including, but not limited
- 27 to, ways to:
- 28 (1) Inform annually each public high school student in writing at the
 - 29 beginning of each school year or, in the case of a new or transfer student,
 - 30 at the time of enrollment of the religious bill of rights. Each public high
 - 31 school shall keep on file a copy of the student's acknowledgment of re-
 - 32 ceipt of the religious bill of rights.
 - 33 (2) Inform annually each parent or guardian of a newly registered or
 - 34 continuing public high school, middle school, junior high school and el-
 - 35 elementary school student in writing at the beginning of each school year
 - 36 of the religious bill of rights. Each middle school, junior high school or
 - 37 elementary school shall keep on file a signed document from the parent
 - 38 or guardian that states the parent or guardian is aware of the religious
 - 39 bill of rights.
 - 40 (3) Provide a written copy of the religious bill of rights to each new
 - 41 public school employee at the new employee's orientation and to each
 - 42 existing employee by December 1, 2008, and by August 1 each year
 - 43 thereafter.

- 1 (4) Provide annually each public school employee, including teachers
2 and administrators, with updated guidelines concerning the goal and use
3 of the religious bill of rights, as defined by the state board of education.
4 Each public school employee shall sign a form confirming receipt of this
5 information. The employee shall receive a copy of the signed form and a
6 copy shall be kept in the employee's personnel file.
- 7 (5) Provide information to each public school teacher concerning the
8 religious bill of rights through written materials and discussions at annual
9 teacher in-service meetings and through annual written communication
10 to teachers within one month prior to the start of each school year.
- 11 (b) In addition to the duties set forth in subsection (1) of this section,
12 each local board of education shall adopt policies and procedures
13 allowing:
- 14 (1) A high school student to opt out of any class or the use of specific
15 course material that is inconsistent with the student's religious beliefs; or
16 (2) a parent or guardian of an elementary school, middle school or
17 junior high school student to excuse the student from any class or the use
18 of specific course material that is inconsistent with the parent's religious
19 beliefs.
- 20 Sec. 3. This act shall take effect and be in force from and after its
21 publication in the statute book.