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**HOUSE BILL NO. 1135**

Offered January 9, 2008

Prefiled January 9, 2008

*A BILL to amend the Code of Virginia by adding a section numbered 22.1-203.3, relating to voluntary expression of religious viewpoints in public schools.*

Patrons—Fralin, Carrico and Peace

Referred to Committee on Education

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding a section numbered 22.1-203.3 as follows:**

*§ 22.1-203.3. Limited public forum and religious viewpoint expression; student expression; regulations.*

*A. A student's voluntary expression of a religious viewpoint on an otherwise permissible subject shall be treated in the same manner as a student's voluntary expression of a secular or other viewpoint on an otherwise permissible subject, and the school division shall not discriminate against the student based on a religious viewpoint expressed by the student.*

*B. Each local school board shall establish and implement a policy, in order to ensure that the school division does not discriminate against a student's publicly stated voluntary expression of a religious viewpoint and to eliminate any actual or perceived affirmative school sponsorship or attribution to the division of a student's expression of a religious viewpoint, to include the establishment of a limited public forum for student speakers at all school events at which a student is to publicly speak. The policy shall also require the school division to: (i) provide the forum in a manner that does not discriminate against a student's voluntary expression of a religious viewpoint, if any, on an otherwise permissible subject; (ii) provide a method, based on neutral criteria, for the selection of student speakers at school events and graduation ceremonies; (iii) ensure that a student speaker does not engage in obscene, vulgar, offensively lewd, or indecent speech; and (iv) state in writing, orally, or both, that the student's speech does not reflect the endorsement, sponsorship, position, or expression of the school division.*

*C. Student expression on an otherwise permissible subject may not be excluded from the limited public forum because the subject is expressed from a religious viewpoint.*

*D. Students may express their beliefs about religion in homework, artwork, and other written and oral assignments free from discrimination based on the religious content of their submissions. Students may not be penalized or rewarded on account of the religious content of their work.*

*E. The Board of Education shall promulgate and implement regulations regarding a limited public forum and voluntary student expression of religious viewpoints.*

*For the purposes of this section, "limited public forum" means a type of nonpublic forum that the school has opened up to certain groups or certain topics.*

INTRODUCED

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