



Bills that Promote Prayer In Public Schools

Public school students have the right to pray and engage in other voluntary, student-led religious activities. This is guaranteed by the First Amendment. But under the guise of protecting public school students' religious expression, state legislatures are increasingly debating bills, sometimes called "Student Religious Liberty Acts," that are designed to encourage students and teachers to engage in coercive prayer and proselytization in public schools. To protect the religious freedom rights of all students, these bills should be rejected.

Religious freedom means that students and parents—not school officials, classmates, or state legislators—get to make their own decisions about religion.

Parents should be able to trust that their children will not be forced to pray, worship, or engage in other religious activities when they send them to a public school. Students should be able to attend public school without feeling bullied to participate in religious activities or feeling unwelcome because they belong to a minority faith or are nonreligious.

Students should feel like part of their school community.

Students and families should not feel excluded in their own school because of their religious beliefs or because they are not religious. School assemblies with religious content and coaches who lead prayers in the locker room alienate students with different or no religious beliefs. This can discourage many students from fully participating in school life. And no student should have to listen to prayers that vilify them or others. For example, a Jewish student should not be forced to listen to a prayer that tells him he is going to hell unless he finds Jesus, or an LGBTQ student that they are a sinner.

Students shouldn't be forced to choose between their own beliefs and appealing the teacher who grades their tests or the coach who decides whether they play in the game.

These bills would allow teachers and other school employees to pray with students. Federal courts, however, have consistently held that public school employees are forbidden to lead, initiate, or participate in religious activities involving students, even when those activities occur before or after school because it places public and peer pressure on students to join that is akin to overt compulsion. Teachers must not participate in the students' prayer in any way, including that coaches may not take a knee for player-led prayer before or after games.

These bills promote religious coercion and compulsion, not religious freedom.

These bills would allow students to deliver prayers at all official school events, including morning announcements and graduations. This will result in those of the majority religion imposing their beliefs on those of minority faiths and the nonreligious because prayers of the

majority will be repeated at school events and other settings. The Supreme Court, however, has held that public prayers at school-sponsored events—even if led by students—unconstitutionally coerce the audience to participate in religious exercise.

These bills are unnecessary and don't accurately reflect constitutional requirements.

The U.S. Constitution already protects the rights of students to engage in voluntary, student-led prayer; read the Bible in a non-disruptive way; or talk to fellow students about religion so long as it isn't harassing. Therefore, these bills are not needed to protect the Free Exercise rights of students. In addition, these bills are misleading about student rights because they don't include important limits on coercive prayer and proselytization also required by the Constitution.

These bills add more confusion than clarity for teachers.

Because these bills do not include the constitutional limits on student expression, students and teachers might think there are no limits. The Constitution, however, prohibits a teacher from allowing a student to use an oral presentation to encourage other students to accept Jesus Christ to achieve salvation. But these bills would require that religious expression be treated the same as secular expression in all instances. Teachers, therefore, may hesitate to stop such coercive or harassing behavior because they are confused or uncertain about what the law allows. And as a result, students are likely to violate the rights of their classmates without consequence.

These bills are designed to promote religion and prayer.

That these bills are a part of Project Blitz, an aggressive campaign in states across the country to pass laws that promote prayer and seek to inject a decidedly one-sided version of religion into our laws, makes the religious intent clear. The Project Blitz playbook even says the bill is designed to consider religious school employees to “participate with students in religious activities.” Funding for student groups comes from taxpayer dollars and, often, mandatory student activity fees paid by students. All-comers policies guarantee that students are not forced to fund a group that would reject them as members.

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