



Written by [Raven Clabough](#) on July 6, 2017

Florida Law Protecting Religious Expression in Public Schools Takes Effect, Critics Worried

A Florida law that protects religious expression on school grounds has just taken effect on July 1, and some critics are already expressing concerns about the impact it will have on education.

The statute, [Religious Expression in Public Schools](#), reiterates pre-existing laws and emphasizes that students have the right to engage in religious activity during school hours and have the right to make religious references in class, so long as these actions do not disrupt class time. The law also indicates that schools must provide a forum for such activities and prohibits schools from discriminating against students who choose to exercise this right, or against teachers who also choose to participate.



The law allows students to wear clothing and accessories that contain religious references, to submit schoolwork and homework that references their religious beliefs without penalty, to pray publicly on school grounds and organize prayer groups and religious gatherings before, during, and after the school day, and to access school facilities for religious purposes in the same way they would for secular purposes. It also protects student speakers who choose to express their religious viewpoints.

Additionally, the law protects teachers from discrimination by their employers on the basis of religion, and instructs school districts to permit school personnel to engage in religious activities led by students if they so choose.

Senator Dennis Baxley pointed out that the Religious Liberties Act ultimately reiterates laws that protect religious freedoms but also clears up any inconsistencies between school districts.

“Part of what we’re protecting is those basic rights for religious expression — which are protected free speech — and we’re letting people know it doesn’t stop at the property line of the school site,” Baxley said, “We owe our educators some clarity on this so it can be applied uniformly across the state and in a way that respects all faiths and [people of] no faith.”

Predictably, some critics are misinterpreting the law as one that provides teachers carte blanche to impose their religious views on students. “There are teachers who do teach science but who don’t believe in evolution,” [said](#) Brandon Hought, a high-school science teacher in Volusia County who runs the Florida Citizens for Science blog. “This could embolden them to say, ‘The law is on my side’ and start covering topics such as creationism or intelligent design in their classes.”

The Anti-Defamation League has expressed similar concerns, claiming the law has opened the door to indoctrination in the classroom.



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Haught also states that the provision of the law that allows students to submit homework with religious references could make it harder for teachers to grade critically without being accused of discrimination. "I don't think the unintended consequences were well thought out," Haught told the *Tampa Bay Times*. "I feel sorry for the school board attorneys who have to deal with this."

But as noted by Democratic Representative Kimberly Daniels of Jacksonville, who sponsored the House version of the bill, similar laws have been passed in other states and have not created the problems that critics are predicting in Florida.

Constitutional advocates defend the law as one that simply guides schools on how to protect religious liberties without recreating the wheel. "It really doesn't set forth any new law. In fact, it restates existing law," said Mat Staver of the Orlando-based Liberty Counsel. "Schools don't want to be sued. They've got better things to do. And people don't want their religious rights violated."

The law will protect students from overzealous personnel that have banned all religious expression for fear of backlash.

Earlier this year, for example, an LGBT-promoting teacher in a Hillsborough County school [banned](#) all students from wearing crosses and rosaries in her class, while simultaneously using her classroom to promote LGBT ideologies.

In Orange County, Florida, chaplains were [prohibited](#) from leading prayer before football games, and teachers and coaches could no longer engage "in a visible way with the players during student-led prayers."

And in Pasco County, Florida, football coaches were instructed to [discontinue](#) prayer before games with their teams because they inaccurately perceived those actions to be in violation of the Establishment Clause of the First Amendment.

"The pendulum has swung way, way too far, to a situation where teachers, parents and students are afraid to express things that are important to them, their core beliefs," noted Senator Rob Bradley (R-Fleming Island), who voted in favor of the law.



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