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The State of Texas House of Representatives

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Rep. Charlie Howard Files School Children's Religious Liberty Bill

(Austin) – In response to the growing confusion about religious expression in Texas public schools, Rep. Charlie Howard of Fort Bend Friday introduced a bill that outlines the extensive liberties students are guaranteed and the protection school officials receive when recognizing these liberties. The bill lays to rest many myths that have led to the unconstitutional suppression of individual speech in Texas schools.

The Religious Viewpoint Anti-Discrimination Act ([HB3678](#)) codifies the many constitutional ways a student, or groups of students, may express their faith at school and at school-sponsored events. HB3678 also outlines what activities would land a school in constitutional hot water.

“This bill leaves no doubt that individual religious expression is permissible in schools in a wide range of contexts,” said Rep. Howard. “It is a win-win for students and school officials alike, both of whom are now uncertain how to navigate what has become muddied, constitutional waters.”

HB3678 makes clear that unconstitutional censorship of students’ individual religious expression will not be allowed in Texas public schools. The bill also offers clarity for teachers and administrators who have been confused about what religious expression is permitted in schools.

“Teachers will now be able to rest easy knowing that they are both protected and bound by law in allowing students of all faiths constitutionally-guaranteed-religious speech,” said Rep. Howard. “Current policies have obviously been ineffective in protecting the school children’s free speech rights and ineffective in making clear the freedoms that teachers have in allowing these student liberties.”

Recent examples of unconstitutional censorship of school children in Texas include:

- Reprimands for talking about Jesus during Easter
- A ban on children wishing deployed troops a “Merry Christmas”



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- Children forbidden from using religious messages on gifts or cards including references to St. Valentine's Day
- Children forbidden from bringing Christmas items to a school's "Winter Party" despite the acknowledgment of other faiths during the season

"Religious expression is being treated as second-class speech in many public schools," said Houston attorney Kelly Coghlan who in 1999 obtained the first federal injunction against a school district for disallowing voluntary, publicly-stated-student prayer. "Schools are not faith-free zones, and teachers shouldn't be asked to be prayer police. Rather, schools are required to ensure a level playing field in treating student's voluntary religious expression the same as all other expression. This bill settles the issue once and for all."

Links to the 4 bullet point instances referred to above:

<http://www.alliancedefensefund.org/news/pressrelease.aspx?cid=3679>

<http://www.alliancedefensefund.org/news/pressrelease.aspx?cid=2956>

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