

**THE CIVICS ALLIANCE  
NATIONAL ASSOCIATION OF SCHOLARS  
MODEL CIVICS LEGISLATION**

**RELIGIOUS LIBERTY ACT**

**Introduction**

Several states include mandates to allow non-denominational study of the Bible in an elective course, or to allow non-denominational instruction in material from the Bible in social studies courses. The fundamental importance of the Bible in establishing America's ideals, institutions, and culture of liberty certainly justify non-denominational Bible instruction as a component of civics education. At the same time, any such instruction should scrupulously avoid endorsement of any religion or denomination.

Our model Religious Liberty bill authorizes elective study in the Bible and instruction in the Bible, but drafts this authorization so as to champion religious freedom. Our bill does not touch on matters such as a moment of silence, which is not narrowly speaking a matter of civics education.

**Model Legislative Text**

**SECTION A:**

(1) Beginning in the 20XX-20XX school year, all public schools or charter schools located within this state may offer an elective course in Bible Literacy in grades 9, 10, 11, or 12 pertaining to the Bible, its influence on Western Civilization, and its role in forming America's ideals, institutions, and culture of liberty.

(2) The elective course in Bible Literacy mentioned in Subsection (1) shall include:

- (A) Biblical content, characters, poetry, and narratives that are prerequisites to understanding the society, culture, and ideals and institutions of liberty of Western Civilization and the United States of America;
- (B) contents of the Hebrew Scriptures or New Testament;
- (C) the history of the Hebrew Scriptures or New Testament;
- (D) the literary style and structure of the Hebrew Scriptures or New Testament; and

(E) the influence of the Hebrew Scriptures or New Testament on understanding the society, culture, and ideals and institutions of liberty of Western Civilization and the United States of America.

(3) The elective course in Bible Literacy mentioned in Subsection (1) shall consist of a nonsectarian, nonreligious, objective academic course of study, with no attempt made to indoctrinate students as to either the truth or falsity of the biblical materials or texts from other religious or cultural traditions, with no attempt to include teaching of religious doctrine or sectarian interpretation of the Bible or of texts from other religious or cultural traditions, with no disparagement or encouragement of a commitment to a set of religious beliefs, and shall meet the academic rigor and curriculum standards of other social studies course offered by the public school or charter school.

(3) The elective course in Bible Literacy mentioned in Subsection (1) shall follow applicable law and all federal and state guidelines in maintaining religious neutrality and accommodating the diverse religious or nonreligious views, traditions and perspectives of pupils. This section is not intended to violate any provision of the United States Constitution, the Constitution of [name of state] or state law or any rules, guidelines or regulations adopted by the United States department of education, the [name of state] board of education, or the [name of state] department of education.

(4) A student shall not be required to use a specific translation as the sole text of the Hebrew Scriptures or New Testament and may use as the basic textbook a different translation of the Hebrew Scriptures or New Testament from that chosen by the public school, the charter school, or the student's teacher.

(5) Personnel shall not be assigned to teach the elective course in Bible Literacy mentioned in Subsection (1) based on any of the following:

- (A) a religious or nonreligious test;
- (B) a profession of faith or lack of faith;
- (C) prior or current religious affiliation or lack of religious affiliation; or
- (D) criteria involving particular beliefs or lack of beliefs about the Bible.

(6) A teacher who instructs a course offered under this section in its appropriate historical context and in good faith shall be immune from civil liability and disciplinary action for having instructed the course.

## **SECTION B**

(1) All public schools or charter schools located within this state may include instruction pertaining to the Bible, its influence on Western Civilization, and its role in forming America's ideals, institutions, and culture of liberty as a component of courses of literature or social studies, when relevant to the course of instruction.

(2) Instruction authorized by Subsection (1) shall consist of a nonsectarian, nonreligious, objective academic course of study, with no attempt made to indoctrinate students as to either the truth or falsity of the biblical materials or texts from other religious or cultural traditions, with no attempt to include teaching of religious doctrine or sectarian interpretation of the Bible or of texts from other religious or cultural traditions, with no disparagement or encouragement of a commitment to a set of religious beliefs, and shall meet the academic rigor and curriculum standards of other social studies course offered by the public school or charter school.

(3) Instruction authorized by Subsection (1) shall follow applicable law and all federal and state guidelines in maintaining religious neutrality and accommodating the diverse religious or nonreligious views, traditions and perspectives of pupils. This section is not intended to violate any provision of the United States Constitution, the Constitution of [name of state] or state law or any rules, guidelines or regulations adopted by the United States department of education, the [name of state] board of education, or the [name of state] department of education.

(4) A teacher who provides instruction authorized by Subsection (1) in its appropriate historical context and in good faith shall be immune from civil liability and disciplinary action for having provided this instruction.

## **SECTION C:**

If any provision of this chapter, or the application of any provision to any person or circumstance, is held to be invalid, the remainder of this chapter and the application of its provisions to any other person or circumstance shall not be affected thereby.

## **Existing State Statutes**

### *Bible: Elective*

Arizona: [A.R.S. § 15-717.01](#) [*Bible influence; elective course; requirements; immunity*]

Arkansas: [ACA § 6-16-145](#) [*Academic study of the Bible course*]

Georgia: [O.C.G.A. § 20-2-148](#) [*Elective course in History and Literature of the Old and New Testaments; religious neutrality*]

Kentucky: [KRS § 158.197](#) [*Elective course on religious scripture -- Purpose -- Restrictions -- School council or governing body authorized to display historic religious and nonreligious artifacts, monuments, symbols, and texts in conjunction with course of study*]

Oklahoma: [Okla. Stat. tit. 70, § 11-103.11](#) [*Elective course offering on Old and New Testament*]

Pennsylvania: [24 P.S. § 15-1515](#) [*Religious literature*]

South Carolina: [S.C. Code Ann. §59-29-230](#) [*Old and New Testament era courses*]

Tennessee: [Tenn. Code Ann. § 49-6-1026](#) [*Approval for elective state funded course for nonsectarian, nonreligious academic study of the Bible - Course requirements*]

West Virginia: [W. Va. Code § 18-2-9a](#) [*Elective courses of instruction on the Bible*]

#### *Bible: Study*

Florida: [Fla. Stat. § 1003.45](#) [*Permitting study of the Bible and religion; permitting brief meditation period*]

Idaho: [Idaho Code § 33-1604](#) [*Bible Reading in Public Schools*]

Kentucky: [KRS § 158.170](#) [*Bible to be read*]

#### *Lord's Prayer*

Kentucky: [KRS § 158.175](#) [*Recitation of Lord's prayer and pledge of allegiance -- Instruction in proper respect for and display of the flag -- Observation of moment of silence or reflection*]

#### *Ten Commandments Display*

Kentucky: [KRS § 158.178](#) [*Ten Commandments to be displayed*]