

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

As Engrossed: S2/18/25

A Bill

SENATE BILL 223

5 By: Senator M. Johnson
6 By: Representative A. Brown
7

For An Act To Be Entitled

9 AN ACT TO CREATE THE RELIGIOUS RIGHTS AT PUBLIC
10 SCHOOLS ACT OF 2025; AND FOR OTHER PURPOSES.
11

Subtitle

14 TO CREATE THE RELIGIOUS RIGHTS AT PUBLIC
15 SCHOOLS ACT OF 2025.
16

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. DO NOT CODIFY. Legislative findings and intent.

20 (a) The General Assembly finds that:

21 (1) Religious freedom is a cornerstone of our democracy and is
22 essential to the dignity and freedom of every individual;

23 (2) Arkansas Constitution Article 14, § 1, provides that
24 "Intelligence and virtue being the safeguards of liberty and the bulwark of a
25 free and good government, the State shall ever maintain a general, suitable
26 and efficient system of free public schools and shall adopt all suitable
27 means to secure to the people the advantages and opportunities of
28 education.";

29 (3) An important advantage and essential opportunity of a system
30 of free public schools is for students to develop a virtuous lifestyle guided
31 by deeply held, meaningful values;

32 (4) Religious worldviews hold an important place in overall
33 human thought and philosophy;

34 (5) Religious freedom provides an environment and opportunity
35 for students to be exposed to worldviews that form the basis for civilization
36 and thought;



1 (6) Religious freedom at public schools is a right that is
2 protected by state and federal law; and

3 (7) The United States Supreme Court has held in "Tinker v. Des
4 Moines", that neither students nor teachers "shed their constitutional rights
5 to freedom of speech or expression at the schoolhouse gate".

6 (b) It is the intent of the General Assembly to:

7 (1) Inform Arkansas residents regarding religious protections
8 and liberties;

9 (2) Ensure that this act serves only as a guide to clarify
10 religious rights at public schools, rather than as an exhaustive list of
11 religious rights at public schools; and

12 (3) Affirm that students and public school employees retain many
13 unlisted rights by virtue of their God-given freedoms, which extend beyond
14 those rights explicitly enumerated in this act.

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16 SECTION 2. Arkansas Code Title 6, Chapter 10, Subchapter 1, is amended
17 to add an additional section to read as follows:

18 6-10-140. Religious Rights at Public Schools Act of 2025.

19 (a) This section shall be known and may be cited as the "Religious
20 Rights at Public Schools Act of 2025".

21 (b) At the beginning of each school year, each public school district
22 and open-enrollment public charter school shall provide each enrolled student
23 and individual employed by the public school district or open-enrollment
24 public charter school with a copy of *this act by electronic means or by*
25 *placement in a handbook, policy manual, or other resource designed to inform*
26 *students, employees, or parents about policies, procedures, or rights.*

27 (c) Under the First Amendment to the United States Constitution and
28 United States Supreme Court case law interpreting the First Amendment to the
29 United States Constitution, a student enrolled in a public school district or
30 an open-enrollment public charter school shall retain broad religious
31 freedom, which includes without limitation the right to:

32 (1) Pray silently or aloud, individually or in groups, at any
33 time when the student is permitted to speak freely and engage in discussions
34 of the student's own choosing;

35 (2) Pray by assembling on the property of the student's public
36 school district or open-enrollment public charter school in the same manner

1 that students are allowed to speak and assemble on the property of the
2 student's public school district or open-enrollment public charter school for
3 other activities;

4 (3) Promote *legal religious* activities on the property of the
5 student's public school district or open-enrollment public charter school in
6 the same manner that other activities are promoted;

7 (4) Display, print, recite, or discuss religious figures,
8 religious texts, and religious beliefs in the student's public school
9 district or open-enrollment public charter school assignments in which there
10 is student discretion in choosing topics or people of interest;

11 (5) Give a Bible or other religious text to any other person at
12 the student's public school district or open-enrollment public charter school
13 in the same manner that the student is allowed to give away other books or
14 texts;

15 (6) Individually or in groups conduct religious observances such
16 as speaking, singing, reading, or praying at times when students are free to
17 voluntarily converse and interact;

18 (7) Form and participate in religious clubs, groups, or
19 associations in the same manner that students form and participate in other
20 clubs, groups, or associations;

21 (8) Invite and host members of the clergy or other religious
22 leaders to the student's public school district or open-enrollment public
23 charter school in the same manner that other persons who are not enrolled in
24 the public school district or open-enrollment public charter school are
25 allowed to be present;

26 (9) Express a religious viewpoint in the same manner as other
27 viewpoints may be expressed in the student's public school district or open-
28 enrollment public charter school academic assignments, activities, speech, or
29 other expressions;

30 (10) Pray silently during any moment of silence observed during
31 the school day or at the student's public school district or open-enrollment
32 public charter school activities;

33 (11) Display and discuss the motto of the United States at the
34 student's public school district or open-enrollment public charter school;

35 (12) Read, discuss, and post documents of historical
36 significance that are of a religious nature or contain religious quotes or

1 references;

2 (13) Have a Bible or other religious text at the student's
3 public school district or open-enrollment public charter school in the same
4 manner that the student is allowed to have other books or texts at the
5 student's public school district or open-enrollment public charter school;
6 and

7 (14) Read a Bible or other religious text at the student's
8 public school district or open-enrollment public charter school in the same
9 manner that the student is allowed to read other books or texts at the
10 student's public school district or open-enrollment public charter school.

11 (d) Under the First Amendment to the United States Constitution and
12 United States Supreme Court case law interpreting the First Amendment to the
13 United States Constitution, an individual employed by a public school
14 district or an open-enrollment public charter school shall retain broad
15 religious freedom, which includes without limitation the right to:

16 (1) Pray silently during any moment of silence observed during
17 the school day or at the individual's public school district or open-
18 enrollment public charter school activities;

19 (2) Display and discuss the motto of the United States at the
20 individual's public school district or open-enrollment public charter school;

21 (3) Read, discuss, and post documents of historical significance
22 that are of a religious nature or contain religious quotes or references;

23 (4) Have a Bible or other religious text at the individual's
24 public school district or open-enrollment public charter school in the same
25 manner that the individual is allowed to have other books or texts at the
26 individual's public school district or open-enrollment public charter school;
27 and

28 (5) Read a Bible or other religious text at the individual's
29 public school district or open-enrollment public charter school in the same
30 manner that the individual is allowed to read other books or texts at the
31 individual's public school district or open-enrollment public charter school.

32 (e) A public school district and an open-enrollment public charter
33 school may:

34 (1) Have Bibles and other religious texts in public school
35 libraries, classrooms, and other places where books or texts are available to
36 public school district or open-enrollment public charter school students or

1 individuals employed by the public school district or open-enrollment public
2 charter school; and

3 (2) Offer an academic study of the Bible course as provided by §
4 6-16-145.

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/s/M. Johnson