

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE DRS35171-TC-10B (03/01)

Short Title: Respect for Student Prayer.

(Public)

Sponsors: Senators Bingham, Daniel, and Hise (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY STUDENT RIGHTS TO PRAY IN SCHOOL, TO PROHIBIT
3 PRAYER OFFICIALLY SANCTIONED BY SCHOOLS IN ACCORDANCE WITH THE
4 UNITED STATES CONSTITUTION, AND TO REQUIRE SCHOOL EMPLOYEES TO
5 DEMONSTRATE APPROPRIATE RESPECT FOR STUDENT-INITIATED AND
6 STUDENT-LED PRAYERS IN EXTRACURRICULAR ACTIVITIES, INCLUDING
7 INTERSCHOLASTIC ATHLETICS.

8 The General Assembly of North Carolina enacts:

9 SECTION 1. G.S. 115C-47(29b) reads as rewritten:

10 "(29b) To Ensure Freedom of Religion. – No local board of education shall have a
11 policy of denying, or that effectively prevents participation in, prayer in
12 public schools by individuals on a voluntary basis, except when necessary to
13 maintain order and discipline. No local board of education shall encourage
14 or require any person to participate in prayer or influence the form or content
15 of any prayer in public schools. Policies of local boards regarding free
16 expression of religion shall reflect the following:

17 a. A student may pray silently at any time or audibly during
18 noninstructional time when the student is free to pursue other
19 activities if the prayer is voluntary and unofficial and does not
20 interfere with teachers, school activities, or other students.

21 b. Prayer officially sanctioned by the school or school officials is not
22 permitted during the school day and prior to, during, or after
23 extracurricular school events, including athletic events, regardless of
24 whether (i) the prayer is led or offered by a school employee, clergy,
25 parent, or student; (ii) the prayer is nondenominational; or (iii)
26 participation in the prayer is voluntary and optional.

27 c. Students may gather for prayers before, during, or after an
28 extracurricular activity, including interscholastic athletics, if the
29 prayers are student-initiated and student-led and those students
30 voluntarily participating in the prayer do not pressure other students
31 to participate. School employees supervising extracurricular
32 activities, including coaches, may be present during the
33 student-initiated and student-led prayer and, if present, shall
34 demonstrate appropriate respect and may adopt a respectful posture.

35 This subdivision shall not be construed to direct any local board of education
36 to take any action in violation of the Constitutions of North Carolina or the



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1 United States~~States~~, including prevention of or denial of participation in
2 constitutionally protected prayer in public schools."
3 **SECTION 2.** This act is effective when it becomes law.