

Board Information Item

	Information Packet	Board Agenda Information	Board Agenda Action	Board Agenda Consent
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	02/23/2026			
Subject:	Consider a Resolution Regarding a Period of Prayer and Reading of the Bible or Religious Text During the School Day Pursuant to Section 25.0823, Education Code			
Contact Person:	Rick DeMasters, Interim Superintendent Paula Barbaroux, Chief Operations Officer			
Policy/Code:	Senate Bill 11, Texas Education Code § 25.0823 FNA(LEGAL) and (LOCAL)			
Priority and Performance Objective:	Priority 1: Student Achievement and Post Secondary Preparedness Objective 1.3: Safety and Well-Being Objective 1.4: Student Involvement Priority 3: Parents, Families and Community Satisfaction and Engagement Objective 3.1: Parents and Families Satisfaction and Engagement			
Summary:	<p>The 89th Texas Legislature passed Senate Bill 11, which is codified as Texas Education Code § 25.0823 (“Act”). The Act authorizes each school board in Texas to take a record vote within six months of the Act’s effective date (before March 1, 2026), on whether to adopt a resolution providing a period of prayer and reading of the Bible or religious text during the school day for students and staff. Participation is voluntary, requiring written, signed consent from parents or employees. If a school board decides to adopt such a resolution, the period of prayer and reading of the Bible or religious text must follow the provisions set out in T.E.C. § 25.0823, which includes the following:</p> <ul style="list-style-type: none">• To participate in the period of prayer and religious text			

reading, a student's parents must submit a signed consent, expressly waiving their right to bring a legal claim on a violation of the Establishment Clause of the First Amendment to the United States Constitution.

- The prayer and religious text reading must not be provided in the physical presence of or within the hearing range of a person for whom a signed consent was not made.
- No use of the public address systems for the activity.
- Instructional time must not be disrupted.

With the logistical complexities of determining the students that have approval from their parents and monitoring students to ensure the rules involving separation, etc. are not violated, the administration does not recommend that the Board adopt such a resolution. State law, federal law, and GCISD Board Policy allow students to engage in prayer, reading of religious text, and religious expression on school property and during the school day. The legal authority is found in Board Policy FNA(LEGAL), which states:

“A public school student has an absolute right to individually, voluntarily, and silently pray or meditate in school in a manner that does not disrupt the instructional or other activities of the school.”

The Board's local policy FNA(LOCAL) provides that students may organize prayer groups, religious clubs, “see you at the pole” gatherings, and other religious gatherings, before, during, and after school to the same extent that students are permitted to organize other noncurricular student groups.

Students have well established rights to engage in religious expression on school grounds. Students are free to continue exercising these rights, accordingly, the administration recommends that the Board decline to adopt a resolution pursuant to Senate Bill 11, and instead will review FNA(LOCAL) for potential further modification.

Attachments:

Resolution
Board Policy FNA(LEGAL) and FNA(LOCAL)

Recommendation:

The recommendation is for the Board of Trustees to decline to adopt a resolution regarding a period of prayer and reading of the Bible or religious text during the school day pursuant to Section 25.0823, Education Code, and direct the administration to review

and propose potential modifications to Board Policy
FNA(LOCAL).

RESOLUTION OF THE
GRAPEVINE-COLLEYVILLE INDEPENDENT SCHOOL DISTRICT
BOARD OF TRUSTEES

WHEREAS, Senate Bill 11, passed by the 89th Texas Legislature, requires each school board to take a record vote by March 1, 2026, on whether to adopt a policy requiring each campus to provide students and employees with an opportunity to participate in a period of prayer and reading of the Bible or other religious text on each school day; and

WHEREAS, Section 25.0823(a-1) of the Texas Education Code prescribes a model resolution that must be adopted by record vote before the District may implement such a policy; and

WHEREAS, the Board of Trustees is required to hold a vote on the approval of this resolution to comply with Senate Bill 11; and

WHEREAS, if this resolution is approved by a majority vote, a policy shall be adopted requiring every GCISD campus to provide the prayer and reading time described above; and

WHEREAS, if this resolution is not approved by a majority vote, no such policy will be adopted, and campuses will not be required to offer a period of prayer and reading as described above; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD THAT:

The Grapevine-Colleyville Independent School District shall adopt a policy requiring every GCISD campus to provide a period of prayer and reading of the Bible or other religious text as provided by Section 25.0823, Education Code.

CERTIFICATE FOR RESOLUTION

I hereby certify that the foregoing resolution was presented to the Board of Trustees of the Grapevine-Colleyville Independent School District during a lawfully called meeting on February 23, 2026. A quorum of the Board being then present, a motion was made to accept the resolution and seconded, and the following vote occurred, resulting in the [adoption / rejection] of this resolution:

Ayes: _____

Abstentions: _____

Noes: _____

Adopted on the 23rd day of February 2026, by the Grapevine-Colleyville ISD Board of Trustees.

Shannon Braun, Board President _____

Kathy Florence-Spradley, Board Secretary _____

STUDENT RIGHTS AND RESPONSIBILITIES
STUDENT EXPRESSION

FNA
(LEGAL)

First Amendment

A district shall take no action respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition a board for a redress of grievances.
U.S. Const. Amend. I

Freedom of Speech

Students do not shed their constitutional rights to freedom of speech or expression at the schoolhouse gate. At school and school events, students have First Amendment rights, applied in light of the special characteristics of the school environment.

Student expression that is protected by the First Amendment may not be prohibited absent a showing that the expression will materially and substantially interfere with the operation of the school or the rights of others.

Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503 (1969)
[See also FNCI]

The special characteristics of the school environment and the governmental interest in stopping student drug abuse allow a district to restrict student expression that it reasonably regards as promoting illegal drug use. *Morse v. Frederick*, 551 U.S. 393 (2007)

When a student threatens violence against a student body, such specific threatening speech to a school or its population is unprotected by the First Amendment: school officials may punish such speech without first collecting evidence sufficient to prove a reasonable belief that disruption would occur as a result of the speech. *Ponce v. Socorro Indep. Sch. Dist.*, 508 F.3d 765 (5th Cir. 2007)

The inculcation of fundamental values necessary to the maintenance of a democratic society is part of the work of the school. The First Amendment does not prevent school officials from determining that particular student expression is vulgar and lewd, and therefore contrary to the school's basic educational mission. *Bethel Sch. Dist. No. 403 v. Fraser*, 478 U.S. 675 (1986)

Public schools may have a special interest in regulating some off-campus student speech, however, the interest must be sufficient to overcome the student's interest in free expression. Circumstances that may implicate a school's regulatory interests include serious or severe bullying or harassment targeting particular individuals; threats aimed at teachers or other students; the failure to follow rules concerning lessons, the writing of papers, the use of computers, or participation in other online school activities; and breaches of school security devices. *Mahanoy Area School District v. B.L.*, 141 S.Ct. 2038 (2021)

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*Prayer at School
Activities*

A public school student has an absolute right to individually, voluntarily, and silently pray or meditate in school in a manner that does not disrupt the instructional or other activities of the school. A student shall not be required, encouraged, or coerced to engage in or refrain from such prayer or meditation during any school activity.
Education Code 25.901

Nothing in the Constitution as interpreted by the U.S. Supreme Court prohibits any public school student from voluntarily praying at any time before, during, or after the school day. But the religious liberty protected by the Constitution is abridged when a district affirmatively sponsors the particular religious practice of prayer.

A district shall not adopt a policy that establishes an improper majoritarian election on religion and has the purpose and creates the perception of encouraging the delivery of prayer at a series of important school events.

Santa Fe Indep. Sch. Dist. v. Doe, 530 U.S. 290 (2000) (addressing school-sponsored, student-led prayer delivered over the public address system at high school football games) [For invocations and benedictions at commencement, see FMH.]

Federal Funds

As a condition of receiving federal funds under the Elementary and Secondary Education Act (ESEA), a district shall certify in writing to the Texas Education Agency (TEA) that no policy of the district prevents, or otherwise denies participation in, constitutionally protected prayer in public schools, as detailed in the guidance from the United States secretary of education regarding constitutionally protected prayer. The certification shall be provided by October 1 of each year.

By November 1 of each year, TEA shall report to the secretary a list of districts that have not filed the certification or against which complaints have been made to TEA that the district is not in compliance with this section. The secretary may issue and secure compliance with rules or orders with respect to a district that fails to certify, or is found to have certified in bad faith, that no policy of the district prevents, or otherwise denies participation in, constitutionally protected prayer in public schools.

20 U.S.C. 7904

**Expression of
Religious Viewpoints**

A district shall treat a student's voluntary expression of a religious viewpoint, if any, on an otherwise permissible subject in the same manner the district treats a student's voluntary expression of a secular or other viewpoint on an otherwise permissible subject and may not discriminate against the student based on a religious view-

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point expressed by the student on an otherwise permissible subject. *Education Code 25.151*

Policies

A district shall adopt and implement a local policy regarding a limited public forum and voluntary student expression of religious viewpoints. If a district voluntarily adopts and follows the model policy governing voluntary religious expression in public schools at Education Code 25.156, the district is in compliance with the provisions of Education Code Chapter 25, Subchapter E covered by the model policy.

A district shall adopt a policy that includes the establishment of a limited public forum for student speakers at all school events at which a student is to publicly speak. The policy regarding the limited public forum must also require a district to:

1. Provide the forum in a manner that does not discriminate against a student's voluntary expression of a religious viewpoint, if any, on an otherwise permissible subject;
2. Provide a method, based on neutral criteria, for the selection of student speakers at school events and graduation ceremonies;
3. Ensure that a student speaker does not engage in obscene, vulgar, offensively lewd, or indecent speech; and
4. State, in writing, orally, or both, that the student's speech does not reflect the endorsement, sponsorship, position, or expression of the district.

Student expression on an otherwise permissible subject may not be excluded from the limited public forum because the subject is expressed from a religious viewpoint.

Disclaimer

The disclaimer required by item 4, above, must be provided at all graduation ceremonies. A district must continue to provide the disclaimer at any other event in which a student speaks publicly for as long as a need exists to dispel confusion over the district's non-sponsorship of the student's speech.

Education Code 25.152, .155

Class Assignments

Students may express their beliefs about religion in homework, artwork, and other written and oral assignments free from discrimination based on the religious content of their submissions. Homework and classroom assignments must be judged by ordinary academic standards of substance and relevance and against other legitimate pedagogical concerns identified by a district. Students may not be

penalized or rewarded on account of the religious content of their work. *Education Code 25.153*

[For information on the study of religion, see EMI. For information on student religious groups and activities, see FNAB.]

**Patriotic
Observances**

A district may officially encourage students to express love for the United States by reciting historical documents or singing official anthems that contain religious references; such patriotic or ceremonial occasions do not constitute a school-sponsored religious exercise. *Engel v. Vitale, 370 U.S. 421 (1962)*

A district shall not, however, compel students to participate in patriotic observances. *West Virginia State Bd. of Educ. v. Barnette, 319 U.S. 624 (1943) (holding unconstitutional a requirement that students salute the United States flag and recite the Pledge of Allegiance)*

[See EC for more information regarding the pledge of allegiance.]

Winter Celebrations

A district may educate students about the history of traditional winter celebrations, and allow students and district staff to offer traditional greetings regarding the celebrations, including:

1. "Merry Christmas";
2. "Happy Hanukkah"; and
3. "Happy holidays."

A district may display on school property scenes or symbols associated with traditional winter celebrations, including a menorah or a Christmas image such as a nativity scene or Christmas tree, if the display includes a scene or symbol of more than one religion or one religion and at least one secular scene or symbol.

A display relating to a traditional winter celebration may not include a message that encourages adherence to a particular religious belief.

Education Code 29.920

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**Student Expression
of Religious
Viewpoints**

The District shall treat a student's voluntary expression of a religious viewpoint, if any, on an otherwise permissible subject in the same manner the District treats a student's voluntary expression of a secular or other viewpoint on an otherwise permissible subject and may not discriminate against the student based on a religious viewpoint expressed by the student on an otherwise permissible subject.

**Student Speakers at
School Events**

The District hereby creates a limited public forum for student speakers at all school events at which a student is to publicly speak. The selection of students who may speak or events at which students may speak shall be governed by any District regulation, which may concern such selection of speakers or events.

Eligibility and
Selection

Students are eligible to use the limited public forum if they:

1. Are selected as determined on the basis of viewpoint-neutral criteria;
2. Are not in a disciplinary placement at the time of the event; and
3. When appropriate, are members or elected officers of the student group that is conducting, participating in, or sponsoring the event.

Content of Student
Speech

The subject of the student speech must be related to the purpose of the event at which the student is to speak and the purpose of the student's participation at the event. A student's comments must remain related to the purpose or topic, and the student may not engage in obscene, vulgar, offensively lewd, or indecent speech. The District shall treat a student's voluntary expression of a religious viewpoint, if any, on an otherwise permissible subject in the same manner the District treats a student's voluntary expression of a secular or other viewpoint on an otherwise permissible subject and may not discriminate against the student based on a religious viewpoint expressed by the student on an otherwise permissible subject.

Disclaimer

A written disclaimer shall be communicated indicating that the content of each student's message is the private expression of the individual student and does not necessarily reflect the endorsement, sponsorship, position, or expression of the District.

**Religious
Expression in Class
Assignments**

A student may express his or her beliefs about religion in homework, artwork, and other written and oral assignments free from discrimination based on the religious content of the student's submission. Homework and classroom work shall be judged by ordinary academic standards of substance and relevance and against other legitimate pedagogical concerns identified by the school. A

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student shall not be penalized or rewarded because of religious content. If a teacher's assignment involves writing a poem, the work of a student who submits a poem in the form of a prayer (for example, a psalm) should be judged on the basis of academic standards, including literary quality, and not penalized or rewarded because of its religious content.

**Freedom to Organize
Religious Groups
and Activities**

Students may organize prayer groups, religious clubs, "see you at the pole" gatherings, and other religious gatherings before, during, and after school to the same extent that students are permitted to organize other noncurricular student activities and groups. [See FNAB] Religious groups shall be given the same access to school facilities for assembling as is given to other noncurricular groups without discrimination based on the religious content of the groups' expression. If student groups that meet for nonreligious activities are permitted to advertise or announce the groups' meetings, for example, by advertising in a student newspaper, putting up posters, making announcements on a student activities bulletin board or public address system, or handing out leaflets, school authorities shall not discriminate against groups that meet for prayer or other religious speech. School authorities may disclaim sponsorship of noncurricular groups and events, provided the disclaimer is administered in a manner that does not favor or disfavor groups that meet to engage in prayer or other religious speech.