



Student Rights

Although students have long had the right to engage in religious expression in public schools, districts across the country often prohibit them from exercising these rights based on a false view of the law.

As an alliance building legal ministry, Alliance Defending Freedom has been established, in part, to help protect these cherished freedoms and to restore rights guaranteed by the Constitution.

- 1** Students have the right to pray, evangelize, read Scripture, distribute literature, and invite fellow students to participate, so long as it is voluntary; it is not disruptive or coercive; and it occurs during non-instructional time.
 - Schools may only prohibit student expression if there is specific evidence that the expression materially and substantially interferes with the requirements of appropriate discipline in the operation of the school or interferes with the rights of others.
 - All student expression is subject to reasonable time, place, and manner restrictions imposed by the school. These restrictions must be content neutral, narrowly tailored to serve a significant government interest, and leave open ample alternative channels of communication.

- 2** Students have the right to express their religious views during class discussions or as a part of an assignment so long as the expression is relevant to the subject under consideration and otherwise meets the requirements of the assignment.
- 3** Students may lawfully study the Bible as a part of a secular program of education if the school should choose to use, or allow use, of the Bible as a part of its curriculum.
- 4** Students may lawfully study and perform religious songs as a part of advancing the students' objective knowledge of society's cultural and religious heritage, or furthering the study of music, if the school should choose to use religious songs as a part of the curriculum.
- 5** Secondary school students may form religious clubs if the school receives federal funds and allows non-curriculum related clubs to meet during non-instructional time.
 - Religious clubs must be student-led—a nonstudent cannot lead the club. Regular attendance by an outside adult may be prohibited in order to avoid the appearance of the club being initiated or directed by a nonstudent.

- Teachers may be present at religious club meetings as monitors, but they may not participate in club activities.
- While the Federal Equal Access Act only applies to secondary school students (which is defined by the law of each state), a junior high and high school student's right to initiate and attend religious clubs, and to receive equal access to all club benefits has also been recognized as being protected by the First Amendment.

6 Religious clubs must be given full access to all school facilities, resources, and equipment that are used by secular student clubs, including, but not limited to: announcements on bulletin boards and the school's public address system, access to club funding and yearbook.

7 Students may wear religious attire required by their religion to the extent that other like articles of dress are permitted.

8 Students may wear clothing or jewelry displaying religious messages to the same extent that other messages are permitted.

9 Subject to applicable state laws, students may be able to attend off-campus religious instruction provided that schools do not encourage or discourage participation or penalize those who do not attend.

10 Subject to applicable state laws, students may be able to be excused from lessons that are objectionable to the student or the student's parents on religious or other conscientious grounds. Students also have a right not to be required to say or do something that violates their religious beliefs.

11 Subject to applicable state laws, students may be able to obtain an excused absence for the observance of religious holidays.

Students across the country are increasingly facing hostility and censorship while attempting to exercise their constitutionally protected religious beliefs—all in the name of "tolerance." If you experience a violation of your rights while in school, please call Alliance Defending Freedom at 1-800-835-5233.



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1-800-835-5233

www.AllianceDefendingFreedom.org

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