

Equal Access: Students Rights on Public School Campuses

By Jim Burns, Ph.D.

Students seeking to exercise their Christian faith on public school campuses have a friend in *The Equal Access Act*, a federal law that was enacted in 1984 as a response to anti-religious beliefs held by some courts and public school officials.

The *Equal Access Act* applies to all public secondary schools that receive federal financial assistance and have at least one, student-led club that meets outside of regular class time – and is not directly associated to the school’s official curriculum.

The *Equal Access Act* also applies to other non-Christian religions. So, for example, a Wiccan student-led group has the same access rights on campus as a student-led Christian Bible-study group. School districts can only restrict access to their facilities by completely opting-out of hosting *all* student-led, extracurricular clubs.

So, what specific rights do Christian kids have when it comes to meeting or sharing religious ideas on campus? The Campus Alliance’s (<http://www.coachingcenter.org/info/c2000.html>) Coaching Center has put together some great information and legal resources about this issue. Here’s the Student’s Bill of Rights on a Public School Campus excerpted from their website:

Student’s Bill of Rights on a Public School Campus

- I. **THE RIGHT** to meet with other religious students. The Equal Access Act allows students the freedom to meet on campus for the purpose of discussing religious issues.
- II. **THE RIGHT** to identify your religious beliefs through signs and symbols. Students are free to express their religious beliefs through signs and symbols.
- III. **THE RIGHT** to talk about your religious beliefs on campus. Freedom of speech is a fundamental right mandated in the Constitution and does not exclude the school yard.
- IV. **THE RIGHT** to distribute religious literature on campus. The Equal Access Act allows students the freedom to meet on campus for the purpose of discussing religious issues.
- V. **THE RIGHT** to pray on campus. Students may pray alone or with others so long as it does not disrupt school activities or is not forced upon others.
- VI. **THE RIGHT** to carry or study your Bible on campus. The Supreme Court has said that only state-directed Bible reading is unconstitutional.
- VII. **THE RIGHT** to do research papers, speeches, and creative projects with religious themes. The First Amendment does not forbid all mention of religion in public schools.
- VIII. **THE RIGHT** to be exempt. Students may be exempt from activities and class content that contradict their religious beliefs.
- IX. **THE RIGHT** to celebrate or study religious holidays on campus. Music, art, literature, and drama that have religious themes are permitted as part of the curriculum for school activities if presented in an objective manner as a traditional part of the cultural and religious heritage of the particular holiday.

- X. **THE RIGHT** to meet with school officials. The First Amendment to the Constitution forbids Congress to make any law that would restrict the right of the people to petition the government (school officials).
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Campus Access Legal Resources

In case you need advice or counsel in dealing with an Equal Access legal issue, we recommend you contact:

The American Center for Law and Justice

Jay Alan Sekulow, Lead Counsel
PO Box 64429
Virginia Beach, VA 23467-4429
Phone: (757) 226-2486
Fax: (757) 226-2836
E-Mail: aclj@exin.net
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Christian Legal Society

Center for Law and Religious Freedom
Steven McFarland, Director
4208 Evergreen Lane, Ste. 222
Annandale, VA 22003
Phone: (703) 642-1070
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E-Mail: clshq@mindspring.com
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National Legal Foundation

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