FCCUS ON FAMILY.













NOTHE TRUTH ABOUT NOTICE SPEEDOM AND FREE SPEECH

INTRODUCTORY LETTER



DEAR PARENTS – AND GRANDPARENTS AND CONCERNED CITIZENS.

We know you're deeply concerned about what's happening in many public and private schools. Not only are students not learning basic skills, but religious freedom and freedom of speech are infringed upon for many.

That's why Focus on the Family and Family Policy Alliance released *Back-to-School For Parents* in 2020. But since then, even more problems in our nation's schools have emerged.

Because of such new developments, we've updated this helpful resource, <u>Equipping Parents for Back-to-School</u>. It's being released first as six free PDFs and then as a free download of all the sections.

Equipping Parents prepares and empowers you to improve your children's education, protect them from harmful ideologies, and talk to them about complex, controversial issues.

This fifth PDF explains how teachers, schools, and districts may infringe on students' religious freedom and free speech. Some school districts also threaten parents' and teachers' First Amendment rights. The resource also covers how school clubs—such as Gay Straight Alliances—have proliferated on school campuses, promoting an agenda that many parents oppose.

The stories and incidents we relate to are not included to engender fear but simply to demonstrate what is happening in our nation's schools. *Equipping Parents* then offers effective information and tools for addressing serious issues.

We are grateful for engaged parents, family members, church leaders, and citizens like you who care about children and their education. Bless you, as you work to improve local schools for your own children and all children in your community.

FOCUS ON THE FAMILY AND FAMILY POLICY ALLIANCE

Links to outside articles and resources are for informational purposes and do not imply an endorsement from Focus on the Family of Family Policy Alliance.

YOUR CHILD'S FIRST AMENDMENT RIGHTS

YOUR CHILD'S FIRST AMENDMENT RIGHTS	3
What's Happening In Schools	3
Why It's Important	6
Know the Facts	9
Know the Law	10
Know Your Child's Rights	11
Ways You Can Advocate for Your Child	13
Talk With Your Child	14
NOTES	16



WHAT'S HAPPENING IN SCHOOLS

PRAYING FOR LUNCH

"When 5-year-old Gabriella Perez innocently bowed her head over her lunch at school, she was stopped by a school employee and told 'it was wrong to pray."

STUDENTS' RIGHTS ARE BEING VIOLATED

Chase was a Pine Creek High School senior in Colorado Springs, Colorado. Since his freshman year, he had been leading a small group of students who wanted to pray for the needs of fellow classmates and their school during non-instructional time.

One day, a school official called him in and said the group could no longer meet because of the "separation of church and state." A year later, the school "dropped its ban on student religious discussion and expression during free time," after Alliance Defending Freedom (ADF), a legal aid group advocating for First Amendment rights, filed a lawsuit against the district.²

Two students at Creekside Elementary School in Sammamish, Washington, asked to start a voluntary, student-led, interfaith prayer club. Although the school allows other student clubs, such as a Marimba Club, Pride Club, and Math Club, the principal denied the request and told the young girls they could fill out an application where they would pay for after-hours use of a school room.

First Liberty, a religious freedom legal aid organization, sent a letter to the school principal and the district's Board of Directors, explaining that the school had violated the girls' First Amendment rights to religious freedom and free speech. Only then did the school district relent and allow the club to meet on campus.³

Nine-year-old Lydia Booth, a student at Simpson Central Elementary in Pinola, Mississippi, wore a mask to school with the words "Jesus Loves Me" printed on it during the COVID-19 pandemic. Her computer lab teacher warned the third grader against continuing to wear the mask, even though other students wore masks "with sports team logos, university logos, and the phrase 'Black Lives Matter," ADF reported. School administrators pulled Lydia aside and forced her "to remove and replace the mask."

Her mother, Jennifer, researched the issue and found no school policy prohibiting slogans or messages on masks. Still, the principal told her, "You can't have religious or political things on masks at school." ADF filed suit on behalf of Lydia and her parents. The school settled with them, agreeing to allow Lydia to wear the "Jesus Loves Me" mask to school and to pay attorney's fees.⁴

Sadly, these aren't isolated incidents. Across the country, students — as well as parents and teachers — with religious values and conservative principles are finding their First Amendment rights curtailed by teachers, schools, and school districts.

! Across the country, students — as well as parents and teachers — with religious values and conservative principles are finding their First Amendment rights curtailed by teachers, schools, and school districts.

Most teachers, administrators, and school board members care for students and want to see them grow, learn, and succeed. Many of them are allies in the cultural battles we face.

However, sometimes, the attacks on free speech, religious freedom, and freedom of association come from school officials and teachers who don't understand what the law allows regarding these issues. Other times, the threat is from a student, parent, or school employee who files a complaint with the school or school district.

Sometimes, schools will stop religious and speech discrimination after receiving a letter from a legal aid group. Other times, costly litigation can drag on for years, and courts may rule against students — denying their First Amendment rights.

The attacks also come from organizations outside the school, such as the Freedom From Religion Foundation (FFRF), the American Humanist Association, and the American Civil Liberties Union (ACLU). Here are just two examples.

The ACLU tried to shut down religious freedom and free speech in the Wilson County School System in Nashville, TN. The organization asked a court to stop "See You at the Pole," a student-led prayer event; National Day of Prayer observances; and the playing of a song with a religious reference in honor of a three-year-old cancer victim; and Christmas and Thanksgiving observances with religious references. The court ruled these activities did not violate the Constitution.⁵

FFRF threatened the West Branch School District in Cleveland, Ohio, with a lawsuit for allowing students to pray before sports events, a tradition of more than 30 years. The district temporarily shut down the prayers while looking for a way to accommodate students. Community members and students responded by printing and selling more than six hundred t-shirts that said, "Prayer Matters."

+

SUBJECT TO ARREST?

Megan Clegg signed up to speak at a Loudoun County School Board meeting in Northern Virginia. But the board "abruptly ended public comments." School district Superintendent Scott Ziegler stated, "that the entire public gathering was an 'unlawful assembly' making everyone in the room 'subject to arrest' unless they left the building immediately."

The board continued the meeting, violating the state's open meetings laws. The Founding Freedoms Law Center filed suit on behalf of parents, winning a victory when "the judge made clear that any time a public meeting is held in person, the public must be allowed access to the entire meeting, excluding certain statutory exceptions."

PARENTS' AND TEACHERS' RIGHTS ARE ALSO UNDER FIRE

Just as students' rights are under assault, parents and teachers find their parental rights and First Amendment freedoms undermined by state laws, school boards, administrators, and school districts. While *Equipping Parents* is primarily about protecting students, sometimes parents and teachers find their freedoms threatened as they work to safeguard children in schools.

Here are just a few more examples:

Children at two elementary schools in St. Louis Park, Minnesota, were introduced to books with LGBT characters and themes. The books for children in grades 3-5 included Our Subway Baby, about two gay-identified men who find a baby at a subway station and adopt him, and My Shadow is Pink, about a boy whose shadow likes to wear dresses. The legal aid firm First Liberty sent letters to the school explaining it had violated Muslim parents' religious freedom, failed to provide advance notice or let parents review classroom materials, and denied opt-outs, violating state law and the First Amendment. The district finally met the parents' demands.8

Elizabeth Mirabelli and Lori Ann W<mark>est, teachers at</mark> Rincon Middle School, sued the Escondido Unified School District and the California State Board of Education "over policies requiring them to keep secrets from, and even lie to, parents about their minor-age students," reports the Thomas More Society. When a student announced they were "transgender" or a different "gender, school employees were required to use the child's requested name and pronoun — without telling parents.9

Joe and Serena Wailes discovered their 11-year-old daughter "was assigned to share a room, and supposed to share a bed, with a male student on an overnight school trip without their knowledge." Jefferson County Public Schools in Colorado had a district policy stating that transgender-identified students should be "assigned to share overnight accommodations with other students that share the student's gender identity consistently asserted at school." School officials lied to the parents about the situation, also instructing the daughter to lie to her parents. Alliance Defending Freedom is involved in the case, informing the district that the transgender policy violated student privacy and parental rights.

These are not isolated incidents, and they exemplify why parents need to be aware of what's happening with state laws, school board and school district policies, and school policies that affect their children. Connect with your child's teachers, other parents, and your children and their friends so you know what's happening in your school.

As explained in more detail in the first PDF in this series, "Who Has Educational Authority, What's Happening in the Classroom and Radical Ideologies," parental rights in education include the right to review curriculums, lesson plans, textbooks, and supplemental materials. Parents also have the right to interact with staff, observe their children's classes, and opt out of surveys and assessments.¹⁰

HELPFUL RESOURCES ON PARENTAL AND FIRST AMENDMENT RIGHTS IN EDUCATION

- Alliance Defending Freedom:
 K-12 Educators Guide to First Amendment

 Freedoms in Public Schools
 Parental Rights
- First Liberty Institute: Religious Liberty Protection Kit
- Heritage Foundation:

 Parental Rights: A Foundational Account
 Education Power for Parents: A State

 Legislation Tracker
- Bateways to Better Education:
 Promoting Religious Freedom in Public Schools
- Moms for America: A Mom's Guide to Parental Rights
- » Moms for Liberty: Parental Rights Model Policies
- Parents Defending Education: Parent Engagement Field Guide
- W.S. Department of Education: A Parent Guide to the Family Educational Rights and Privacy Act (FERPA)

WHY IT'S IMPORTANT

Students' First Amendment rights are under assault in schools. These are significant issues involving the suppression of free speech, religious freedom, and freedom of association. Schools and districts are practicing "viewpoint discrimination" — deciding which viewpoints can be expressed on campus and which are unacceptable.

Bible studies or prayer times have been curtailed during lunch or free times. Schools have banned student-led prayers at graduation ceremonies. Political and religious clubs have been denied the same privileges as other student organizations. Student clothes and jewelry with symbols of faith are being banned from school property.

Schools have tried prohibiting students from distributing religious pamphlets or bringing their Bibles to school. They have barred student religious clubs from advertising on school bulletin boards. They have also banned student clothes and jewelry with symbols of faith from school property.

Smothering constitutional rights in schools is a growing problem. In his book *Undeniable: Faith On Trial in America*, Kelly Shackelford documents hundreds of such cases. He writes:

Freedom in America depends on the restraint and motivation supplied by religious activity such as prayer, Scripture reading, and open expression of religious beliefs.

And yet the freedom to openly exercise your faith is under intolerant, growing, damaging attack. If this hostility is not identified, defeated, and deemed socially unacceptable, then we will forfeit the benefits of religion and freedom. We will risk watching our freedom and our American way of life destroyed."

In addition, parental rights and parents' and teachers' First Amendment freedoms are under fire, making it increasingly difficult to protect children. These infringements on God-given rights should concern all of us.

LGBT CLUBS AND ACTIVIST GROUPS

ON SCHOOL CAMPUSES

+ FALSE CLUBS

Her middle school art teacher invited Erin and John Lee's 12-year-old daughter to join an "art club" after school. After attending the club, their daughter announced that she was "transgender," and the Lees learned that the club was really a Gay Straight Awareness/Alliance Club.

An LGBT activist came to the club the day the sixth grader attended, asking the children who they were sexually attracted to; handing out LGBT bracelets, flags, and toys; and explaining that they might be "queer" if they did not know who they were attracted to or "transgender" if they were not comfortable with their bodies. Children were also discouraged from telling their parents about the meeting.¹²

A growing concern for many parents is the proliferation of LGBT activist clubs on K-12 campuses. In 1990, a group of teachers formed the Gay, Lesbian, and Straight Network. The organization helped promote "student-led movements," such as the Day of Silence, No-Name Calling Week, and Ally Week. The group also promoted Gay-Straight Alliance clubs on school campuses.¹³

Now, with a budget of about \$15 million a year, the organization, known simply as GLSEN, claims to have a national network with more than 1.5 million student, parent, and educator members and 43 chapters in 30 states. ¹⁴ Gay-Straight Alliances have now morphed into Gender and Sexuality Alliances (GSAs), and GLSEN offers professional development

for educators, provides lesson plans and resources, promotes a whole school year of activist events and celebrations, and has broadened its reach to include "diversity, equity, and inclusivity" resources.¹⁵

Another group involved on K-12 campuses is GSA Network, which consists of "trans and queer youth uniting for racial and gender justice." The organization works to build Genders & Sexualities Alliances" (again, GSAs), offers an adult advisor handbook for these groups, and provides a guide to help students start a campus club.¹⁶

GSA Network, founded in 1998, trains youth leaders and claims a network of forty state organizations with more than 4,000 GSA clubs. The organization describes itself as "a next-generation LGBTQ racial and gender justice organization that empowers and trains queer, trans, and allied youth leaders to advocate, organize, and mobilize an intersectional movement for safer schools and healthier communities."

GSA Network goes beyond LGBT activism, with a nine-point plan that calls for, among other goals: "the Abolition of the Police, ICE, Borders and the Judicial System"; "an End to Global White Supremacy"; and "an End of the Cisgender Heterosexual Patriarchy." "Cisgender" is a term invented to denote the opposite of "transgender," so it refers to people who accept and embrace their biological reality.

Another goal calls for "the Right to Self-Determination and Control of Our Destinies," stating: "We as trans youth have the right to control our narratives, spaces, and all aspects of our lives." There appears to be no lower age limit on this demand for "trans youth," as the group works to infringe on parental rights and the ability of parents to direct the upbringing of their own children.

Parents Defending Education, "a national grassroots organization working to reclaim our schools from

activists imposing harmful agendas,"²⁰ warns that such clubs come under a variety of names, such as "Queer Straight Alliance," "Rainbow Club," "Affinity Group," "Belonging Group," and "Unity Club."²¹

Parents should be aware that, in general, the same freedoms that allow their children to start Christian or conservative groups usually mean that radical sexual and activist organizations are also allowed to help students form clubs and groups on campus.

However, there are many areas of concern with these groups, which sexualize and confuse vulnerable children.

Parents should be aware that teachers sometimes recruit children to join these clubs and hide information from parents. As Abigail Shrier reported, the California Teachers Association hosted a conference titled "2021 LGBTQ+ Issues Conference, Beyond the Binary: Identity & Imagining Possibilities."²²

Workshops "advised teachers on the creation of middle school LGBTQ clubs." One workshop was titled, "How we run a 'GSA' in Conservative Communities," and presenters explained that they ran the club unofficially so that they did not keep rosters or records of attendance. Teachers also kept watch of students' Google searches and internet activity and eavesdropped on student conversations to find likely students to recruit for their club.²³



GET INFORMED

+ NO FCA?

Following the advice of Atheists in America, the Hardin County School District in Kentucky told a school club, Fellowship of Christian Athletes (FCA), that it could not meet at club time between second and third periods when other student groups were meeting. North Hardin High School also told FCA it could not use school facilities - such as bulletin boards, the public address system, and classrooms - to promote meetings and events. First Liberty sent a letter to the school, explaining that the policies were "overreaching and deprive students and teachers of their First Amendment rights to religious expression and assembly." Within days, school officials relented, and the FCA group was told it could meet and access facilities like any other club.24

School administrators who get into trouble when handling religious freedom-related issues in schools seem to fall into one of three categories:

- 1 They are openly hostile to religion and any religious expression in schools.
- They are neutral. However, they're ill-informed about the religious rights of students and teachers. They then inadvertently, or because of legal threats from outside secular groups, violate these rights in the name of the Establishment Clause.
- They enthusiastically support religious expressions perhaps too enthusiastically. They can cross the line into advocating, endorsing, participating in, or requiring participation in a particular religion or religious activity.

KNOW THE FACTS

The U.S. Supreme Court issued a ruling in a school case involving free speech, where school principals had told students they could not wear black armbands to school to protest the Vietnam War. The Court famously said:

First Amendment rights, applied in light of the special characteristics of the school environment, are available to teachers and students. It can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech or expression at the schoolhouse gate. This has been the unmistakable holding of this Court for almost 50 years.²⁵

Religious freedom in schools is usually exercised through speech, like-minded individuals assembling together, and other forms of expression such as clothing or jewelry. That liberty, however, must be balanced with the special setting and purpose of schools and the need to prevent disruptions that would impede the educational process.

The religious freedom portion of the First Amendment to the U.S. Constitution has two parts. The first part, "Congress shall make no law respecting the establishment of religion," is called the "Establishment Clause." It means neither the states nor the federal government can create an "official" religion or favor one religion or denomination over another.

The second part, forbidding Congress from "prohibiting the free exercise" of religion, is called the "Free Exercise Clause." It applies to organizations and individuals in all areas of American culture. It's the flip side of the Establishment Clause.

In summary, the Establishment Clause prohibits the government from creating or favoring a religion. At the same time, the Free Exercise Clause forbids the government from preventing or outlawing how we practice our faith, within reason.

Finally, it should be noted there are many good, secular reasons for incorporating religious elements into public school curricula, such as studying the effect of religion on the founding of America, learning about religions in different countries, and performing religious music in well-rounded music programs. The Supreme Court has held that having a secular basis for including a religious element in a government activity, whether in public education or a town Christmas display, makes the inclusion perfectly fine and does not violate the Establishment Clause.

KNOW THE LAW

- Students maintain their constitutional rights of religious freedom, freedom of speech, and freedom of peaceful assembly at school. These rights are still in operation at school, though there may be reasonable school limits.
- 2. Schools cannot prohibit or impede your child's free speech or their right to freely exercise their faith unless doing so at school causes a "material and substantial disruption" to the school's ability to educate students. (The disruption cannot be hypothetical or potential. Your child must actually be disrupting education.)²⁶
- 3. Schools are considered "limited public forums."

 This means your child can't say anything they want, which is why schools can ban cursing and verbal bullying. But your child still retains their right to "private religious speech." This means your school cannot prohibit your child from engaging in religious "speech," which can be verbal, written, or expressive. Examples would be your child speaking about their faith, writing about it, or expressing it through a school project, student club, or religious clothing or jewelry.
- 4. In addition, all school rules must apply equally to students. For example, a school couldn't prohibit just religious jewelry, but it could prohibit all jewelry.
- 5. The Supreme Court has ruled, "A student's rights, therefore, do not merely embrace classroom hours. When he is in the cafeteria, on the playing field, or on the campus during the authorized hours, he may express his opinions, even on controversial subjects ... if he does so without 'materially and substantially interfer[ing] with the requirements of appropriate discipline in the operation of the school' and without colliding with the rights of others."27

- 6. The school must be neutral towards religion. The school cannot display a bias for or against a religion. Bias for religion could be if a public school allowed a Christian prayer club to meet while prohibiting a Muslim prayer club from meeting.
- 7. An example of bias against religion would be if a school allows students to form non-curricular clubs, like chess clubs, but prohibits your child from forming a Bible-reading club simply because it is religious in nature or because they find it offensive. Another example is if the school allows most student clubs to advertise on a school bulletin board but does not allow your child's religious club to advertise on the bulletin board. These actions show open hostility towards religion, which federal law prohibits.²⁸
- 8. The Supreme Court has ruled that schoolsponsored prayer is unconstitutional. As the Supreme Court ruled in one case, a school cannot mandate prayer or even write and distribute a prayer for students to recite. This violates the Establishment Clause, prohibiting states from endorsing, favoring, or establishing a faith.²⁹
- **9.** Public schools cannot require students to engage in religious activities.
- 10. Your school must ensure the right of students to engage in constitutionally protected prayer, or it risks losing its state funding.
- If your child's school grants excusal from class for nonreligious needs, the school must also grant excusal for religious reasons.
- ! Schools cannot restrict religious speech just because they may find it offensive or controversial.³⁰

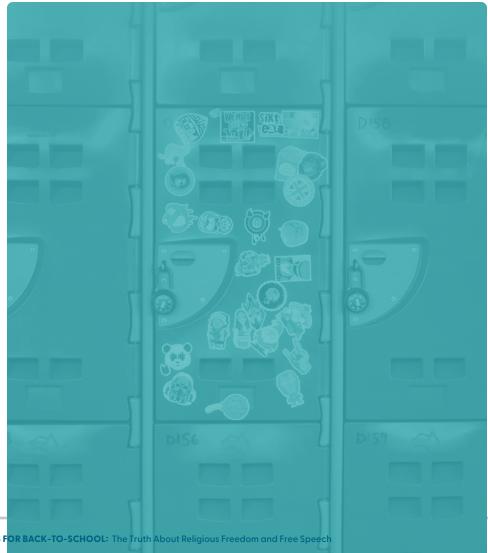
KNOW YOUR CHILD'S RIGHTS

✓ WHAT STUDENTS CAN DO IN SCHOOL:

- Your child has the right to free speech at school, provided their speech is
 not disruptive or against school rules. No rules prevent your child from talking
 about their faith, beliefs, or thoughts on issues in the classroom, to friends, in the
 lunchroom, on sports teams, and more.
- In general, students can voluntarily express their personal and religious beliefs
 to their classmates through verbal or written expressions as long as they
 follow school policy and do not engage in these activities during classroom
 or instruction time. Schools can enforce reasonable limits on times and locations
 where students can distribute materials, but these regulations must be applied
 equally to all students.
- Your child has the right to pray at school. Of course, your child can pray silently, asking God for wisdom and grace before taking a test. Still, students can also pray aloud or with others during lunch, before or after school, during other free time, and before or after a sporting event, provided they're not doing so in a disruptive manner. Student prayers are considered private, personal speech. They are allowed as long as they are student-led (rather than teacher-led or school-endorsed), aren't disrupting academic instruction, and are voluntary meaning no student feels coerced to participate.
- Your child can start a political or religious club if the school allows other noncurricular groups. If other clubs are allowed to advertise at school (for example, distribute flyers, hang banners, or use a school's bulletin board), your child's club should also have this right.
- Your student can bring books that are religious, political, or even offer a different viewpoint from what's being taught in the classroom, just as students can bring other favorite books they are reading to school. A student can read these during free time and even use these books in a class assignment as long as he or she does so in a way that is relevant to the subject the teacher has assigned and meets the assignment's requirements.
- Your child has the right to undertake religious activities of their own accord.
 Students and religious clubs have equal access rights to participate in student-led events. Courts have said that school officials must remain neutral in how they treat students' activities and free-speech expressions.
- Your child has the right to be free from bullying and harassment for any reason.

WHAT STUDENTS CANNOT DO:

- Your child cannot disrupt instruction time. While students have free speech rights, they cannot abuse those rights in a way that prevents the school from accomplishing its core mission of providing academic instruction. For example, a student cannot interrupt a teacher's lesson plan to distribute information if that would be inappropriate.
- Your child does not have the right to bully or harass other students, and students do not have the right to force their classmates to listen to them. On the other hand, students can voluntarily invite other students to participate in activities and student-led discussions.
- Your child cannot ignore school policies. It is a good idea to check for applicable school policies and notify school officials if your child plans to distribute materials, start a club, etc. While schools can enforce reasonable regulations, they can't enforce them in a biased way.



WAYS YOU CAN ADVOCATE FOR YOUR CHILD

Free speech and the free exercise of faith are rights that belong to your child. They are not rights you can exercise for them. As a parent, you still have the right to ensure that your child's rights are respected while on school grounds. If your child's rights are not protected, there are ways you can protect and advocate for them!

- If your child's free speech rights and free exercise of religion rights are being trampled, be sure to talk to your child's teacher or principal to seek a quick and amicable resolution. Tell them the law (as they may not be aware) and inform them of what you'd like to see happen. Be respectful, kind, and clear. It's always good to put your concerns and solutions in writing. Ask the school to write down what actions they plan to take.
- If your child is being required or coerced to engage in religious activities by school staff, share your concerns with your child's teacher and/or principal. Public schools are not allowed to provide religious instruction, though they may teach about religion. Let them know the law and what you'd like to see happen.
- If your child's school has denied them an excusal from class for a religious activity or observance, this violates your child's constitutional rights. You may talk with your school principal to request an excusal. Your child's school must take immediate steps to remedy religious discrimination.

If a teacher, principal, or other school staff member refuses to take action to respect your child's constitutional rights, it may be time to do one or more of the following.

- 1 You can file a complaint with your state department of education.
- 2 You may also contact your state's office of civil rights to learn the procedure for filing a complaint about constitutional rights violations.
- You may seek a civil rights attorney or legal aid group who might need to do as little as submit a letter of demand to pressure a school to comply with the law. Seeking legal counsel often results in the quickest action if a school, school board, or district is unresponsive to your written concerns and requests. We've listed different legal aid groups at the end of this section to assist you.
- 4 You may also be able to file a complaint with the federal Civil Rights Division of the U.S. Department of Justice.
- You may also file a discrimination complaint with the Office of Civil Rights of the U.S. Department of Education if your child is treated negatively because they belong to a particular faith.

TALK WITH YOUR CHILD

Here are ideas for discussing these important constitutional rights with your children.

- 1. Talk with your children about the Constitution and the Bill of Rights, two of our nation's founding documents. Explain that we are a nation of laws, and those laws include certain God-given rights, such as freedom of religion, speech, and assembly. As you do, point out that none of these rights are absolute we don't have the right to say what we want, whenever we want. Children love to claim, "It's a free country!" But that doesn't mean we can slander others, shout "fire" in a crowded theater, or disrupt school lessons.
- 2. It is important for our kids to realize that rights come with the responsibility to exercise them appropriately. So, your children can't jump up in the middle of class and start praying or reading the Bible aloud, but they can pray and read the Bible during free time, lunch, recess, and before or after school. They can also pray silently in the classroom. Teach them the importance of respecting other people's rights, even when we strongly disagree with them.

As your children grow and learn, teach them the following essentials:

- All people are made in the image of God. Therefore, everyone is worthy of love, grace, kindness, and respect.
- 2. A Christian worldview is in direct conflict with the secular worldview that dominates much of our culture including schools, curriculums, and textbooks. So, it is important to be able to think and speak articulately about these complex issues with patience, courage, and humble confidence.
- 3. Healthy conflict is okay. You can explain and demonstrate this at home when children face disagreements with family and friends. It is important they learn what healthy conflict looks like and how to stay engaged in a constructive way. That way,

when they encounter opposition, disagreement, or obstacles, they will recognize how to remain to remain respectfully engaged, and/or when it is time to walk away.

If a principal or teacher (or someone else in authority) prohibits your student's from exercising their free speech or religious freedom reasonably at school, they must be respectful and should also stop their activity immediately — even if they're hurt, upset, and angry.

If an incident arises at school, direct your child to take the following steps:

- 1. Talk with you right away to let you know what happened. As you nurture an ongoing, healthy dialog with your kids, remind them that you want to know about anything that occurs and to support them. Then, document the details of the situation as soon and as accurately as possible. If the school official or teacher is punitive or unreasonably angry, encourage your child to remain as calm as possible and reassure them that you will help resolve the issue.
- 2. Politely and with humility, tell teachers and school officials what you've taught them about their freedoms on campus. They may need a sense of "permission" or boldness that you can provide. Or, they may need to know they have an option to wait and come talk to you before going back and explain their position to the teacher or administrator.
- 3. If the issue escalates, tell your child to let you advocate for them as their parent. If the issue escalates further, first, talk to the school and explain your child's legal rights. If the response is not satisfactory, contact a school board member. If the situation is not resolved with these initial measures, you might want to contact a First Amendment legal aid group; see our list at the end of this section.

FOR MORE ON THESE ISSUES:

<u>Department of Education: Guidance on Constitutional-ly Protected Prayer and Religious Expression in Public Elementary and Secondary Schools</u>

<u>Alliance Defending Freedom: Student Rights Handbook</u> (downloadable)

Alliance Defending Freedom: K-12 Educators' Guide

<u>Focus on the Family: Religious Freedom — Protecting</u> <u>how we practice our faith</u>

<u>Gateways to Better Education: National Free to Speak</u>
<u>Campaign</u>

LEGAL GROUPS

Providing legal aid and information for free speech, religious freedom, and parental rights:

Alliance Defending Freedom

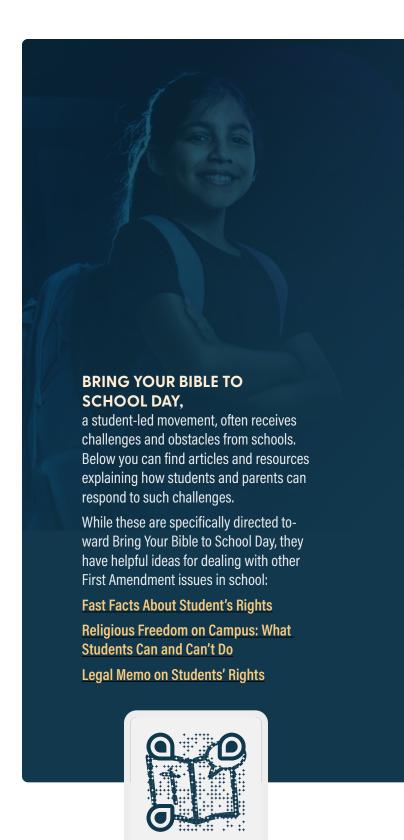
Becket: Religious Liberty for All

First Liberty Institute

Liberty Counsel

Pacific Justice Institute

The Thomas More Society



NOTES

- 1 First Liberty, "Outrageous: Florida School Attacks 5-Year-old Told Prayer is "Wrong," May 1, 2014, https://firstliberty.org/media/outrageous-florida-school-attacks-5-year-old-told-prayer-is-wrong/.
- 2 Read more about Chase' battle for religious freedom and free speech at Bruce Hausknecht, "Former Colorado Springs High School Student Shares Story of Fight for Religious Freedom in the Oval Office," Daily Citizen, January 17, 2020, https://dailycitizen.focusonthefamily.com/former-colorado-springs-high-school-student-shares-story-of-fight-for-religious-freedom-in-the-oval-office/ and, Sarah Kramer, "How One High Schooler's Stand Protected Students Across the Country," Alliance Defending Freedom, October 26, 2022, https://adflegal.org/case/windebank-v-academy-school-district-20.
- 3 First Liberty, "Creekside Prayer Club," May 8, 2024, https://firstliberty.org/cases/creekside-prayer-club/.
- 4 Alliance Defending Freedom, "L.B. v. Simpson County School District," January 25, 2023, https://adflegal.org/case/lb-v-simpson-county-school-district.
- 5 Alliance Defending Freedom, "ACLU fails to silence religious expression in Wilson County schools," May 30, 2008, https://adflegal.org/press-release/aclu-fails-silence-religious-expression-wilson-county-schools.
- 6 Talia Wise, "Civil War': Ohio School District Bans Prayer Before Sporting Events," February 20, 2018, https://www2.cbn.com/news/us/civil-war-ohio-school-district-bans-prayer-sporting-events and Kelly Shackelford, Undeniable, Faith on Trial in America, 2019 https://firstliberty.org/undeniable/.
- 7 Josh Hetzler, "Victory: We Won our Lawsuit Against the Loudoun School Board!" May 5, 2022, https://www.foundingfreedomslaw.org/news/loudoun-school-board-victory.
- 8 First Liberty, "Minnesota Moms," February 13, 2024, https://firstliberty.org/cases/minnesota-moms/.
- 9 Thomas More Society, "California Teachers Sue School District for Forcing Them to Deceive Parents About Students' Gender Preferences," April 27, 2023, https://www.thomasmoresociety.org/news/california-teachers-sue-school-district-for-forcing-them-to-deceive-parents-about-students-gender-preferences.
- 10 Focus on the Family and Family Policy Alliance, "Who Has Educational Authority, What's Happening in the Classroom and Radical Ideologies," <u>Equipping Parents for Back-To-School</u>, July 2024
- Kelly Shackelford, op. cit.
- Emily Washburn, "Art Club' Documentary One Family's Escape from Gender Ideology, and the Bigger Trend Sweeping the Nation," Daily Citizen, February 6, 2024, https://dailycitizen.focusonthefamily.com/art-club-documentary-erin-lee-escape-gender-ideology-bigger-trend/ and Nicole Hunt, "Exclusive Interview: Colorado Parents Expose 'Gender Cult' at Public School in New Documentary," https://dailycitizen.focusonthefamily.com/exclusive-interview-colorado-parents-expose-gender-cult-at-public-school-in-new-documentary/.
- 13 GLSEN, "About Us," 2024, https://www.glsen.org/about-us.
- 14 Ibid.
- 15 GLSEN "Programs," https://www.glsen.org/programs, "Resources," https://www.glsen.org/resources, and "Research," https://www.glsen.org/resources, and "Research," https://www.glsen.org/resources, and "Research," https://www.glsen.org/resources, and "Research," https://www.glsen.org/resources, and "Research," https://www.glsen.org/research.
- 16 GSA Network, "What is a GSA club?" 2024, https://gsanetwork.org/what-is-a-gsa/.
- 17 GSA Network, "Mission, Vision, & History," 2024, https://gsanetwork.org/mission-vision-history/.
- 18 GSA Network, "TRUTH: Nine Point Platform," 2024, https://gsanetwork.org/resources/truth-nine-point-platform/.
- 19 Ibid
- 20 Parents Defending Education, "Who We Are," 2024, https://defendinged.org/about/.
- 21 Parents Defending Education, "Pride and Prejudices: An Examination of Genders & Sexualities Alliances in Schools," November 14, 2023, https://defendinged.org/investigations/pride-and-prejudices/.
- 22 Abigail Shrier, "How Activist Teachers Recruit Kids," The Truth Fairy, November 18, 2021, https://www.thetruthfairy.info/p/how-activist-teachers-recruit-kids.
- 23 Ibi
- 24 First Liberty, "Hardin FCA Case," November 2, 2018, https://firstliberty.org/cases/hardin-fca/.
- 25 Justia, Tinker v. Des Moines Independent Community School District, February 24, 1969, https://supreme.justia.com/cases/federal/us/393/503/.
- 26 Ihir
- 27 Tinker. op. cit
- 28 Justia, Board of Education of Westside Community Schools v. Mergens, June 4, 1990, https://supreme.justia.com/cases/federal/us/496/226/.
- 29 Justia, Engel v. Vitale, June 25, 1962, https://supreme.justia.com/cases/federal/us/370/421/.
- 30 Justia, Morse v. Frederick, June 25, 2007, https://supreme.justia.com/cases/federal/us/551/393/.

©2024 Focus on the Family and Family Policy Alliance.