

# Student Group Scores First-Amendment Victory

Student members of the Stone High School Fellowship of Christian Athletes in Wiggins, Miss., scored a major First-Amendment victory this week with help from Liberty Counsel.

Previously, the students had sought and received permission from school officials to set up a table during lunch upon which they would place Bibles that other students could take for their own use. The distribution was halted, however, after an internet search turned up a website that questioned its legality.

Liberty Counsel soon became involved and sent a letter to Stone County Public School District Superintendent Inita Owen in which it explained what is allowed under the law, and extended an offer to represent the school district free of charge if it faced any litigation for allowing the distribution. That letter stated, in part:

Students and student clubs retain their right to undertake club activities on public school campuses, and may personally distribute Bibles to other willing students, subject to reasonable time, place and manner restrictions, during non-instructional time.

The law is clear: Students do not shed their constitutional rights at the school house gate. Where speech is not attributable to the district, and is neither disruptive, obscene, lewd, sexually explicit, nor does it promote illegal drug use, the speech may not be prohibited or subjected to discriminatory treatment. The Constitution does not require hostility toward religion, but neutrality.

The United States Supreme Court has made clear that “private religious speech, far from being a First Amendment orphan,

is as fully protected under the Free Speech Clause as secular private expression.” In the school context, specifically, the Supreme Court and various federal courts have confirmed that the speech—written or verbal—of religious students or organizations must be treated on equal terms and conditions with those speaking from a secular perspective.

FCA members attended a school board meeting, which a copy of the letter in hand, as well as tips from Liberty Counsel’s *Religious Freedom in the Public Schools Handbook*, in support of their request. After reviewing the case law presented by Liberty Counsel, the school board decided to allow the distribution of Bibles.

“The Stone County School Board made the appropriate decision to allow these students to distribute Bibles during non-instructional time to their fellow classmates,” Liberty Counsel Founder and Chairman Mat Staver said. “Students on public school campuses have constitutional protection of free speech, including religious speech. We are elated that the students with Fellowship of Christian Athletes will be able to share the Good News of Jesus Christ in time for Good Friday.”  
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