

Calif. School District Allows Equal Access to Religious Views

The American Center for Law and Justice recently assisted a church in gaining equal access at a public school to distribute materials related to release time religious and moral instruction. Under California law, parents are permitted to request that their children be released from school supervision for a limited period every month in order for their child to receive religious and moral instruction that the child does not receive from the public school.

The school district had a policy that prohibited anyone from distributing “religious materials,” including information related to the release time religious and moral instruction that was authorized under state law. To make matters worse, the district allowed distribution of secular materials and specifically targeted **religious materials** for discrimination.

After discussing the issue with its client, the ACLJ drafted a letter explaining that the school’s policy constitutes viewpoint discrimination against **religious speech** and that the policy violated the First Amendment’s prohibition on restricting free speech. In addition, the ACLJ explained that the policy was facially inconsistent with the state law, which allows supervised release time for religious and moral instruction.

After church representatives presented the letter to the school district explaining the law, the district agreed to change its policy to comply with **First Amendment** requirements and give equal access to all viewpoints. The church will now have equal access to distribute material related to the release time religious and moral instruction.

The ACLJ is pleased with this outcome and looks forward to continuing to vigilantly protect and ensure the ongoing viability of religious freedom and liberty in the United States and around the world.