



Freedom of Religious Expression in Public Schools Overview

Opposition Talking Points

- Students using “religious” language and expressions can be perceived as a particular religion being endorsed by the school.
 - M. v. Taconic Hills Cent. Sch. Dist., 510 Fed. Appx. 3 (2d Cir. 2013)
 - An 8th grade student was not allowed to include a sentence in the Bible in her graduation speech.
 - Busch v. Marple Newtown School District, 567 F.3d 89 (3d Cir. 2009)
 - A student’s parent was not allowed to read from the Bible in a class presentation, as it would be seen as “promoting religion.”
 - Corder v. Lewis Palmer School Dist. No 38, 566 F.3d 1219 (10th Cir. 2009)
 - A class valedictorian had to publically apologize for referencing her personal faith.
 - Fleming v. Jefferson County School District R-1, 298 F.3d 918 (10th Cir. 2002)
 - Following the Columbine school shooting, students were not allowed to express themselves with religious symbols in a memorial project.
 - H. v. Oliva, 226 F. 3d 198 (3rd. Cir. 2000)
 - A Bible story was not allowed to be read in class.
 - Furley v. Aledo S.D., 218 F.3d 743 (5th Cir. 2000)
 - A valedictorian was no allowed to include a prayer in her speech.
- Students using “religious” language and expressions can be perceived by the school as proselytizing and in effect, creating student oriented “public pulpits.”
 - Morgan v. Swanson, 659 F.3d 359 (5th Cir. 2011) (en banc)
 - Goodie bags used during a “Winter Party” were disallowed because the contents included religious items.
 - Walz v. Egg Harbor Township, 342 F.3d 271 (3d Cir. 2003)
 - A pre-kindergarten student was not allowed to give class gifts with a religious theme/message because it was deemed to be proselytizing speech.
- Students using religious language and expression can increase the risk for bullying LGBT students.