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***See You At The Pole* Gatherings
and Other Student-Initiated Prayer on Public School Campuses**

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Students on public school campuses do not shed their constitutional rights to freedom of speech or freedom of religion when they enter the schoolhouse gate. During any noninstructional time, before or after school, in between classes, during the lunch hour, on the playing field, or during any other noninstructional time, students may express their opinions verbally or in writing. Prayer is a form of speech and therefore during noninstructional time, students do have the constitutional right to pray individually or in groups.

The annual *See You At The Pole* event is an example of the constitutional rights of students to pray in groups. Students do not lose the right to speak or pray simply because they enter the public school campus. Students may pray around a flagpole or on other public school grounds during noninstructional time. Schools may not prohibit students from praying in this manner. Students should not block sidewalks or driveways, nor should students use megaphones to announce their meeting or present their message if such would be disruptive to the ordinary operation of the school.

Events such as *See You at the Pole* do not have to be limited to an annual event. Students have the right to gather for prayer every month, every week, or even every day. Students may gather for prayer as part of their activity associated with their student-initiated clubs. Such clubs have the right to conduct student-initiated, student-led prayer meetings while using the public school facilities just like any secular student club has the right to use the public facilities for secular meetings. Furthermore, just as students have the right to verbally speak during noninstructional times, they have the right to distribute religious literature. Finally, student religious clubs have the same right to promote their

activities as other clubs. Thus, if secular clubs are permitted to hang posters or make announcements on the intercom system regarding club activities, then religious clubs must be given the same access to promote their activities.

It is beyond question that public school students have a First Amendment right to participate in *See You At The Pole* and other prayer gatherings. The Supreme Court has unequivocally stated that students have a First Amendment right to pray before, during or after the school day.

The United States Department of Education's "Guidelines on Religious Expression in Public Schools" also point out that students have the right to participate in SYATP as a protected act of religious expression.

School officials have an affirmative duty to educate themselves regarding the First Amendment rights of students, rather than acting out of bigotry, religious bias or ignorance of the law. If students encounter resistance from school officials about *See You At The Pole*, they should contact Liberty Counsel immediately. Parents and teachers who have questions about student-initiated prayer in public schools should also contact Liberty Counsel.