

Protect Students' Rights

To the Editor:

A student and member of a Bible Club at Hunterdon Central High School wanted to sponsor Robert Morey from the group Faith Defenders to speak on Islam, but the Bible Club did not have an adviser. Last year's adviser decided not to oversee the club until the teachers' contract was settled. The student alleged that many clubs were functioning without advisers. Finally, the student found a teacher who agreed to be the adviser.

The student handed in an application to reserve the auditorium on May 15. The student alleged that the adviser revoked the application and told him that if he just wanted a legal adviser, she did not want to do it. (The law states a legal adviser for a Bible club can only be a custodial monitor and cannot exercise control over club.) The student also alleged the same thing happened last year when the club wanted to sponsor an ex-homosexual to speak at the school. Last year's adviser made the decision to disallow the club to sponsor him. An outside group had to sponsor him.

My purpose is not to assign blame on anyone, but to explain what the legal role of a Bible club adviser is according to the Equal Access Act.

The Equal Access Act imposes one difference in treatment between religious student groups and other clubs. The Act prohibits faculty or staff from serving in any role with religious student groups other than as a custodial monitor. In other words, the teacher-sponsor of a religious group is present only to ensure the group does not violate school policies or injure school property. Unlike the sponsor of a chess club; often himself a chess player, the sponsor of a Bible club or prayer group is not permitted under the Act to actively participate in the club.

Prayer groups and Bible clubs must be student-initiated. Students must create the clubs, organize their activities, and lead their meetings. This requirement does not mean religious student groups cannot invite outside speakers.

If the school has non-curriculum related clubs and the Bible club has no adviser, the school must appoint one. Also, students are allowed to hand out gospel tracts during non-instructional time. This is a First Amendment right. And it does not constitute soliciting. They are not selling anything!

For further information on students' rights, call the American Center for Law and Justice at (757) 226-2489 and ask for the booklet *Students' Rights and the Public Schools*. Or you can log on to www.aclj.org.

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