

SECTION 7 - STUDENTS

7:130 Student Rights and Responsibilities

All students are entitled to enjoy the rights protected by the [U.S.](#) and [Illinois Constitutions](#) and laws for persons of their age and maturity in a school setting. Students should exercise these rights reasonably and avoid violating the rights of others. Students who violate the rights of others or violate District policies or rules will be subject to disciplinary measures.

Students may, during the school day, during noninstructional time, voluntarily engage in individually or collectively initiated, non-disruptive prayer or religious-based meetings that, consistent with the Free Exercise and Establishment Clauses of the [U.S.](#) and [Illinois Constitutions](#), are not sponsored, promoted, or endorsed in any manner by the school or any school employee. *Noninstructional time* means time set aside by a school before actual classroom instruction begins or after actual classroom instruction ends.

LEGAL REF.:

20 U.S.C. §4071 [et seq.](#), Equal Access Act.^{C1}

20 U.S.C. §7904, Every Student Succeeds Act.

[Kennedy v. Bremerton Sch. Dist.](#), 597 U.S. 507 (2022).^{C2}

[Tinker v. Des Moines Indep. Cmty. Sch. Dist.](#), 393 U.S. 503 (1969).

[105 ILCS 20/5](#), Silent Reflection and Student Prayer Act.

CROSS REF.: 7:140 (Search and Seizure), 7:150 (Agency and Law Enforcement Requests), 7:160 (Student Appearance), 7:190 (Student Behavior)

ADOPTED: October 9, 2025

Prospect Heights School District 23

PRESSPlus Comments

- C1. The Equal Access Act (EAA) requires a secondary school that receives federal funding and allows a *limited open forum* to grant fair opportunity or equal access to students who wish to conduct a meeting within that limited open forum without regard to the religious, political, philosophical, or other content of the speech at such a meeting. A secondary school has a *limited open forum* whenever it “grants an offering to or opportunity for one or more noncurriculum-related student groups to meet on school premises during noninstructional time.” 20 U.S.C. §4071(a). **Issue 122, June 2026**
- C2. Kennedy v. Bremerton Sch. Dist., 597 U.S. 507, 527 (2022) (quoting Tinker at 506, “the First Amendment’s protections extend to both ‘teachers and students,’” found that students were not restricted from voluntarily joining in prayer with a high school football coach on the field after a game). **Issue 122, June 2026**