



FACT SHEET
Zamecnik v. Indian Prairie School District
#204 Board of Education

ABOUT Zamecnik v. Indian Prairie School District #204 Board of Education

ADF attorneys represent Alexander Nuxoll, a student at Neuqua Valley High School in Naperville, Ill. Nuxoll is not only prohibited from wearing a shirt that expresses his religious perspective on homosexual behavior, but is also not allowed to express any viewpoint that is critical of homosexual behavior. Nuxoll has not worn the shirt, which reads “Be Happy, Not Gay,” for fear of incurring punishment from school officials. However, other students at the school are permitted to wear clothing supporting homosexual behavior as part of the “Day of Silence,” an event promoted by the Gay, Lesbian, Straight Education Network. The case was originally filed on behalf of Nuxoll and then-student Heidi Zamecnik, who in 2006 was barred from wearing a similar shirt.

CURRENT STATUS OF Zamecnik v. Indian Prairie School District #204 as of 4/3/08

On March 21, 2007, ADF attorneys filed a lawsuit in the U.S. District Court for the Northern District of Illinois, Eastern Division. ADF is appealing a federal judge’s December 21, 2007, decision to deny a request for a temporary injunction that would have allowed Nuxoll to express his viewpoint while the lawsuit moves forward.

FOCUS OF HEARING – WHAT IS AT STAKE?

The Constitution protects free speech, regardless of whether that speech is considered “popular” or “politically correct.” School officials have violated Nuxoll’s First Amendment right to free speech by prohibiting him from expressing his religious perspective on homosexual behavior. Further, school officials are engaging in discrimination because other students are permitted to present an opposing perspective at any time, including on the “Day of Silence.”

CONTACT

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ABOUT ADF

The Alliance Defense Fund (ADF) is a legal alliance defending the right to hear and speak the Truth through strategy, training, funding, and litigation. ADF has nearly 1,100 allied attorneys who are dedicated to defending and protecting religious freedom, sanctity of life, marriage, and the family.

ABOUT Nate Kellum

Nate Kellum is senior counsel with the Alliance Defense Fund. Kellum earned his J.D. from the University of Mississippi and is admitted to the bar in Tennessee, Mississippi, and numerous federal appellate courts. He has practiced law for 19 years.