

## Religion in the Schools

### A. Overview

A primary goal of the district is to teach students about the role of religion in the social, cultural, and historical development of civilization. It is important for staff members to approach this responsibility in a sensitive, objective manner. It is also important for students to understand there are differences in religious and non-religious beliefs, and for staff members to encourage students to respect the right of individuals to hold these beliefs.

The following procedures are designed to assist staff in determining the appropriateness of school-sanctioned activities and materials for student use. It is recognized that these procedures cannot address every question or situation associated with this policy. The procedures listed here offer guidelines to staff members on which to base their professional judgment. In situations in which further guidance may be helpful, staff members are encouraged to consult with their colleagues or building administrator.

### B. Dealing With Students at Various Ages and Levels

It is incumbent upon staff members to recognize that younger students, particularly those in elementary and, to some extent, those in middle school, are an impressionable *captive* audience who may feel strong pressure to conform to what they see as predominant beliefs and practices. These students may not have the sophistication, independence, or conviction to make judgments and decisions regarding religious beliefs and practices. It is therefore important that staff members be sensitive to differences in religious beliefs. Staff should avoid putting students in situations in which their religious beliefs or non-beliefs may make them feel uncomfortable. Staff should also be aware of the impact they have as role models for all students.

### C. Determining Religious Neutrality

So that school sponsored classes, programs, curricula, materials, and activities involving religious content conform to the constitutional standards of religious neutrality necessary in the public schools, the following questions raised in 1971 by Chief Justice Warren E. Burger in *Lemon v. Kurtzman* should be asked:

1. What is the purpose of the activity? Is the purpose non-religious in nature, e.g. studying music of a particular composer's style or historical period? (If the purpose of the activity is religious in nature, it would not conform to standards of religious neutrality.)
2. What is the primary effect of the activity? Is the activity primarily neutral in that it neither enhances nor inhibits religion? (If the effect of the activity is celebration or indoctrination of religious beliefs or non-beliefs, it would not conform to standards of religious neutrality.)
3. Does the activity involve an excessive entanglement with a religion or a religious group, or between the schools and religious organizations? (If the location of the activity, the audience for whom the activity will be performed, or the time of year when the activity takes place fosters an unnecessary involvement with a religion or a religious group, it may not conform to the standard of religious neutrality.)

After carefully considering these three questions, if it remains questionable that materials or activities conform to the standard of religious neutrality, staff members should ask themselves if there are other choices available that would meet the educational objectives as well.

### D. Definition of Terms

For purposes of this policy and procedures, the following definitions are applicable:

1. devotional = “with religious fervor,” or “in the nature of an exercise or ceremony in worship”
2. secular = “non-religious”
3. balanced = “made relatively equal with regard to religious and non-religious within, between, or among religions and programs.”
4. objective = “uninfluenced by emotion or personal prejudice”
5. school day = “the period beginning 30 minutes before the first regularly scheduled class and ending 30 minutes after the end of the last regularly scheduled class”

#### E. Pair-Words

School district administrators, staff, and teachers should bear in mind the following *pair-words* as they work with this policy and procedures:

The school may sponsor the study of religion, but may not sponsor the practice of religion.

The school may expose students to all religious views, but may not impose any particular view.

The school's approach to religion is one of instruction, not indoctrination.

The function of the school is to educate, not to convert.

The school's approach to religion is academic, not devotional.

The school may study what people believe, but may not teach a pupil what to believe.

The school may provide for student awareness of all religions, but may not press for student acceptance of any one religion.

The school may seek to inform the student about various beliefs, but may not seek to conform him to any one belief.

Nothing in this policy shall sanction actions of students or the district or members of its staff which are contrary to local, state, or federal regulations, statutes, or constitutional provisions.

#### F. Instruction Concerning Religion

For purposes of this policy, *devotional* is defined as *with religious fervor, or in the nature of an exercise or ceremony in worship*. *Non-devotional* therefore is defined as *the opposite of devotional*.

Students should not be required to perform and/or complete any assignment in a devotional manner.

For purposes of this policy, *secular* means *non-religious*.

Staff members should be sensitive to balance within curricular selections.

In selecting materials of a religious nature, staff members should consider the three questions raised in *Lemon v. Kurtzman*, as noted in the introduction to the procedures. If a staff member's use of these materials can withstand the test of these questions, it is probably not in violation of the First Amendment.

Staff members should give an introduction that highlights the secular reasons for making selections of a religious nature.

See Policy 2311 for instructional materials selection.

Staff members will refrain from using words or actions which demean the religious beliefs or non-beliefs of others.

Staff members should not tolerate student actions which demean others or their beliefs.

A staff member cannot require or suggest that students make religious symbols as part of an assignment, but if a student chooses to make a religious symbol to fulfill the assignment, this would be permissible.

If student responses to an assignment include religious symbols, the staff member may choose to display all or none of the responses for that assignment.

#### G. Prayer and Devotional Activities

Moments of silence are permissible provided they contain no prayers or religious recitations led by students or staff members and provided they have a secular purpose and do not occur on a regularly scheduled basis.

#### H. Dedications, Commencements, Baccalaureate Services

No school district funds may be used for baccalaureate purposes.

Groups planning religious baccalaureates may rent and utilize school facilities under conditions prescribed by board policy.

Meetings for the purpose of planning or preparing for baccalaureate may not involve school staff or students during the school day.

Students/staff participation in baccalaureate shall be voluntary.

Information regarding baccalaureate may be disseminated on bulletin boards available for non-school public announcements.

#### I. School and Student Assemblies

The building principal or designee is responsible for knowing the content of an assembly and giving prior notification to speakers/presenters of the district's policy and procedures regarding conveying religious beliefs.

Non-students may not distribute religious literature on school grounds during the school day or at school-sponsored assemblies and activities.

The policy is in effect when an assembly is occurring on a school campus, whether or not the assembly is optional or required.

## J. Religious Holidays

### 1. Classroom Parties at Religious Holiday Times

Classroom parties are permitted at religious holiday times provided that:

- a. there is a secular, educational purpose to the party,
- b. activities at the party do not advance or inhibit any religious belief, and
- c. unnecessary entanglement with religion is not fostered.

Staff members should minimize situations which require students to choose non-participation in classroom parties due to religious beliefs.

### 2. Wearing of Costumes at Religious Holiday Times

Students who choose to wear costumes at religious holiday times including Santa Claus costumes, solely as part of individual expression and not as part of an organized element of a school activity, shall be allowed to do so, provided that it is not materially disruptive to the educational process. However, students should not be required or directed by staff members to wear costumes.

### 3. Santa Claus

Non-religious displays which include artificial Santa Claus figures are acceptable in the classrooms.

A human Santa Claus appearing at school activities before, during or after the school day is not allowable at the elementary level, except as provided in reference to wearing of costumes.

A human Santa Claus appearing at school activities before, during or after the school day is not allowable at the middle school or high school levels, except where attendance is voluntary, or as provided in reference to wearing of costumes.

### 4. Food and Clothing Drives at Religious Holiday Times

As long as the collecting of food, toys, clothing, etc. at holiday times is voluntary and non-religious, it is acceptable.

### 5. Music and Drama

The selection of music with a religious origin may be performed at a time of the year recognized by individuals as a religious time, but the following factors should be considered in determining if a piece of music is appropriate:

- a. Historical and cultural background of the music;
- b. Significance of the composer;
- c. Representation of a particular style of music;
- d. Elements of the music that make it pertinent, i.e., educationally sound, has specific educational objectives, and/or appeal to students;
- e. Location of the performance;
- f. For whom the music will be performed; and
- g. The time of the year when the performance takes place.

The above factors are derived from the test adopted by the U.S. Supreme Court in *Lemon v. Kurtzman*, 403 U.S. 602 (1971). If in doubt about a particular selection, staff members should consult with each other or their building administrator.

Not all factors are necessary to have a supportable piece. However, in making decisions, the more factors which indicate secular purposes for selecting the piece, the more supportable its use.

Music or drama of a religious nature should not be performed in a religious setting. It is permissible to perform music or drama of a religious nature in a religious facility if adequate non-religious facilities are not available for the performance and provided the program is balanced.

School sponsored activities should not include participation in religious services.

When performing on a school campus or before a school audience, an introduction to the musical selections should be presented in writing on the program or verbally by the teacher. This introduction should include the qualifying factors for the selections.

#### 6. Christmas Trees

Display shall be limited to ten school days in length.

Decorating of trees is to be done outside of the school day.

The decorating of the Christmas tree may include a voluntary participation by students. General school-wide announcements by administration or students may be made regarding the date and time of event. This communication can be done by

- a. a note to parents sent home with the students;
- b. a notice in the monthly school newsletter; and/or
- c. reading of the notice over the intercom at secondary level schools if this is a part of the daily bulletin.

Only written communication by classroom teachers is permissible regarding the decorating of the classroom tree.

Classroom art projects should not include an option to make a decoration for the tree.

The decoration may not include religious symbols as defined in policy 2340, section E3.

#### 7. Absences for Religious Observances

- a. Students shall not be penalized or deprived of make-up opportunities for such absences, or subjected to pressure to choose between school attendance and religious observance.
  - 1) It is the student's responsibility to obtain assignments.
  - 2) The time line for completing make-up work will be the same as for any other excused absence.

- 3) It is the responsibility of the teacher and the parent to encourage students to recognize the importance of finding out about assignments that are missed.
- b. A student shall not be prohibited from receiving a certificate of perfect attendance as a result of a prior approved excused absence for missing school on a recognized religious holiday of his/her faith.
  - 1) Prior approved excuse shall be in written form from the student's parent/guardian.
  - 2) For purposes of this subsection, *recognized* religious holidays shall include, but not be limited to, the following:
    - a) Rosh Hashanah (two days)
    - b) Yom Kippur
    - c) Christmas
    - d) Lunar New Year (two days)
    - e) Passover (first two evenings and the last two evenings of Passover week.)
    - f) Ash Wednesday
    - g) Good Friday
    - h) Easter
    - i) Buddha's birthday

8. District Calendar

For purposes of this subsection, known religious holidays are as follows:

- a. Rosh Hashanah (two days)\*
- b. Yom Kippur\*
- c. Christmas
- d. Passover (the first two evenings and the last two evenings of Passover week)\*
- e. Ash Wednesday
- f. Good Friday
- g. Easter

\*All Jewish religious holidays begin at sundown the day before and end at sundown the day of the holiday.

The dates for these known religious holidays are to be listed on the school calendar.

K. Released Time Religious Instruction

Non-instructional time would include, but not be limited to:

1. recess periods
2. lunch periods
3. passing time between classes.

Building policies and procedures regarding attendance need to be adhered to by parents and students.

L. Distribution of Religious Literature

A student may distribute religious literature under the same conditions as outlined in Policy 3222 which states: All student publications, printed material, papers, signs, leaflets, and advertisements are subject to regulation by the administration as to manner, time and place of distribution.

In accordance with Policy 4320, requests to distribute material on school grounds must be made to the superintendent or his/her designee who will determine when, where, and in what manner publications and other materials may be issued, posted, sold, or distributed on school campuses.

#### M. Rent and Utilization of School Facilities by Religious Groups

In order to satisfy the impression that the district is not sponsoring a religious activity, schools should avoid scheduling or renting a facility within one hour before the first regularly scheduled class and one hour after the conclusion of the last regularly scheduled class.

#### N. Organized Gift Exchanges

Organized gift exchanges which are prohibited include those initiated by either teachers or students or those which are endorsed by the school staff. This includes such activities as *secret pals* or *secret santas* conducted in the observance and/or celebration of religious holidays. For purposes of this subsection, religious holidays are those identified as known religious holidays in subsection J8 of the procedures.

Exchanges include any acceptance of a gift which involves or implies that a gift be given in return. A food or clothing drive, therefore, would not constitute or violate the concept of a gift exchange.

The exchange of cards and/or gifts on an informal, unorganized basis, outside regularly scheduled instruction time is permissible.

Exchanges involving only staff members are permissible, since such exchanges are not considered to be school activities for purposes of this subsection.

Teachers may accept an unsolicited gift from a student, but should open the gift privately to avoid undue pressure on other students.

#### O. Right to Decline Participation

When parents request non-participation for their students due to religious beliefs, the teacher must offer another assignment only if failure to perform the activity would adversely affect the student's progress or grade. The teacher need not alter the activity in question for unaffected students, but sensitivity in handling the situation is important.