

Religious Expression In The Schools

Student Prayer and Religious Discussions

Students have the same right to engage in individual or group prayer and religious discussion during the school day as they do to engage in other comparable activities. For example, students may read their Bibles or other scriptures, say grace before meals, and pray before tests to the same extent they may engage in comparable non-disruptive activities. School authorities may impose rules of order and other pedagogical restrictions on student activities. Such rules, however, may not discriminate against or in favor of religious activity or speech.

Generally, students may pray in a non-disruptive manner when not engaged in school activities or instruction and subject to the rules that normally pertain in the applicable setting. Specifically, students in informal settings, such as cafeterias and hallways, may pray and discuss their religious views with each other, subject to the same rules of order as apply to other student activities and speech. Students may also speak to, and attempt to persuade, their peers about religious topics just as they do with regard to political topics. School officials, however, should intercede to stop student speech or activities that constitute harassment aimed at a student or a group of students.

Students may also participate in before-or after-school events with religious content, such as "see you at the flag pole" gatherings, on the same terms as they may participate in other non-curriculum activities on school premises. School officials may neither discourage nor encourage participation in such events.

The right to engage in voluntary prayer or religious discussion free from discrimination does not include the right to have a captive audience listen or to compel other students to participate. Teachers and school administrators should ensure that no student is in any way coerced to participate in religious activity.

Graduation Prayer and Baccalaureates

School officials may not mandate or organize prayer at graduation, nor organize religious baccalaureate ceremonies. If a school generally opens its facilities to private groups, it must make its facilities available, on the same terms, to organizers of privately sponsored religious baccalaureate services. A school may not extend preferential treatment to baccalaureate ceremonies and may, in some instances, be obliged to disclaim official endorsement of such ceremonies.

(cf. 5127 - Graduation Ceremonies and Activities)

School Staff: Official Neutrality Regarding Religious Activity

School staff, when acting in their official capacity, are prohibited from endorsing, soliciting, encouraging, or participating in religious expression or activities with students, on campus or at school-sponsored events. School Staff (including coaches) shall not lead students in prayer or participate in student-initiated prayer.

School staff, when acting in their official capacities, also are prohibited from discouraging religious expression because of its religious content and from soliciting or encouraging anti-religious activity.

For the purposes of this regulation, school staff are deemed to be acting in their "official capacities" during all school hours and at school-sponsored events.

School Staff may engage in non-disruptive private religious expression and activities on campus during non-instructional time away from students, and factually respond to student-initiated questions about religion.

(cf. 6144 - Controversial Issues)

Teaching About Religion

Schools may not provide religious instruction, but they may teach about religion, including the Bible and other religious works so long as such teaching is presented objectively as part of a secular program of education. The history of religion, comparative religion, the Bible (or other scripture)-as-literature, and the role of religion in the history of the United States and other countries are permissible public school subjects. Similarly, it is permissible to consider religious influences on art, music, literature, and social studies. Schools may teach about religious holidays, including their religious aspects, and may celebrate the secular aspects of holidays. However, schools may not observe holidays as religious events or promote such observance by students.

(cf. 5145.2 - Freedom of Speech/Expression)

Student Assignments

Students may express their beliefs about religion in the form of homework, art work, and other written and oral assignments free of discrimination based on the religious content of their submissions. Such home and classroom work should be judged by ordinary academic standards of substance and relevance and against other legitimate pedagogical concerns identified by the school.

Religious Literature

Students may distribute religious literature to their schoolmates on the same terms as they are permitted to distribute other literature that is unrelated to school curriculum or activities. Schools may impose the same reasonable time, place, and manner or other lawful restrictions on distribution of religious literature as they do on non-school literature generally; however, schools may not single out religious literature for special regulation.

(cf. 5145.2 - Freedom of Speech/Expression)

Religious Excusals

Subject to applicable state laws, schools enjoy substantial discretion to excuse individual students from lessons that are objectionable to the student or the student's parents/guardians on religious or

other conscientious grounds. School officials may neither encourage nor discourage students from availing themselves of an excusal option. If the student demonstrates that particular lessons substantially burden the student's free exercise of religion and if the school cannot demonstrate a compelling reason for requiring attendance, the school shall excuse the student.

Release Time

Schools may dismiss students to off-premises religious instruction, provided that schools do not encourage or discourage participation or penalize those who do not attend. Schools may not allow religious instruction to students by visitors on school premises during the school day.

Religious Expression/Activities Involving Visitors

The district must remain neutral with respect to religion; therefore, the district shall not permit visitors (e.g., non-students) to advance or inhibit religion in the schools.

Religious proselytization, religious recruitment, "testimonials," the promotion of religion, or demonstrating preference for one religious belief or sect over another by visitors is prohibited on school premises during school hours and during school-sponsored events. Visitors announcing or encouraging attendance at religious events, or events sponsored by religious organizations, is considered prohibited promotion of religion. Similarly, anti-religious proselytization, recruitment, or the discouragement of religion by visitors is prohibited on school premises during school hours and during school-sponsored events. Visitors must abide by all district policies and laws. For example, all visitors must register at the school site, wear appropriate identification, if required, and not disrupt school activities. In addition, visitors may be required to execute a visitor acknowledgment form prior to being granted access to district school sites.

Schools may not allow the active and direct distribution of religious or anti-religious materials by visitors on school premises during the school day or at school-sponsored events. When a site administrator is made aware that individuals intend to distribute religious or anti-religious materials outside the school grounds, the administrator will announce that this distribution is not a school sponsored activity or supported by the school district and that students need not accept the materials. Teachers at middle school and high school level may use such an event as an opportunity to talk with students about first amendment rights and responsibilities.

To ensure a clear understanding of this regulation, all school sites shall require all visitors to read and acknowledge receipt of this regulation prior to participating in school assemblies or entering school campuses. Visitors, including groups and individuals, who violate this policy may be prohibited from returning to campus or speaking at assemblies.

(cf. 1250 - Visitor Registration Requirements)

(cf. 1325 - Advertising and Promotion (e.g., Distribution of Religious Materials))

(cf. 4135 - Soliciting and Selling)

Teaching Values

Though schools must be neutral with respect to religion, schools should teach civic values. The fact that some of these values are held also by religions does not make it unlawful to teach them in school.

Student Garb

Students may display religious messages on items on clothing to the same extent that they are permitted to display other comparable messages. Religious messages may not be singled out for suppression, but rather are subject to the same rules as generally apply to comparable messages. When wearing particular attire, such as yarmulkes and head scarves, during the school day, is part of a student's religious practice, schools generally may not prohibit the wearing of such items.

(cf. 5132 - Dress and Grooming)

Student Use of School Facilities

Student religious groups at secondary schools have the same right of access to school facilities as is enjoyed by other comparable student groups. Schools that allow one or more student non-curriculum-related clubs to conduct meetings on their premises during non-instructional time may not refuse similar access to student religious groups.

A meeting for this purpose includes a prayer service, Bible reading, or other worship exercise.

(cf. 6145.6 - Student Organizations and Equal Access)

(cf. 1330 - Use of School Facilities)

Programs

When school programs and exhibits are in any way related to instruction about religion or religious holidays, the following guidelines shall be observed:

1. The principal or designee shall ensure that school-sponsored programs are presented in an objective manner, consistent with Board policy.
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3. Program or exhibit planners shall take into consideration the diverse religious faiths represented in the community, student body and staff.

Equal Access to Means of Publicizing Meetings

School student groups shall be allowed to use the school media—including the public address system, the school newspaper, and the school bulletin board—to announce their meetings on the same terms as other non-curriculum-related student groups are allowed to use the school media. Any policy concerning the use of school media must be applied to all non-curriculum-related student groups in a non-discriminatory matter. Schools, however, may inform students that certain groups are not school-sponsored.

Schools are encouraged, on all school-sponsored publications, to disclaim school sponsorship or endorsement of student-promoted, non-school events such as civic events, sports contests, and church or youth group activities.

(cf. 6145.5 - Student Organizations and Equal Access)

Enforcement/Penalties

Any alleged violation of this policy and/or administrative regulation shall be thoroughly investigated by the site Principal and/or the Superintendent, or his/her designee, as the case may be who shall render a decision concerning the alleged violation as expeditiously as possible.

Any violation involving misconduct by a district employee or any district enrolled student shall result in appropriate disciplinary action.

If the violation occurs as a result of the misconduct of a visitor, he/she shall be orally admonished for the violation.

Further, if applicable, written notification of the violation, including a summary of the fact constituting the violation shall be sent to the director of the group or organization that the individual represents.

If, during a specific school year (i.e., July 1 through June 30) the same visitor commits a second violation, he/she shall be barred from all district school sites during school hours for the remainder of the school year.

Written notice of the violation, including a summary of the facts constituting the violation and the decision barring the individual from access to all district school sites for the remainder of the school year shall be sent to the director of the group or organization that the individual represents.

Also, if during a specific school year, visitors representing a particular group or organization commit three or more violations, the group or organization shall be barred from all district school sites during school hours for the remainder of the school year.

As used in this administrative regulation, the term "visitor" means any person who is neither an employee nor a student enrolled in any K-12 program in the district.

Lunch-time and Recess Covered

A school creates a limited open forum, triggering equal access rights for religious groups, when it allows students to meet during their lunch periods or other non-instructional time during the school day, as well as when it allows students to meet before and after the school day.

(cf. 6145.5 - Student Organizations and Equal Access)

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