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RICHFIELD PUBLIC SCHOOLS
ADMINISTRATIVE GUIDELINES
RELIGION IN THE SCHOOLS

The purpose of these administrative guidelines is to provide additional direction regarding implementation of Board Policy 613.

I. OFFICIAL NEUTRALITY REGARDING RELIGIOUS ACTIVITY

Teachers, school administrators, and other school employees, when acting in those capacities, are representatives of the state and are prohibited by the establishment clause from soliciting or encouraging religious activity, and from participating in such activity with students. School employees also are prohibited from discouraging activity because of its religious content, and from soliciting or encouraging anti-religious activity.

Where the overall context makes it clear that they are not participating in their official capacities, school employees may take part in religious activities. For example, before school or during lunch, school employees may meet together for prayer or Bible study to the same extent that they may engage in other conversation or nonreligious activities. Similarly, school employees may participate in their personal capacities in privately sponsored baccalaureate ceremonies.

II. SCHOOL-SPONSORED PROGRAMS AND ACTIVITIES

A. Teaching about Religion

Public schools may not provide religious instruction, but they may teach *about* religion, including the Bible or other scripture: 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 all are permissible public school subjects. Similarly, it is permissible to consider religious influences on art, music, literature and social studies. Although public schools may teach about religious holidays, including their religious aspects, and may celebrate the secular aspects of holidays, school may not observe holidays as religious events or promote such observance by students.

B. Teaching Values

Though schools must be neutral with respect to religion, they may play an active role with respect to teaching civic values and virtue, and the moral code that holds us together as a community. The fact that some of these values are held also by religions does not make it unlawful to teach them in school. Examples of values that may be taught include honesty, respect for others, courage, kindness and good citizenship. It

1 is also appropriate for school officials to instill in students such values
2 as independent thought, tolerance of diverse views, self-respect,
3 maturity, and logical decision-making.

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5 **C. Creationism, Creation-Science and Evolution**

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7 1. The U.S. Supreme Court has determined that it is
8 unconstitutional to restrict an educator's right to teach evolution.
9
10 2. In science classes, educators may only present scientific
11 explanations for life on earth and scientific critiques of evolution.
12 The U.S. Supreme court has held that it is unconstitutional to
13 require educators who teach evolution to also teach creationism.
14
15 3. Creationism may be included in classes on comparative religions
16 as an example of how some religious groups believe human life
17 began. However, creationism may not be taught as scientific fact.
18

19 **D. Religious Holidays**

- 20
21 1. Teaching about Religious Holidays

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23 While teachers may teach about religious holidays as part of an
24 objective and secular educational program of teaching about
25 religion, celebrating religious holidays in the form of religious
26 worship or other practices is unconstitutional. Teaching about
27 holidays with both a religious and secular basis may be
28 constitutional if it furthers a genuine secular program of
29 education, is presented objectively, and does not have the effect
30 of advancing or inhibiting religion. The study of religious holidays
31 should reflect this nation's diversity and bountiful heritage.
32

- 33 2. Religious Symbols

34
35 Religious symbols such as crosses, crèches and menorahs may
36 be used as teaching aids in the classroom provided that the
37 symbols are displayed as an example of the cultural and religious
38 heritage of the holiday, and are temporary in nature. They may
39 not be used as decorations. Symbols of religious holidays that
40 have acquired secular meaning, such as Christmas trees, may be
41 permissible decorations, although the courts have not ruled on
42 this specific issue.
43

- 44 3. Religious Music, Art, Literature and Drama

45
46 Music, art, literature and drama with religious themes may be
47 included in teaching about holidays, provided that they are
48 presented in a religiously neutral, prudent and objective manner,
49 and relate to sound, secular educational goals. However, it is

1 unconstitutional for schools to permanently display religious
2 artwork.

3

4 4. Special Events, Programs and Concerts

5

6 Religious music or drama may be included in school events,
7 which are part of a secular program of education. The content of
8 school special events, assemblies, concerts and programs must
9 be primarily secular, objective and educational, and not focus on
10 any one religion or religious observance. Such events must not
11 promote or denigrate any particular religion, serve as a religious
12 celebration, or become a forum for religious devotion. Student
13 participation shall be voluntary.

14

15 5. Excusal from Classes which Teach about Religious Holidays

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17 If the religious beliefs of students or their parents conflict with the
18 content of a classroom activity, students may be excused,
19 consistent with Board Policy 611, Provision for Alternative
20 Instruction.

21

22 **III. RELIGIOUS EXPRESSION**

23

24 **A. Student Prayer and Religious Discussion**

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

36

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

42

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

48

49 **B. Student Assignments**

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1 Students may express their beliefs about religion in the form of
2 homework, artwork, and other written and oral assignments free of
3 discrimination based on the religious content of their submissions.
4 Such home and classroom work should be judged by ordinary
5 academic standards of substance and relevance, and against other
6 legitimate pedagogical concerns identified by the school.
7

8 **C. Student Speakers at Assemblies, Extracurricular Events, and**
9 **Graduation**

10 Student speakers at student assemblies, extracurricular events, and
11 graduation may not be selected on a basis that either favors or
12 disfavors religious speech. Where student speakers are selected on
13 the basis of genuinely neutral, evenhanded criteria and retain primary
14 control over the content of their expression, that expression is not
15 attributable to the school and therefore may not be restricted because
16 of its religious or anti-religious content. By contrast, where school
17 officials determine or substantially control the content of what is
18 expressed, such speech is attributable to the school and may not
19 include prayer or other specifically religious or anti-religious content.
20 To avoid any mistaken perception that a school endorses student
21 speech that is not in fact attributable to the school, school officials may
22 make appropriate, neutral disclaimers to clarify that such speech,
23 whether religious or nonreligious, is the speaker's and not the school's.
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25

26 **D. Baccalaureate Ceremonies**

27 Under current Supreme Court decisions, school officials may not
28 mandate or organize religious ceremonies. If a school generally opens
29 its facilities to private groups, it must make its facilities available on the
30 same terms to organizers of privately sponsored religious
31 baccalaureate services. A school may not extend preferential
32 treatment to baccalaureate ceremonies. In addition, a school may
33 disclaim official endorsement of events sponsored by private groups,
34 provided it does so in a manner that neither favors nor disfavors
35 groups that meet to engage in prayer or religious speech.
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38 **E. Student Garb**

39 Schools enjoy substantial discretion in adopting policies relating to
40 student dress and school uniforms. Students generally have no
41 Federal right to be exempted from religiously-neutral and generally
42 applicable school dress rules based on their religious beliefs or
43 practices; however, schools may not single out religious attire in
44 general, or attire of a particular religion, for prohibition or regulation.
45 Students may display religious messages on items of clothing to the
46 same extent that they are permitted to display other comparable
47 messages. Religious messages may not be singled out for
48 suppression, but rather are subject to the same rules as generally
49

1 apply to comparable messages. Board Policy 547 governs student
2 dress and appearance.

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4 **F. Distribution of Religious Literature**

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6 Students have a right to distribute religious literature to their
7 schoolmates on the same terms as they are permitted to distribute
8 other literature that is unrelated to school curriculum or activities.
9 Schools may impose the same reasonable time, place and manner or
10 other constitutional restrictions on distribution of religious literature as
11 they do on nonschool literature generally, but they may not single out
12 religious literature for special regulation. Board Policy 561 governs
13 distributing of non-curricular literature to students.

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15 **IV. ACCOMMODATING RELIGIOUS PRACTICES OF STUDENTS**

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17 **A. Religious Excusals**

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19 Consistent with Board Policy 611, Provision for Alternative Instruction,
20 a student may be excused from lessons that are objectionable to the
21 student or the students' parents on religious or other conscientious
22 grounds. School officials may neither encourage nor discourage
23 students from availing themselves of an excusal option.

24
25 Students may also be excused from class to remove a significant
26 burden on their religious exercise, where doing so would not impose
27 material burdens on other students. For example, it would be
28 permissible to excuse Muslim students briefly from class to enable
29 them to fulfill their religious obligations to pray during Ramadan.

30
31 **B. Released Time**

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33 Consistent with Board Policy 345, Attendance and Truancy, students
34 may be dismissed to attend off-premises religious instruction, provided
35 that school officials neither encourage or discourage participation or
36 penalize those who do not attend. Schools may not allow religious
37 instruction by outsiders on school premises during the school day.

38
39 **C. School Calendar and Scheduling of Activities**

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41 Public schools do not have to close down or reschedule activities due
42 to conflicts between the school calendar and religious holidays.
43 However, schools may choose to do so when large numbers of
44 students and teacher absences are anticipated. If possible, so as not
45 to penalize students for religious observance, school district, individual
46 school and teacher calendars should be prepared, to the greatest
47 feasible extent, not to conflict with religious holidays of all faiths. A
48 sincere attempt should be made not to schedule graduation,
49 assemblies, and other special school and student events on religious

1 holidays. If conflicts occur, sensitivity and flexibility should be
2 exercised.

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6 **Legal References:**

7 Case law citations for all topics included in the administrative guidelines are
8 listed in the following publications: *Religion in the Public*
9 *Schools: Guidelines for a Growing and Changing*
10 *Phenomenon* (Anti-defamation League, 1996), *Religious*
11 *Expression in Public Schools: a Statement of Principles*
12 (U.S. Department of Education, June 1998), and *Guidance*
13 *on Constitutionally Protected Prayer in Public Elementary*
14 *and Secondary Schools* (U.S. Department of Education,
15 February 2003)

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17 **Cross References:**

18 Policy 345: Attendance and Truancy
19 Policy 547: Student Dress and Appearance
20 Policy 561: Distribution of Non-curricular Literature to Students
21 Policy 611: Provision for Alternative Instruction

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24 Dated: November 2, 1998
25 Reviewed: August 12, 2013
26 Revised: December 20, 2004; July 12, 2021
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