

# Religious Expression In The Schools

“I encourage teachers and principals to see the First Amendment as something more than a piece of dry, old parchment locked away in the national attic gathering dust. It is a vital living principle, a call to action, and a demand that each generation reaffirm its connection to the basic idea that is America -- that we are a free people who protect our freedoms by respecting the freedom of others who differ from us.

Our history as a nation reflects the history of the Puritan, the Quaker, the Baptist, the Catholic, the Jew and many others fleeing persecution to find religious freedom in America. The United States remains the most successful experiment in religious freedom that the world has ever known because the First Amendment uniquely balances freedom of private religious belief and expression with freedom from state-imposed religious expression.

Public schools can neither foster religion nor preclude it. Our public schools must treat religion with fairness and respect and vigorously protect religious expression as well as the freedom of conscience of all other students. In so doing our public schools reaffirm the First Amendment and enrich the lives of their students.”

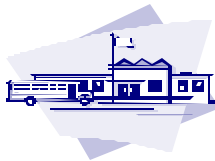
*Former U.S. Secretary of Education Richard W. Riley*

## Policy Adopted by Board of Education

Questions arise occasionally about school prayer, teaching about religion, holiday programs displays, and other topics related to religious expression in schools.

The Board of Education approved a policy and regulations. The action was based on recommendations of an advisory committee of local parents, clergy, teachers and district administrators with the assistance of the district's legal counsel.

The committee's recommendations were reviewed extensively by the Board in public meetings prior to adoption. The following are excerpts from the policy and regulations adopted by the Board. All key points are included. For the complete text, please contact the district's compliance officer.



## Introduction

Provisions of both the United States and California constitutions bar government involvement, in any form, which has the direct effect of promoting religious purposes. At the same time, the Board of Education realizes that students, have a right to religious expression, and this right does not end at the schoolhouse door. School must be places where religious expression is treated with fairness and respect.

## Rationale

The Board recognizes that a student's education would be incomplete without an understanding of the role of religion in history and culture.

Though schools must be neutral with respect to religion, the district shares responsibility with the community to develop in its students appropriate moral and ethical character incorporating ideals of liberty, justice, the pursuit of happiness, and equality of opportunity.

## Balancing of Rights

Religious expression in public schools involves a careful balancing of free speech rights and the right to free exercise of religion without promoting or establishing religion.

### Student Prayer and Religious Discussion In General

- 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.
- Students may pray in a non-disruptive manner when not engaged in school activities or instruction and subject to the rules that normally apply in school.
- Students also may participate in before-or after-school events with religious content. 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 compel other students to participate.

### School Staff Neutrality Regarding Religious Activity

School staff members, when acting in their official capacity, are prohibited from endorsing, soliciting, encouraging participating, or directing religious activities with students, on campus or at school-sponsored off-campus events.

### Graduation Prayer and Baccalaureate

School officials may not mandate or organize prayer at graduation nor may schools sponsor religious baccalaureate ceremonies.

### Religious Events

Students and staff are permitted voluntarily to attend and participate in a privately sponsored religious event. However, student and staff may not be compelled to attend such events.

### Teaching About Religion

- Religious indoctrination is forbidden in the public schools.
- Schools may not provide religious instruction or aide to any particular religion, but they may teach about the history of religion, comparative religion, the Bible, the Koran or other religious scripture-as-literature, and the role of religion in the history of the United States and other countries. For this purpose, scripture is defined as a body of writings considered sacred or authoritative.
- Instruction about religion must be secular (such as in the context of history or comparative religions), and must not favor, promote, or demean the beliefs or customs of any particular religion or sect.

Student  
Assignments on  
Religious Subjects

Students may express their beliefs about religion in the form of homework, art work, and other written assignments free of discrimination based on the religious content of their submissions.

Student Distribution  
of Religious  
Literature

Students may distribute religious literature to their peers on the same terms as they are permitted to distribute other literature that is unrelated to the school curriculum or activities.

Religious Expression  
or Activity by  
Non-Students

Schools may not permit religious proselytization, religious recruitment, "testimonials," the promotion of religion, or demonstration involving preference for one religious belief or sect over another by non-students on school premises during school hours or during off-campus, school-sponsored events.

Student Religious  
Expression  
Through Dress

Students may display religious messages on items of clothing to the same extent that they are permitted to display other comparable messages. When wearing particular attire, such as yarmulkes and head scarves, during the school day as part of a student's religious practice, schools generally may not prohibit the wearing of such items unless the item poses a safety risk.

Student Use of  
School Facilities for  
Religious Activities

Student religious clubs have the same rights of access to school facilities as are enjoyed by other comparable groups.

Religious Excusals

Schools shall excuse a student from lessons that are objectionable to the student or the student's parents/guardians on religious or conscientious grounds 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.

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. Students may be released for religious observances without academic penalty.

Teaching Values

Though schools must be neutral with respect to religion, schools should teach civic values.

Equal Access to  
Means of  
Publicizing  
Meetings

Officially recognized school/student organization 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.

### Student Religious Expression Through School Productions

For both class and extracurricular purposes, students regularly produce drama and other theatrical events. Whether produced as part of a class activity (such as a drama class or as a school-sponsored club), the production is a school-sponsored event or activity over which the school retains control and responsibility.

As with instruction involving religious themes or issues, 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 elements in theatrical production.

Similarly, religious influences on art, music, literature, society, and culture are permissible elements of such a production. These criteria would apply to holiday assemblies and productions containing religious art, literature, or music.

Concerts may appropriately include music related to religious themes. In concerts where religious music is included, a balance among various religious and secular music should be maintained.

### Holiday Displays

Schools may display religious symbols such as nativity scenes and menorahs on a temporary basis, if they are combined with examples of the practice of other religions as a multicultural display or for some other education purpose.

### School Publications

Students have the right to express their individual views, including religious views, in official school publications such as a school newspaper or yearbook subject to limitations (outlined in other district regulations).

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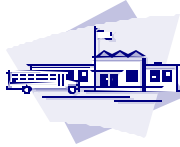
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Approved by the District Religious Advisory Committee on  
May 7, 2002



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