

## Education Programs

### Religion

#### I. Purpose

This policy identifies the status of religion as it pertains to the programs of the school district.

#### II. General Statement of Policy

- A. The school district will neither promote nor disparage any religious belief or nonbelief. Instead, the district encourages all students and employees to have appreciation for and tolerance of each other's views.
- B. The district also recognizes that religion has had and is having a significant role in the social, cultural, political, and historical development of civilization.
- C. The district recognizes that one of its educational objectives is to increase its students' knowledge and appreciation of music, art, drama, and literature which may have had a religious basis or origin as well as a secular importance.
- D. The district supports the inclusion of religious music, art, drama, and literature in the curriculum and in school activities provided it is intrinsic to the learning experience and is presented in an objective manner without sectarian indoctrination.
- E. The historical and contemporary values and the origin of various religions, holidays, customs, and beliefs may be explained in an unbiased and nonsectarian manner.

#### III. Responsibility

- A. It will be the responsibility of the director of teaching and learning to ensure that the study of religious materials, customs, beliefs, and holidays in the school district is in keeping with the following guidelines:
  - 1. The proposed activity must have a secular purpose.
  - 2. The primary objective of the activity must be one that neither advances nor inhibits religion.
  - 3. The activity must not foster governmental relationships with religion.

4. Notwithstanding the foregoing guidelines , reasonable efforts will be made to accommodate any student who wishes to be excused from attendance at school for the purpose of religious instruction or observance of religious holidays.

B. The director of teaching and learning is granted authority to develop and present for school board review and approval directives and guidelines for the purpose of providing further guidance relative to the teaching of materials related to religion. Approved directives and guidelines will be attached as an addendum to this policy.

#### Legal References:

U. S. Const., amend. I

Minn. Stat. § 120A.22, § subd. 12(3) (Compulsory Instruction - [Legitimate Exemptions](#))

Minn. Stat. § 120A.35 (Absence From School for Religious Observance)

Minn. Stat. § 121A.10 (Moment of Silence)

*Good News Club v. Milford Central School*, 533 U.S. 98, 121 S.Ct. 2093, 150 L.Ed.2d 151 (2001)

*Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290, 120 S.Ct. 2266 (2000)

*Tangipahoa Parish Bd. of Educ. v. Freiler*, 530 U.S. 1251, 120 S.Ct. 2706 (2000)

*Lemon v. Kurtzman*, 403 U.S.602, 91 S.Ct. 2105, 29 L.Ed.2d 745 (1971)

*Child Evangelism Fellowship v. Minneapolis Special Sch. Dist. No 1*, 690 F.3d 996 (8<sup>th</sup> Cir. 2012)

*Roark v. South Iron R-1 Sch. Dist.*, 573 F.3d 556 (8<sup>th</sup> Cir. 2009)

*Wigg v. Sioux Falls Sch. Dist.*, 382 F.3d 807 (8<sup>th</sup> Cir. 2004)

*Doe v. School Dist. of City of Norfolk*, 340 F.3d 605 (8<sup>th</sup> Cir. 2003)

*Stark v. Independent Sch. Dist. No. 640*, 123 F.3d 1068 (8<sup>th</sup> Cir. 1997)

*Flore v. Sioux Falls Sch. Dist. 49-5*, 619 F.2d 1311 (8<sup>th</sup> Cir. 1980)

*Child Evangelism Fellowship v. Elk River Area Sch. Dist. No. 728*, 599 F. Supp.2d 1136 (D. Minn.2009)

*LeVake v. Independent Sch. Dist. No. 656*, 625 N.W.2d 502 (Minn. App. 2001)

Minn. Op. Atty. Gen. 169-J (Feb. 14, 1968)

Minn. Op. Atty. Gen. 169-K (Oct. 21, 1949)

Minn. Op. Atty. Gen. No. 63 (1940)

Minn. Op. Atty. Gen. No. 120 (1924)

Minn. Op. Atty. Gen. No. 121 (1924)

#### Cross Reference:

[Policy 503 \(Student Attendance\)](#)

Policy 801 (Equal Access [by Students](#) to School Facilities)

Policy

adopted: 07/20/09

Revised: 03/16/15

Reviewed: 01/13/20

revised: \_\_/\_\_/25

INDEPENDENT SCHOOL DISTRICT [NO. 273](#)

Edina, Minnesota

## Appendix I to Policy 609

### **Directives & Guidelines to the Teaching of Religion-Related Materials**

1. Students may be taught about the role of religion in the historical, cultural, economic, and social development of the United States and other nations. However, students may not be taught a specific religion for devotional or doctrinal purposes.
2. Religious texts may be studied as literature but not as religious doctrine. They ~~must~~ will be studied only when they naturally occur in the context of school-designated curriculum.
3. If religion is discussed, care must be taken to discuss minority as well as majority religions. In all cases, religion ~~must~~ will be discussed in a neutral, objective, fair, balanced, and factual manner.
4. Teachers may educate students about the historical, contemporary, and cultural aspects of religious holidays. However, celebrating religious holidays in the schools, through worship or other activities, is unconstitutional.
5. Religious symbols are permissible in the classroom only to the extent that they are temporary, used as teaching aids, and cited as examples of the cultural and religious heritage of a people. They may not be used as decoration.
6. Classroom parties may be educational or of social purpose. Classroom parties that occur during the school day may not promote or be based upon religious holidays or include activities that have a religious association.
7. School ~~district~~ activities should not be scheduled on significant religious holidays. Care should be taken to avoid tests, special projects, introduction of new concepts, and other activities which would be difficult to make up. Conversely, the students who remain in school should continue to have meaningful learning experiences.
8. Any work of art to be studied should be selected for its inherent merits. The artwork should represent the best examples to illustrate the academic standards and the curriculum's educational goal. —●— Artwork may be related to a specific religious/cultural tradition. The study of such artwork can enhance the understanding and appreciation of a cultural product, which a particular tradition has fostered. Whenever possible, a multiplicity of cultural traditions should be included.
9. Music will be studied for its ~~inherent beauty of~~ artistic structure and form. Its purpose in study should be learning for the sake of developing artistic understanding and responsiveness. Music will not be selected for the purpose of advancing or perpetuating a particular religious belief system or a particular holiday.

- ~~a.~~ **a.** Music will be selected first, on its own merits as an art form, and second, as a multicultural object of study which enhances the understanding of the development of a particular movement in human civilization. Professional judgment will be taken in the public performance of music associated with any religious and/or cultural tradition that it not be designed as a religious service or religious celebration. Whenever possible, a multiplicity of cultural traditions will be included. Typical educational objectives should include a range and a balance offering music from various religious and/or cultural traditions. Music from a sacred tradition will be studied and performed as an educational experience which relates to achieving curricular goals and objectives, and will not be designed to foster a specific religious belief.
  - ~~b.~~ **b.** Schools may excuse a student from engaging in a music activity; which offends that student's religious belief or conscience. Each situation will be reviewed **by the building principal** on an individual basis.
10. A student may express religious beliefs or themes in ~~his or her~~ **their** schoolwork and ~~school~~ **district** personnel should neither promote nor inhibit such religious expression. However, ~~school~~ **district** personnel may rule inappropriate the expression of religious beliefs in schoolwork if such expression is irrelevant to the subject matter being taught.
  11. A student may wear religious attire and/or jewelry in school or during a ~~school~~ **district**-sponsored activity unless the wearing of such attire or jewelry would compromise the student's physical safety in a given situation; (i.e., the wearing of jewelry during gym class or while engaging in a ~~school~~ **district**-sponsored sport may be prohibited for safety reasons).
  12. Students may pray individually or in groups and may speak to their peers about religious topics when it does not interfere with school instruction or ~~school~~ **district**-sponsored activities. ~~However, school district personnel will intercede to stop such religious speech if it is not welcomed by the peer(s) being addressed or otherwise~~ **or** constitutes coercion, intimidation, or harassment.
  13. A student may not be penalized for staying out of school or a ~~school~~ **district**-sponsored activity on a religious holiday of ~~his or her~~ **their** faith. ~~The~~ **A**bsence policy for making up assignments will apply.
  14. A student may be excused from participation in a class or ~~school~~ **district** program if ~~he or she~~ **they** objects to the subject matter being taught on religious grounds. When students are excused an alternative assignment may be required.

## Appendix

Reviewed: 01/13/20

revised: \_\_\_/\_\_\_/25

## Appendix II to Policy 609

### Process to Request An Excuse From a Particular Activity or Requirement

When a student requests a religious exemption from a particular activity or requirement, the parent/guardian and Edina Public Schools (EPS) will follow this process:

1. A Parent or guardian must notify the course teacher and school principal, in writing, that they would like to seek an exemption to particular lesson(s) or activities based on religious beliefs under Policy 609. This must be done prior to the lesson(s) in which the exemption has been requested and with enough time for the request to be processed and necessary actions to be taken. This can be no less than five school days.
2. The principal will direct parents to the Policy 609 Religious Exemption Form which the parent or guardian can find in the Student Rights and Responsibilities Handbook on the district website or get a copy from the principal's office. The form should be completed and delivered to the principal's office. All questions on the form are required for the request to be considered complete.
3. The decision of the exemption will be at the discretion of the principal.
  - a. The principal reviews the request to ensure it meets the criteria outlined in Policy 609.
  - b. If the request is deemed appropriate, the principal approves the exemption.
  - c. If the request is denied the principal will meet with the family impacted by the decision.
4. If the request has been approved:
  - a. The principal will inform the teacher, area lead, and parent/guardian who submitted the request prior to the lessons beginning.
  - b. If the lesson is on state standards, an alternative assignment must be provided.
  - c. If the lesson does not impact state standards the need for an alternative assignment will be determined by the principal and impacted department.
  - d. All alternative assignments will be available upon the date of the lessons in which a student has been excused.

Appendix

adopted (\_\_\_/\_\_\_/25)