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**MEMORANDUM**

TO: Coppel ISD DATE: November 2, 2017  
FROM: Chad Timmons and Lucas Henry  
RE: Amendments to the Coppel ISD Calendar

The origins of the current school calendar—complete with a spring break, winter break, and long summer break—are uncertain. Some historians attribute this schedule to our nation’s agrarian roots, which required children to assist with manual labor on farms and ranches. Other scholars believe the calendar was arranged to accommodate wealthier students, whose parents would flee urban areas during the summer months to escape sweltering temperatures and diseases. Some simply believe the calendar was adopted for convenience, providing for natural breaks before, during, and after a two semester schedule. Regardless of the origins of the calendar, one thing is certain: the current calendar is a deeply rooted tradition, and there are heated opinions about whether it should be changed.

Some school breaks are scheduled to surround federal holidays like Thanksgiving or Independence Day. But many religious holidays commonly celebrated by students happen to fall during the routine breaks on the traditional calendar. For example, in 2017, a portion of Hanukah (December 12 – December 20) will fall during the winter break. Christmas (which is also a federal holiday), celebrated on December 25, will also fall during the winter break. And a portion of Ramadan, celebrated by Muslims from mid-May through mid-June in 2018, will fall during the summer break after this school year (the dates of Ramadan change each year).

Many individuals and groups believe the traditional school calendar should be amended to conform to the holy days celebrated by different religious groups. However, the Constitution prohibits government action to promote a particular religion, and a school may not close simply to promote the celebration of a religious holy day. For example, in *Metz v. Leininger*, the court struck down an Illinois statute establishing Good Friday as a state holiday for the express purpose of “commemorat[ing] the crucifixion of Jesus Christ.” 57 F.3d 618, 623 (7th Cir. 1995). Therefore, Coppel ISD would be

prohibited from instituting a school holiday for the purpose of celebrating Bodhi Day (Buddhism), Ash Wednesday (Christianity), Diwali (Jainism, Sikhism, and Hinduism), Ridvan (Baha'i), or any number of other religious holy days.

Instead, a district's decision to close school on a particular day must be made with a clearly secular purpose. For example, the Fourth Circuit upheld a district's decision to close school on the Friday before and Monday after Easter because of the high rate of absenteeism expected on those days, and the increased cost to the school district of hiring substitute teachers for those days. *Koenick v. Felton*, 190 F.3d 259, 266 (4th Cir. 1999). And, courts have consistently stated that it is permissible for a governmental body to give a vacation day for the purpose of providing a break in the school or work calendar, even if the break falls on an obvious religious holy day. *See, e.g. Cammack v. Waihee*, 932 F.2d 765, 766-67 (upholding Hawaii's decision to make Good Friday a holiday to give a longer spring break and promote recreational activities and shopping); *Metzl*, 57 F.3d at 623 ("Had Illinois made a forthright official announcement that the public schools shall be closed on the Friday before Easter in order to give students and teachers a three-day spring weekend, rather than to commemorate the crucifixion of Jesus Christ, we might have a different case.").

It should also be noted that Texas law specifically requires a district to excuse a student from attending school for the purpose of observing religious holy days. Tex. Educ. Code Section 25.087(b)(1)(A). The student must be permitted a reasonable time to make up missed school work, and the absence shall be counted as a day of compulsory attendance. *Id.* Section 25.087(d). Therefore, if a student wishes to miss school for the specific purpose of celebrating a holy day, he or she may do so under the Texas Education Code without penalty. This is presumably to accommodate the myriad of possible religious holy days celebrated in a diverse society.

In conclusion, in setting the District's calendar, Coppell ISD should not specifically consider the religious observance desires of specific individuals or groups. Rather, the district should apply non-religious criteria such as projected absenteeism, the need for a mid-semester break, the increased cost of opening a school during certain times of the year, and the natural flow of the traditional two-semester system.