

**\*\* 679 – Religion in Schools:** The U.S. Department of Education issued its updated Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools on January 16, 2020. This policy is updated consistent with the new guidance. Legal references have also been updated.

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This district recognizes that students and employees have certain constitutional rights regarding religious activities and religious expression. The district will not take action to prevent or deny students and employees the opportunity to exercise such rights or impose sanctions for having exercised such rights. School authorities retain discretion to disclaim sponsorship of non-curricular groups and events, including those involving religious activities or expression, provided that any such disclaimers will be administered in a manner that neither favors nor disfavors groups that meet to engage in prayer or express religious perspectives.

#### **STUDENT RIGHTS**

1. Prayer During Noninstructional Time. All students have the right to engage in private, non-disruptive activities, such as praying or reading religious materials, during noninstructional time. Students may engage in such activities with other students.
2. Organized Prayer Groups and Activities. Students have the right to organize prayer groups, religious clubs, and similar activities to the same extent that students are permitted to organize other non-curricular student activity groups. The district will provide such groups the same access to school facilities for assembling and school media for advertising that it provides other non-curricular student activity groups.
3. Moment of Silence. Students have the right to pray, or not pray, during moments of silence and district employees are prohibited from encouraging or discouraging student prayer during such moments of silence.
4. Accommodation of Prayer During Instructional Time. Students have the right to be dismissed to attend off-premises religious instruction during the school day, in compliance with the district's policy governing release time. The district will evaluate and grant, or deny, student requests to be excused from class to accommodate religious needs in the same manner that similar requests to accommodate nonreligious needs are evaluated. The district may excuse students from class to remove a significant burden on their religious exercise, including prayer, where doing so would not impose material burdens on other students (e.g., excusing Muslim students from class to enable them to fulfill their religious obligations to pray during Ramadan).
5. Religious Expression and Prayer in Class Assignments. Students have the right to incorporate written expressions of religious beliefs in their schoolwork, including homework, art, and other written and oral class assignments. District employees are prohibited from penalizing or rewarding students home and classroom work based on the

religious content, or lack of religious content, in a student's schoolwork. Rather, 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. For example, if a teacher's assignment involves writing a poem, the work of a student who submits a poem in the form of a prayer (such as a psalm) should be judged on the basis of academic standards (such as literary quality) and neither penalized nor rewarded on account of its religious perspective.

6. Student Speakers at Assemblies and Extracurricular Events. The district prohibits the selection of student speakers at assemblies and extracurricular activities on any basis that favors or disfavors religious speech. Student speakers, selected on the basis of genuinely content-neutral criteria, who retain primary control over the content of their expression, will not be sanctioned solely on the basis that the content of the speech is religious or nonreligious in nature. In the event school officials determine or substantially control the content of a student speech, such speech is attributable to the school and, may not include a prayer or specifically religious, or anti-religious, speech. The district will make appropriate, neutral disclaimers to clarify that such speech, regardless of content, is not endorsed by the school. Deleted: it
7. Non-Student Speakers at Assemblies and Extracurricular Events. The district prohibits school officials from engaging speakers whose speech includes prayer, or religious or anti-religious content.
8. Prayer at Graduation/Baccalaureate Ceremonies. The district prohibits school officials from mandating or organizing prayer at graduation or selecting speakers in a manner that favors religious speech, such as prayer. Student speakers at graduation ceremonies must comply with this district's graduation policy. Where students or other private graduation speakers are selected on the basis of genuinely content-neutral, evenhanded criteria and retain primary control over the content of their expression, such expression is not attributable to the school and therefore may not be restricted because of its religious or anti-religious content and may include prayer. The district will make appropriate, neutral disclaimers to clarify that such speech, regardless of content, is not endorsed by the school. The district is prohibited from sponsoring baccalaureate ceremonies but may allow use of school facilities by private organizers of such ceremonies to the same extent, and in the same manner, as it would allow use of the facilities by other private groups.
9. Student Dress. Students may display religious messages on items of clothing to the same extent that they are permitted to display other comparable messages, and so long as the items are not disruptive to the educational process.
10. Distribution of Religious Materials. Students have the right to distribute religious literature on school property, in a nondisruptive manner, on the same terms as they are permitted to distribute literature that is unrelated to school curriculum or activities, subject to the district's reasonable restrictions as to time, place, and manner.

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11. Participation in Curriculum. Students have the right to be exempted from participating in school courses, programs, or activities if it is established that such participation violates the student’s religious beliefs, and the district cannot prove a compelling interest in required attendance.

12. Teaching About Religion. The district will not provide religious instruction, but district curriculum may include teaching about religion. For example, philosophical questions concerning religion, the history of religion, comparative religion, the Bible (or other religious teachings) as literature, and the role of religion in the history of the United States and other countries all are permissible public school subjects. Similarly, district curriculum may include considerations of religious influences on philosophy, art, music, literature, and social studies. Although the district curriculum may include teaching about religious holidays, including their religious aspects, and district schools may celebrate the secular aspects of holidays, the district is prohibited from observing holidays as religious events or promoting such observance by students.

**DISTRICT EMPLOYEE RIGHTS**

When acting in their official capacities as representatives of the district, the district prohibits employees from encouraging or discouraging prayer and from actively participating in such activities with students. However, employees may take part in religious activities where the overall context makes it clear that they are not participating in their official capacities (i.e., meeting with other teachers for prayer group during lunch).

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**LEGAL REFERENCE:**

Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act of 2015, 20 U.S.C. §7904

Deleted: Section 9524 (2001)

Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools, U.S. Department of Education (January 16, 2020)

Deleted: February 7, 2003

**ADOPTED:** October 6, 2010

Deleted: Religion Expression in Public Schools, U.S. Department of Education (1995)

**AMENDED:** April 22, 2020