

INSTRUCTION

SUBJECT: Recognition of Religious Beliefs and Customs

The County Board of Education and County Superintendent of Schools recognize that students' education would be incomplete without an understanding of the role of religion in society. It is both proper and important for teachers to objectively discuss the influences of various religions, using religious works and symbols to illustrate their relationship with society, literature or the arts. The County Board of Education and County Superintendent expect that such instruction will identify principles common to all religions and foster respect for the multiple creeds practiced by the peoples of the world.

(cf. 6143 - Courses of Study)

In order to respect each student's individual right to freedom of religious practice, religious indoctrination is clearly forbidden in the public schools. Instruction about religion must not favor, promote or demean the beliefs or customs of any particular religion or sect, nor should a preference be shown for one religious viewpoint over another. Staff shall be highly sensitive to its obligation not to interfere with the religious development of any student in whatever tradition the student embraces.

(cf. 0410.3 - Nondiscrimination in Programs and Activities)

(cf. 1330 - Use of School Facilities)

(cf. 1325 - Advertising and Promotion)

(cf. 5113 - Absences and Excuses)

Staff shall not endorse, encourage or solicit religious or anti-religious expression or activities among students. They shall not lead students in prayer or participate in student-initiated prayer. However, staff shall not prohibit or discourage any student from praying or otherwise expressing his/her religious belief as long as this does not disrupt the classroom.

Students may express their beliefs about religion in their homework, artwork and other written and oral reports if the expression is germane to the assignment. Such work shall be judged by ordinary academic standards, free of discrimination based on religious content.

(cf. 5145.2 - Freedom of Speech/Expression: Publications Code)

(cf. 6144 - Controversial Issues)

(cf. 6145.5 - Student Organizations and Equal Access)

Religious Holidays

Adopted: 7-16-80

revised: 12-20-89

revised: 9-20-00

revised: 2-14-07

Whereas teaching about religious holidays is a permissible part of the educational program, celebrating religious holidays is not allowed in the public schools. School-sponsored programs shall not be, nor have the effect of being, religiously oriented or a religious celebration.

(cf. 5113 - Absences and Excuses)

School and classroom decorations may express seasonal themes that are not religious in nature.

Music, art, literature or drama programs having religious themes are permitted as part of the curriculum for school-sponsored activities and programs if presented in an objective manner and as a traditional part of the cultural and religious heritage. The use of religious symbols that are part of a religious holiday is permitted as a teaching aid or resource provided that such symbols are displayed as an example of cultural and religious heritage of the holiday and are temporary in nature.

Legal Reference:

38130-38138 Civic Center Act

46014 Absences for religious purposes

51240 Excuse from health instruction and family life and sex education due to religious belief

51511 Religious matters properly included in courses of study

51938 Right of parent/guardian to excuse from sexual health instruction

UNITED STATES CODE, TITLE 20

4071-4074 Equal Access Act

6061 School prayer

7904 School prayer

COURT DECISIONS

Lassonde v. Pleasanton Unified School District, (2003, 9th Cir.) 320 F.3d 979

Cole v. Oroville Union High School District, (2000, 9th Cir.) 228 F.3d 1092

Lemon v. Kurtzman, (1971) 403 U.S. 602

Management Resources:

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools, February 2003

Religion in the Public Schools: A Joint Statement of Current Law, April 1995

"Religious Expression in Public Schools," United States Department of Education, August 1995

Adopted: 7-16-80

revised: 12-20-89

revised: 9-20-00

revised: 2-14-07

WEB SITES

California Department of Education: <http://www.cde.ca.gov>

U.S. Department of Education: <http://www.ed.gov>

CSBA: <http://www.csba.org>

Legal Reference:

EDUCATION CODE

UNITED STATES CODE, TITLE 20

6061 School prayer

UNITED STATES CODE, TITLE 42

2000bb-2000bb4 Religious Freedom Restoration Act of 1993

Lemon v. Kurtzman, (1971) 403 U.S. 602

Walleye v. Gaffer, (1985) 472 U.S. 38

Management Resources:

"Religion in the Public Schools: A Joint Statement of Current Law," April 1995

Adopted: 7-16-80

revised: 12-20-89

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