

Policy 144 Religion in Schools

I. PURPOSE

The purpose of this policy is to identify the status of religion as it pertains to Lakes International Language Academy.

II. GENERAL STATEMENT OF POLICY

It is the policy of Lakes International Language Academy (the “School”) to support a climate of academic freedom in which ideas, including those associated with religion, can be discussed in an objective way, for their educational value, with emphasis on their impact on history, literature, art, music, science, ethics, and social institutions.

A. The School shall neither promote nor disparage any religious belief or nonbelief. Instead, the School District encourages all students and employees to have an understanding of and appreciation for each other’s views.

B. The School recognizes that religion has had and is having a significant role in the social, cultural, political, and historical development of civilization.

C. The School 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 School 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 non-sectarian manner.

III. RIGHTS AND RESPONSIBILITIES

A. Student Prayer and Religious Discussion in School

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1. Non-Instructional Time

During non-instructional time, students may express and share their religious beliefs, carry religious materials (including scriptures such as the Bible, the Torah, or the Koran), read religious materials, pray aloud or silently, recite the rosary, or informally discuss religion with classmates. Students may also speak to, and attempt to persuade, their peers about religious topics just as they do with regard to political topics. School officials shall not interfere with such activities unless interference is reasonably necessary to maintain order in the School or to protect the rights of other students. School officials shall intercede to stop student speech that constitutes harassment aimed at a student or a group of students.

2. Instructional Time and Class Assignments

During instructional time, students may verbally express their ideas so long as their verbal expression is consistent with the subject matter being taught. However, students may not pray aloud during instructional time. Similarly, students may not use the classroom to deliver a religious sermon to their classmates under the guise of an oral report or assignment. These rules cannot be avoided by excusing students who object to prayer in the classroom. Similarly, the extent to which students may incorporate religion into their class assignments depends on the subject matter of the assignment. Students may write papers on religion, give oral presentations on religion, and create art with religious themes if religion is a substantively relevant topic. Teachers should consider religion to be a relevant topic when the subject matter of the assignment is broad or nonspecific.

3. School Functions and School-Sponsored Events

No person (including a student, School employee, School Board Member, clergy members, or rabbi) may initiate or vocalize a prayer as part of a regular school function, such as an assembly, athletic event, or pregame ceremony. Coaches may not lead a team in prayer or call upon a team member to do so, before, during, or after an athletic event. No person (including a student, School employee, School Board Member, clergy member, or rabbi) may initiate or vocalize a prayer as part of a School-sponsored event, even if the prayer is nondenominational.

B. Excusing Students with Objections to Subject Matter Being Taught

1. Excusing Students from Class or Classroom Activity

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On occasion, a student or parent will request that the School excuse the student from class or from participating in an activity based on religious objections to the activity or the subject matter being taught. The School generally has broad discretion in deciding whether to excuse a student. However, there are some occasions when the School must excuse a student from class or from participating in an activity.

If participation in a particular activity would cause a student to violate a sincerely held religious belief, the teacher shall excuse the student from the activity. For example, teachers must excuse a student who is a Jehovah's Witness from reciting the Pledge of Allegiance, because that religion prohibits the swearing of allegiance to any entity other than God.

If a student is excused from an educational activity or lesson on the basis of a religious objection, the teacher should, to the extent feasible, provide the student with an appropriate alternative that accomplishes the specific educational objective.

2. Religious Release Time: Excusing Students from School for Religious Instruction

At the request of a parent or guardian, a student shall be excused from school for a maximum of three aggregate hours per week in order to receive religious instruction conducted by a church, association of churches, or religious school association incorporated under Minnesota law.

The religious instruction shall be conducted in a place other than a public school building, and shall not be conducted at public expense. The School shall not encourage or discourage participation in such programs.

C. Graduation Ceremonies and Religious Baccalaureate Services

The School shall not sponsor or encourage a prayer during a graduation ceremony. Thus, the School shall not invite, encourage, or with prior knowledge allow any person (including a student, School employee, School Board Member, clergy member, or rabbi) to begin or end a graduation ceremony with a prayer. This rule applies even if the prayer is non-denominational and students are not officially required to attend the graduation ceremony.

The School shall not sponsor a religious baccalaureate service, even if it is entirely separate from the graduation ceremony.

However, if the School District opens its facilities to private groups, it shall make its

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facilities available on the same terms to organizers of privately sponsored religious baccalaureate services.

The School District shall disclaim endorsement of religious baccalaureate ceremonies and shall not extend preferential treatment to such ceremonies.

D. Student Access to School Grounds and Facilities for Religion Clubs

Under the Equal Access Act (EAA) of 1984, student religious, political, or philosophical clubs may meet on school grounds if these groups are:

1. student-initiated.
 2. student-sponsored
 3. student-led.
 4. voluntary in participation.
- a. Under the EAA, school officials may:
 1. monitor meetings to ensure compliance with provisions of the EAA.
 2. prohibit club meetings which “materially and substantially interfere with the orderly conduct of educational activities within the School.”
 3. require such clubs to follow the same rules as all other student clubs, including adherence to any nondiscrimination policy.
 4. establish time, place, and manner regulations applicable to club meetings provided that they are uniform and nondiscriminatory.
 5. end the School’s obligation under the EAA by prohibiting all non-curriculum related clubs from meeting on school premises.
 - b. Under the EAA, school officials or employees may not:
 1. initiate or conduct club meetings.
 2. sponsor, promote, lead or participate in club meetings.
 - c. Under the EAA, no one but students may:
 1. initiate club meetings.
 2. direct, conduct, control or regularly attend activities of student groups.

Nonschool persons may occasionally attend club meetings if invited by the students and if the School does not generally prohibit such guests. However, school officials may forbid nonschool persons from attending all student club meetings.

The School shall disclaim sponsorship of student religious groups and shall require student groups to disclaim sponsorship by the School. School employees may not urge students to attend a student-initiated religious group meeting; otherwise, the School may be viewed as endorsing religion.

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For the same reason, school employees may not participate in such meetings.

The School may insist that each meeting be attended by a school employee. This employee may maintain order, but may not play an active role in the meeting. The employee may interfere with a student-initiated religious meeting only to the extent necessary to preserve discipline, protect the rights of other students, or prevent an unlawful act.

E. Student Religious Dress

1. School officials should make appropriate exemptions to the dress code and reasonably accommodate students who wear hairstyles, clothing, headwear, jewelry, cosmetics, or other apparel as a personal expression of sincerely held religious beliefs.

Examples of religious attire that will be accommodated by the School are:

- Hairstyles
- Yarmulkes
- Headscarves
- Turbans
- Crucifixes, Stars of David, and other religious jewelry
- T-shirts or badges with religious messages or insignia
- Items of religious ceremonial dress

2. Accommodation for modesty concerns

The School will accommodate students who request not to wear certain gym clothes that they regard, on religious grounds, as immodest.

F. Employee Expression of Personal Religious Beliefs

1. Official neutrality

All employees of the district must be neutral about religion when acting in their official capacities. An employee's rights relating to voluntary religious practices and freedom of speech do not include proselytizing to any student regarding atheistic, agnostic, sectarian, religious, or denominational doctrine while the employee is

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acting in an official capacity, nor may an employee attempt to use his or her position to influence a student regarding the student's religious beliefs or lack thereof.

2. Responding to student questions about religious beliefs

If a student asks a district employee about that employee's personal religious beliefs, the employee may choose not to respond out of professional respect for the student's freedom of conscience or personal beliefs. However, while acting in an official capacity, an employee may respond in an appropriate and restrained manner to a spontaneous question from a student regarding the employee's personal religious beliefs or perspectives. When responding to a student's question about an employee's personal religious beliefs or views, the employee must maintain official neutrality and be careful not to advocate or encourage acceptance of his/her religious belief or perspective.

3. Religious Apparel

School employees must be neutral about religion when acting in their official capacities. The School will make reasonable accommodation for religious apparel worn by district employees.

4. Prayer in School

Employees may pray outside the presence and hearing of students during non-instructional time. Employees may also privately discuss religion with other employees outside the presence and hearing of students.

5. Religious Practices of School Employees

While acting in their capacity as a School District employee, employees may not pray aloud while in the presence of a student or discuss personal religious beliefs with a student.

Similarly, employees may not read scriptures or other religious materials, silently or aloud, in the presence or hearing of a student, unless the or religious material is being used as a text to teach about religion.

Proselytizing or attempting to proselytize students is prohibited.

Employees may not display scriptures or other religious symbols in class unless the display is temporary and the symbol is used as a legitimate teaching aid or resource as part of a course teaching about religion.

Employees may not distribute religious material literature that is not being used as a text to teach about religion.

While at school, teachers may informally discuss religious topics among themselves,

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provided that the discussions do not interfere with their duties and do not take place in the presence or hearing of students. In addition, teachers may hold religious meetings in an empty public school classroom, before or after school, if the School generally permits its employees or teachers to use empty classrooms for meetings on whatever topic they choose. Students may not be present at such meetings.

IV. RELIGION IN THE CURRICULUM

A. Teaching about Religion:

Religious instruction is the responsibility of parents and religious institutions, but teaching about religion and beliefs of conscience is a legitimate and appropriate part of a complete academic education at the elementary and secondary levels. Certain classes cannot be taught adequately without reference to religion. For example, a complete study of the history of civilization, literature, art, or music requires some understanding of religion.

Any course that teaches about religion shall be devoid of denominational bias. Any course or part of a course about religion shall be taught objectively as part of a secular program of education.

B. Instructional Practices:

The goal is to help students understand a variety of beliefs and to respect the rights of all people, including the rights of individuals or groups with whom the students may disagree.

To ensure that the educational approach to religion is one of academic instruction, not of indoctrination, and that it does not either advance or inhibit religion, District 4116 shall adhere to the following guidelines:

- Study or presentations about religion or other beliefs of conscience must achieve academic educational goals and be presented in a balanced and neutral manner within the context of the approved curriculum.
- The approach to religion must be academic, not devotional.
- Students may be exposed to any and all religious views and beliefs of conscience. Students should not feel pressure to accept any particular view or belief.
- The objective study of comparative religions is permissible. The School may educate about all religions and may not promote or denigrate any religion or belief of conscience.

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- Teaching about religion and beliefs of conscience should emphasize the role of religion and beliefs of conscience in history and culture and the importance of religious liberty as a cornerstone of democratic society.
- School officials shall not solicit private information or explanations from students about their personal religious affiliations, beliefs, or practices. A student-initiated choice to convey such information as a part of a class discussion, homework, projects, or tests, does not violate this policy.

C. Religious Literature, Music, Drama, and Arts:

As part of the curriculum, religious literature, music, drama, and arts may be included provided each is intrinsic to the learning experience and is presented objectively. Students may be asked to read selections from sacred writings as literature for their historical qualities but not for devotional purposes.

D. Instructional Resources Review and Request for Alternative Instruction

Parents, guardians, or adult students, 18 years of age or older, can review the content of instructional resources used in the classroom. Arrangements to review resources can be made with school personnel at any time. School personnel will notify parents regarding the use of instructional resources known to be controversial.

1. Teaching Evolution and Creationism

The School may require its biology teachers to teach students about evolution because it is a scientific theory, not a religious belief. The School shall not prohibit the instruction of evolution or require that the instruction of evolution be balanced with the instruction of creationism.

Teachers may teach about the different beliefs of human origin as part of a history or anthropology course, provided that religious beliefs are identified as such.

Religious beliefs such as creationism may not be identified as science and may not be endorsed by teachers while acting in their capacity as a school employee.

V. HOLIDAY PROGRAMS AND OBSERVANCES

A. Observing Holidays with Both a Religious and a Secular Basis

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1. The School shall permit the observance of holidays with both a secular and a religious basis, provided that the observance is conducted in a prudent and objective manner. The observance may include music, art, literature, and drama that is part of the cultural and religious heritage of the holiday. For example, the School may permit students to sing carols at Christmas time. Christmas carols, which can be traced back as early as the 16th century, have achieved a cultural significance that justifies their being in public schools.
2. Religious symbols (including a cross, menorah, crescent, Star of David, Christmas tree, nativity scene, and symbols of Native American religions) may be used as a teaching aid or resource, provided that they are displayed as a part of the cultural and religious heritage of the holiday and that the display is temporary in nature.
3. Not all religious holidays have both a secular and a religious basis. The School shall not observe purely religious holidays.
4. Schools within the District may observe Dia de los Muertos, Mid-Autumn Festival, Christmas, Valentines' Day, St. Patrick's Day, Easter, Hanukkah, Thanksgiving, and Halloween, and other holidays that have both a secular and a religious basis.

B. Student Absence for Observance of Religious Holidays

The School shall accommodate any student who wishes to be excused from a curricular activity for a religious observance, for a day or a reasonable number of days.

1. The School shall not penalize a student who is absent for a religious holiday.
2. The School need not close on religious holidays in order to avoid a conflict with students' religious practices. However, as a matter of administrative convenience, the School may close in order to avoid the absence of large numbers of teachers or students.

VI. DISTRIBUTION OF SCRIPTURES AND OTHER RELIGIOUS MATERIAL

A. Distribution by Students

Generally, freedom of speech and freedom of expression include the right not only to speak or write for oneself but also to distribute the writings (speech) of others. Different rules apply, depending on whether the literature is sponsored by the School.

1. School Sponsored

The School may impose reasonable restrictions on the speech of students involved in a school-sponsored activity, such as a school newspaper. Thus, the School District may exercise editorial control over the style, content, and distribution of student speech in school-sponsored literature provided that the literature is not a forum for public expression and that the exercise of control is reasonably related

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to a legitimate educational purpose or concern.

2. Not School Sponsored

The School shall not regulate the content of student speech that is not school-sponsored. Students may distribute religious materials to their schoolmates on the same terms as they are permitted to distribute other materials that is unrelated to school curriculum or activities. This means that the district may impose the same reasonable time, place, and manner restrictions on the distribution of religious literature as it does on non-school sponsored literature generally, but the School may not single out religious literature for special regulation.

A rule confining the distribution of all non-school sponsored literature to a location such as the building principal's office or a building entrance is an example of a time, place, or manner regulation. Such regulations benefit all students because they help keep hallways free of clutter and help forestall overly aggressive efforts to force literature on timid students. All time, place, and manner regulations shall (1) apply without regard to content of the literature; (2) leave open reasonable alternative channels of communication; and (3) further an important governmental interest.

Students shall obtain approval from the Administration before distributing any written materials on school grounds. This precaution is necessary to protect students from obscene, vulgar, and defamatory materials. The building principal shall approve or disapprove of the material in a reasonable amount of time. Distribution will be prohibited if the material is obscene, vulgar, defamatory, or illegal.

In order to avoid the appearance of School endorsement or sponsorship, the School District may prohibit the distribution of any material that does not conspicuously disclaim sponsorship by the School District.

B. Distribution by School Employees

School employees shall not distribute religious literature to students on school grounds.

C. Distribution by Outsiders

No person may distribute religious literature to students during instructional time.

If the School permits any group to distribute literature to students on school property during non-instructional time, the School shall permit religious groups to

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distribute religious literature to students on school property during non-instructional time. The School shall not give preferential access to one religious group over another.

Religious groups may distribute religious literature on the public sidewalks in front of the schools.

School employees shall not assist in the distribution of any religious literature.

No public funds shall be used to assist in the distribution of any religious literature.

Students shall be free to take or leave whatever literature they wish without being compelled to forcibly or repeatedly reject it. Religious literature may not be thrust into students' hands.

VII. CLERGY MEMBERS MEETING WITH STUDENTS AT SCHOOL

No person (including an adult volunteer, or clergy member) may provide religious instruction to students on school property during regular school hours, meaning from the time school officially begins in the morning until the last scheduled class ends. Thus, no person may teach religion to students or tell scripture stories to students on school property during lunch or recess.

However, religious groups led by an adult volunteer or clergy member may meet and discuss religion on school property after school hours, provided that the School makes its facilities available to non-religious community groups after school hours.

Clergy members may use and be present on school property to the same extent as other adults in the community. Thus, clergy members may be present on school property to provide grief counseling or other forms of community support.