

RIGHTS, RESPONSIBILITIES, RESPECT
Guidelines for Expression and Instruction
of Religion in Our Schools

Oak Park Elementary Schools
District 97

Reprinted, August, 2005

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Foreword

When the Puritans came to America and settled in Massachusetts in the early 1600s, they wanted to establish a “new Israel,” a Holy Commonwealth exemplifying God’s kingdom on earth, in which all citizens would share a common religion. The laws of the community were grounded in this covenant --church and state were united in common purpose.

Roger Williams, a Puritan minister, was the first to challenge the foundation of this society. He believed that church and state should remain separate and that government should not exert authority over faith. He cited events in Europe’s history where governmental interference in religion had resulted in persecution and bloodshed.

Williams was banished from Massachusetts because of his belief in the separation of church and state and because he advocated what he called “soul liberty,” the freedom of each person to choose religious affiliations without governmental interference. In 1635, Williams settled in Rhode Island and established the first society in this country to acknowledge and accept religious freedom. Jews, Quakers, nonbelievers, and others who were uncomfortable in Puritan society joined him. Williams’ principle of religious freedom slowly gained acceptance in this country, and lives on in the language of the First Amendment to the Constitution written 150 years later.

Because of the religious liberty clause of the First Amendment, the United States is the oldest and most successful example of a pluralistic society. (In fact, almost all of the world’s more than 3,000 religions are represented in this country.) While more people have died in the world because of their religious beliefs in the last one hundred years than in any other period, the United States remains a haven in which individuals are free to choose what, if any, religious affiliations they will hold.

*Religious liberty is defined in our Constitution as a precious, fundamental, and inalienable right. If we are to continue as one nation of many faiths, we must reaffirm the principles of religious freedom and pass these principles along to every generation. We cannot accomplish this by avoiding or ignoring religious pluralism in our schools. Teaching about religion and instilling an understanding and appreciation for each person’s **right** to worship or not to worship, each person’s **responsibility** to protect one’s own rights and the rights of others, and the need to **respect** diversity of belief falls naturally into the public school domain. If we do not teach our students how to live in a pluralistic society, we will have failed as educators and we will endanger the fundamental values of our community and our nation.*

INTRODUCTION

There are a number of situations in which students might engage in religious expression or practices in the public schools. They might pray before school, during school, or during extracurricular activities; they might wear religious attire or clothing with a religious message. They might carry sacred texts with them in school; they might talk to other students about religion, argue the merits of a particular religion, or invite classmates to religious gatherings. Students are protected in these expressions of religion by the United States Constitution.

The complexities of religious expression in the public schools are currently being debated across the nation. In the community of Oak Park, and in the Oak Park Elementary Schools, we embrace and celebrate our diversity. However, questions about how to *teach* about religion without *promoting* religion have caused some confusion, anxiety, and misunderstanding.

Recently, civil liberty, governmental, and religious organizations, whose members span the ideological, religious, and political spectrum, have drafted documents to help school districts provide teachers, parents, and students with the information they need to make appropriate decisions regarding the expression and instruction of religion in the public schools. Our own document, ***Rights, Responsibilities, Respect: Guidelines for Expression and Instruction of Religion in the Oak Park Elementary Schools***, draws heavily in both content and language from those documents, which are: *Religion in the Public School: A Joint Statement of Current Law*; *Religious Holidays in the Public Schools: Questions and Answers*; *Memo to Superintendents from Richard Wiley*; *Guidelines Concerning Religious Activity in the Public Schools*; *Memorandum of Legal Principles Animating Guidelines*; *Finding Common Ground, A First Amendment Guide to Religion and Public Education* ; *Religion in the Public Schools, Guidelines for a Growing and Changing Phenomenon*; *No Child Left Behind Act of 2001*.

Rights, Responsibilities, Respect reflects current law and supports District 97's policy on Expression and Instruction of Religion as well as its commitment to promoting respect for diversity as described in its policy on Human Dignity and Cultural Pluralism. The guidelines are intended to provide a framework for dealing effectively and fairly with the complex issues regarding religion in our schools. They cannot, however, provide definitive answers to all of the possible questions that may arise in our community or in our classrooms. A common sense sensitivity to the *rights of, responsibilities to, and respect for* every student in our schools must be our fundamental guideline.

ROLE OF DISTRICT 97 EDUCATORS

District 97 educators are representatives of the state while on duty in their school roles and, in those roles, must avoid sponsorship of religion. They must also avoid any statements or behavior that might be interpreted as attempts to indoctrinate students into their religious beliefs or non-belief or cause a misunderstanding that District 97 endorses a particular religious viewpoint.

Educators may not encourage or discourage a student=s right to religious expression as long as that expression does not disrupt the school environment or interfere with the rights of other students.

Educators may not lead students in devotional activities during class or school-sponsored activities, or encourage students to participate in or discourage students from participating in religious activities before or after school.

Educators may not participate in student-initiated religious activities during free time of the school day because their participation may be misinterpreted by students as an official endorsement of a particular viewpoint.

Educators may meet with their colleagues for private religious activity during free time, including prayer, meditation, and reading of religious materials, but must be careful that their actions do not suggest official sponsorship of a particular viewpoint.

Educators may respond in a non-coercive, non-judgmental, and non-indoctrinating manner to student-initiated inquiries about religion, in the same way they respond to student inquiries about political, philosophical, or social issues. If asked about personal religious beliefs, an educator may respond by saying something like, **A**My personal beliefs are _____, but my role as a teacher is to educate you about a variety of world religions.® By answering these kinds of questions, educators can help students to understand that people with strong beliefs can teach and learn about other beliefs.

TEACHING ABOUT RELIGION

A District 97 student's education would not be complete without an understanding of and respect for the religious and nonreligious beliefs represented in the world and in our community. Therefore, teaching *about* religion, including the history and significance of religious holidays, with the purpose of expanding student knowledge, is encouraged across the curriculum.

There are several distinctions between teaching *about* religion, which is appropriate in the classroom, and *advocating for* or *sponsoring* religion, which must be placed exclusively in the hands of parents and religious institutions. Some guidelines:

Teaching about religion must be instructional, but not devotional.

Teaching about religion must promote understanding of religion, but not the practice of religion.

Teaching about religion must expose students to a variety of views, but not impose a particular view.

Teaching about religion must inform students about a variety of beliefs, but not try to conform students to a particular belief.

Teachers should strive to instill in their students these three facts: (1) each person has a *right* to choose a religious belief or non-belief, (2) each person has a *responsibility* to defend his own rights and the rights of others, and (3) global citizenship requires that we treat each other with *respect* and civility regardless of our religious beliefs or non-belief.

SCHOOL PROGRAMS/PRACTICES

PROGRAMS/ACTIVITIES

School programs and activities are educational experiences. In any school program or activity, teachers must be sensitive to the rights of students of all beliefs as well as non-believers.

Religious ceremonies or prayers during school programs are not permitted.

Prayers before athletic games and other school activities are not permitted.

Students are often invited to participate in educational experiences out of the classroom and off school property. While many students take advantage of these opportunities, in some cases participation in a program or performance would interfere with religious practices and parents may request that their students be allowed to opt out.

While we will continue to offer educationally sound extra-curricular opportunities to all students, educators must strive to provide interesting and educationally challenging alternatives for students who opt out of a particular activity for religious reasons. This is not to say that if a local theater invites students to participate in a musical that those students whose religion forbids singing must be offered a similar theater experience without music. It means, rather, that those students must be offered appropriate alternatives that are both challenging and rewarding.

CLASSROOM PRACTICES

Teachers may not use the study of religion to proselytize or to inject religious beliefs into discussion. However, as part of a comprehensive curriculum, for example, religious music may be included in music classes, religious art may be included in art and humanities classes, religious texts may be studied in literature classes, and literature dealing with religious themes may be used in language arts classes. School and classroom libraries may include books with religious themes.

The use of religious symbols, provided they are used only as an example of cultural and religious heritage, is permitted as a teaching aid or resource. Religious symbols, or symbols specifically associated with a religious holiday may be used for instructional purposes but not solely as decorations. For example, a tree may be used to teach about the traditions associated with Christmas, but not simply as a decoration during the month of December. Religious symbols may be displayed for the length of time an instructional activity requires.

Discussion of religious topics or materials should be relevant to the curriculum and should not occupy a disproportionate amount of class time.

Course work should not include participation in a religious ceremony of any kind during or outside of class.

District 97 is interested in providing a well-rounded education, and areas of study are meant to be relevant for every student. However, for religious reasons, a parent may request that his/her child be excluded from a particular discussion regardless of its educational value.

School authorities must provide suitable alternatives for those students who opt out of participation in a portion of the curriculum because of their religious beliefs.

Character Education

Civic virtues, including honesty, good citizenship, sportsmanship, courage, respect for the rights and freedom of others, respect for persons and their property, civility, tolerance, and moral conviction are the core values that bind America together as one nation of many people and faiths. The fact that these values are held by religions does not make it unlawful to teach them, and they may be included in all areas of instruction in our schools.

Moments of Silence

Educators may request that students take a moment of silence to collect themselves and put their daily schedule in perspective, or to maintain discipline, but not to promote prayer.

Students may choose to use this time for silent, individual prayer. However, educators must not pray in front of students or permit any students to pray aloud or in groups.

Released-Time Programs

Students are permitted, upon written request from a parent/guardian to the student's teacher, to be released from school to attend off-campus religious instruction. However, educators should not arrange, sponsor, or pay for such programs, or encourage students to participate or not to participate in such programs.

Religious instruction is not permitted on school grounds during release-time periods.

Representatives of religious institutions are not permitted at school to recruit students to participate in religious exercises.

Educators must not supervise off-campus religious instruction while on duty in their school roles.

Student Public Speaking

Students are permitted to express their religious convictions during public speaking as long as that expression does not interfere with the rights of other students. For example, students are often selected to make a class presentation. If a student chooses to include religious themes or references in his/her remarks, they must be included as historical information with educational value, not as a way to proselytize or attempt to force religious beliefs or non-belief on a captive audience. Educators should review the prepared remarks to ensure appropriate religious reference in the same way as they review prepared remarks for other appropriate content.

If student speakers are selected by school officials (rather than by students), they should be selected on wholly secular criteria (for example, class officers, class rank, or other achievement), not based on what school officials perceive as the likelihood that the speakers chosen would or would not make religious references.

Baccalaureates

Schools may not sponsor or arrange baccalaureates. However, these religious services may be arranged by students, parents, and community groups. If a group wishes to conduct a baccalaureate on school premises after school hours, it is permitted to use school facilities on the same basis as other student or community groups are permitted to use school facilities.

In order to accommodate students who may be interested in hearing about a baccalaureate service, the school may permit scheduling notices to be announced on bulletin boards and over public address systems on the same basis as other scheduling notices are announced. School personnel may attend a baccalaureate in their capacity as private citizens, but should not plan, direct, control, or supervise the ceremony, nor should they encourage or discourage student attendance. Educators must be careful to avoid any suggestion of official sponsorship. Disclaimers should be posted and announced.

HOLIDAYS

The Oak Park Elementary Schools have traditionally acknowledged a wide variety of holidays. Our goal is to be respectful of all beliefs or non-belief, and to provide opportunities throughout the school experience for children to learn about a variety of religions and the holidays associated with them.

Educators may teach students objectively about religious holidays, including their religious significance. They may also teach about the role that our religious heritage has played in the social, cultural, and historical development of civilization. Holidays can be utilized to teach about understanding and respect for diversity, as well as a spirit of tolerance, acceptance, and inclusion, but must not be used to celebrate a particular religion.

Educators must be sensitive to the variety of religious beliefs or non-belief represented in our schools and strive to provide a balance of material so that all students can participate without compromise.

Promoting any religion through any holiday during any time of the year is not acceptable.

Celebrating religious holidays or causing a class to observe religious holidays is not acceptable.

A student must be permitted to opt out of an event or program if a parent determines that the child's religious practices would be burdened by the activity regardless of its educational value.

When planning activities around holidays, educators should keep the following points in mind: *Is there an educational value to this activity? Can I present this activity in a fair and balanced way? Does this activity increase student knowledge rather than promote one religion over another or even religion in general?*

ATTENDANCE CALENDAR/REQUESTS FOR EXCUSAL

The Oak Park Elementary Schools recognize traditional federal and state holidays, and the school calendar is set accordingly.

Educators should avoid scheduling exams and special events on days when it is likely that some students will be absent because of religious practices.

However, there may be times when the school calendar interferes with the religious activities of some students. These students must always be excused from school to attend religious services or observe religious holidays when a request is made by parent/guardian.

Students must be given reasonable time without penalty or loss of status to make up work missed during such an absence.

Awards given for perfect attendance must not exclude those who are absent for religious observances.

STUDENT ASSIGNMENTS

Students have a right to express their religious values and viewpoints in their class work, assignments, and work products just as they may express secular viewpoints.

Some student projects center around seasonal themes. When a season has both secular and religious connotations, some students may prefer to depict a secular aspect of the season, while others may prefer to depict a religious aspect. As long as the expression is relevant to the assignment, teachers must not discriminate against students who prefer a religious theme or viewpoint over a secular one (or vice versa). For example, in an art assignment where different students depict a manger scene, a menorah, and a snowman, these works may be displayed on an equal basis, or on the basis of their artistic merit, without discrimination in favor of or against any of them on the basis of the religiosity or secularity of their themes.

Religious remarks made by students in the ordinary course of classroom discussion or student presentations are permissible and constitute a protected right. However, remarks that are irrelevant to the subject at hand must be ruled out-of-order. Furthermore, students must be held to District 97's standards of civility and courtesy at all times.

Also, if a student responds to an assignment that calls for an oral presentation by attempting to conduct a religious service in the classroom, educators have the right and the duty to protect other students from being forced to become an unwilling congregation. Educators should be clear to students that they may talk about religion when appropriate, but must not use the classroom to practice religion or attempt to persuade other students to adopt a particular viewpoint.

STUDENT DRESS

It is generally acceptable for students to express their religious convictions on their clothing or personal effects as long as doing so does not disrupt the school environment. For example, a student may wear a necklace bearing a cross or a Star of David.

A school may adopt a content-neutral dress code that uniformly prohibits certain kinds of attire altogether, provided that such a dress code does not single out or discriminate against a particular belief or non-belief. Exceptions may be granted to students whose religious practices would be burdened by the dress code. For example, if a religion requires a student to wear headgear, an exception to a no-hats policy should be made.

If a religious practice requires a student to violate a district policy, which, in turn, increases the potential for disruption or harm to fellow students (carrying a knife, for example), school officials must work with the parents to arrive at a solution that will accommodate both the child's rights to religious expression and the responsibility of the district to provide a safe environment for its students.

Concerns for religion-based modesty in physical education classes must always be honored.

FREE TIME

While students are involved in activities directly related to the curriculum for most of the school day, there are also non-instructional periods, or free time periods, during the day. These include: riding to and from school on the school bus, a period each morning between the time students are permitted on school grounds and the time they are required to be in their classrooms, lunch time, recess in the lower grades, and passing periods between classes in the upper grades.

During free time, students may read religious literature of their own choosing and discuss religious themes with other students on the same basis as they may read about or discuss secular interests and subjects.

During free time, students have the right to speak to, and attempt to persuade, their peers about religious topics just as they do with regard to other topics. Educators should intercede only if a discussion turns into harassment. For example, repeated invitations to attend church, after a request to stop has been made, constitutes harassment.

During free time, student-initiated and non-disruptive devotional activities are acceptable. School officials should not encourage or discourage participation by students in such activities. During free time, students may pray individually or in groups.

If a school conducts a study period or provides other times in which students are allowed to read materials other than those prescribed by the school curriculum, students are also permitted to read religious material during these times.

DISTRIBUTION OF RELIGIOUS MATERIAL

Students may distribute religious material in school in the same way they may distribute nonreligious material in school. For example, if students are permitted to distribute birthday invitations or lost and found flyers to their classmates, they may also distribute information about an off-school religion camp or church project to their classmates.

Schools should regulate the time, place, and manner of such distribution in the same way they regulate the distribution of other materials.

Individuals from outside the school cannot have access to students during the school day to distribute religious materials.

Distribution of religious materials by community groups must be handled in the same manner as distribution of nonreligious material by community groups.

School machinery cannot be used for printing religious materials.

USE OF BUILDINGS

The Equal Access Act guarantees all groups equal access and opportunity to conduct meetings on school property during non-school hours.

However, District 97 does have the right and responsibility to protect public property and preserve order. It also has the right to determine which school facilities can be used for extra-curricular activities.

District 97 will not discriminate against a request to hold a meeting on school grounds on the basis of its religious, political, or philosophical content as long as the purpose of the meeting is educationally sound. For example, if a chess club can meet after school, so can a religious club.

District 97 will not charge religious groups and nonreligious groups different rental fees.

Every group wishing to meet in the schools must follow standard procedures for renting a room as well as follow District 97 meeting rules and regulations.

APPENDIX A

“A Civic Framework for Finding Common Ground”
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APPENDIX B

“The Williamsburg Charter”
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