



Jewish Community Relations Council
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GUIDELINES ON RELIGION IN THE PUBLIC SCHOOLS

These *Guidelines on Religion in the Public Schools* were developed to help parents, students, teachers, and school officials better understand the First Amendment as it applies to public schools not only during the winter's religious holidays but also in other situations. Ensuring religious neutrality in the public schools depends on the understanding and support of the entire community.

Over 200 years ago, our nation was established by those who came here to escape religious persecution and the bondage of government-favored religion. The promise of religious liberty has brought millions of immigrants to our shores ever since. Through the guarantees in the Bill of Rights of our Constitution, we have sought to preserve that religious liberty, firm in the belief that the union of government and religion tends to undermine government and degrade religion. In the words of the First Amendment, "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof." The Constitution requires that both the federal and state governments maintain a wall of separation between religious and secular matters.

Every year when winter's religious holidays come around, parents, educators, and students alike are concerned about what is appropriate. Is it possible to recognize religious holidays and remain sensitive to everyone in the classroom? Are the feelings of the children being given the highest priority? What is constitutionally and legally proper? With an increasingly diverse student population, these questions become ever more important.

We need to guard against those situations in which the schools send a message to religious minorities that they are outsiders and not full members of the community, or that the majority is merely "tolerating" the religious beliefs of the minority.

Government is an especially major influence in the lives of children who attend public schools, and teachers and administrators are its representatives. These children are particularly vulnerable to receiving confusing messages about state endorsement of religion. For this reason, we must be careful as parents and educators to keep in mind that Christmas, for example, is a Christian holiday celebrating the birth of the Christian Messiah.

In most cases when there is an objectionable religious holiday observance in a public school, the problem reflects a lack of knowledge on the part of administrators and teachers rather than malice. Any school administrator, teacher or parent who has a question/concern about a holiday observance may call the JCRC (Jewish Community Relations Council) office at 314-442-3871.

Public schools and religious holidays

The December holiday season gives our schools an opportunity to teach our children the vital importance of the separation of church and state. Religious holidays provide opportunities for teaching *about* religion, which may be appropriate during discussions of different cultures and communities in civics, geography, history, art or music. *Teaching about* the holidays is permissible; *celebrating* the holidays is not. Proselytizing or promoting or denigrating any religion is strictly prohibited.

Information on religious holidays may focus on how and when they are celebrated, and their origins, histories, and generally agreed-upon meanings. If done objectively and sensitively, neither promoting nor inhibiting religion, the study of religious holidays can foster understanding and mutual respect.

Religious symbols may be used as a teaching aid if displayed temporarily as part of an academic program. Religious art, drama, music, or literature may also be permissible if it serves a sound educational curriculum, is not used as a vehicle for promoting religious belief, and does not dominate a play, concert, or presentation.

Do's and don'ts

The principle that public schools shall be religiously neutral has been affirmed in a long line of Supreme Court decisions. The Supreme Court tells us that our nation's public schools must refrain from:

1. Promoting any religion;
2. Expressing any opposition or hostility to religion;
3. Showing preference for any religion over another or for religion over non-religion.

Examples of legally permitted activities

1. Education about the constitutional guarantees of religious freedom and the separation of church and state.
2. Education about the role religion has played in the development of society.
3. Factual and objective teaching about various religions.
4. A student's voluntary wearing of religious symbols, such as a Star of David or a Cross, as a means of self-expression.
5. The study of religious music or art as a part of a music history or art appreciation course or a course about various lands and cultures.
6. Excused absences for students on religious holidays, and other reasonable accommodations such as make-up exams.
7. Quiet, spontaneous prayer by a student so long as he or she does not interfere with school discipline or the rights of others and so long as the prayer is not organized by or encouraged by the school.

8. Excusing a student from an individual lesson if the parents object on the basis of religion. (Schools have substantial discretion, but in some cases could be required to excuse the student.)

Examples of improper and prohibited activities

1. School-supervised or school-sponsored religious worship, celebrations, or prayer meetings. This includes silent prayer.
2. Organized Bible reading or the distribution of Bibles.
3. Public display of religious symbols by school authorities.
4. Penalties for students who are absent due to a religious holiday.
5. Religious celebrations of holidays, and requiring any student to participate in religious performances or observances of any kind.
6. Harassment of students by school officials or other students seeking to proselytize.

Guidelines to keep in mind

It is important to teach about religion, but not teach religion itself. This distinction is critical. It is appropriate to acknowledge the role religion has played in history, civics, the arts and culture, and our lives in general. But this must be done in a secular manner. The approach should be academic, not devotional. Schools may make the students aware of religion, but not impose acceptance of religion. The classroom should promote study about the role of religion, but not sponsor the practice of religion.

Sensitivity is crucial. The age, diversity, and sensitivities of the students must always be a prime consideration. For example, it is unrealistic, and potentially harmful to the child, to expect a first-grader to excuse him- or herself from the singing of a religious song.

Context is everything. When determining the appropriateness of a classroom lesson or remark, some important factors to consider are the subject of the class, the goal of the lesson being taught, the age of the students, and not only what is said but also how it is said.

Answers to frequently asked questions

Should public schools sponsor religiously-oriented holiday programs?

No. Religious holidays should be celebrated in homes and places of worship, not in the public schools. Holiday programs that celebrate religious themes, such as a nativity pageant, for example, have no place in the public schools. Schools should never present programs which engender religious conflict, or which would single out students whose religious principles do not allow them to participate, subjecting them to embarrassment and/or peer pressure. Winter festivals and concerts, for example, which include secular music without religious overtones, are far more appropriate than dramatizations with religious content.

What about celebrating Chanukah if there is a Christmas celebration?

Teaching about religious holidays can be appropriate, but celebrating them is not. The celebration of holidays in public schools should be discouraged. School officials should not be placed in the position of deciding which religious holidays should be celebrated.

What about the use/study of religious music?

Clearly, many historically significant pieces of music have been composed with religious themes. The study of this music for its educational value is to be distinguished from using music for devotional purposes. The JCRC believes that religious holiday music does not belong in a public school, and no child should be encouraged to sing songs that celebrate a theology that he or she does not accept.

If Christmas is a legal holiday, is it a national religious holiday?

No. Although December 25th is a legal holiday, Christmas is not a national religious holiday. There is no official religion in the United States. Christmas is an important Christian holy day, which celebrates the birth of Jesus.

Should absences from school on religious holidays be excused?

There are Jewish holidays for which students may be absent (e.g., Rosh Hashanah, Yom Kippur). Students will not be absent from school while observing Chanukah. A child's absence from school on a religious holiday should be an excused absence, without penalty to scholastic or attendance records. Schools should be careful to avoid scheduling exams, assemblies, field trips, graduation, athletic events, and other special events, including programs for parents, on religious holidays. *Parents and students have the responsibility of notifying teachers well in advance when an absence will occur due to a religious holiday.* In return, schools should make reasonable accommodations for the students to make up missed work.

**For additional information,
or to receive a JCRC five-year calendar of Jewish holidays,
(to facilitate long-term planning for schools, homes and organizations),
contact the Jewish Community Relations Council.**

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