

Policy adopted: Nov. 30, 2018

## **RELIGION POLICY**

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### **I. GENERAL STATEMENT OF POLICY**

STEAM Academy shall neither promote nor disparage any religious belief or non-belief. Instead, STEAM Academy encourages all students and employees to have appreciation for and tolerance of each other's views.

STEAM Academy recognizes that religion has had and continues to have a significant role in the social, cultural, political, and historical development of civilization. The proper role of religion in the public schools is in its educational value and not in religious endorsement or celebration. Since a primary purpose of the public schools is to teach about the world that has been and the world that is, the role that religion has played in the historical and social development of humanity is essential to the curriculum.

STEAM Academy 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.

### **II. RESPONSIBILITY FOR ENFORCEMENT OF POLICY**

The Director shall have the responsibility of ensuring that the study of religious materials, customs, beliefs, and holidays in STEAM Academy complies with this policy.

### **III. DEFINITIONS**

1. Instructional Time: Definition. "Instructional time" means any time a student is receiving educational instruction from a teacher or working under the supervision of a teacher. Instructional time generally begins when the scheduled class period officially begins and ends when the scheduled class period officially ends.
2. Non-Instructional Time: Definition. "Non-instructional time" means any time that is not defined as "instructional time." Examples of non-instructional time include but are not limited to time spent in the classroom before the period officially begins or after it ends; time spent in the hallways between classes; time set aside for lunch; time set aside for recess; and time spent traveling to school events or school sponsored functions in school-sponsored transportation.
3. Prayer: Definition. "Prayer" means the act of making a reverent petition, devotion, confession, communication, or praise to God, a god, a messenger of a god, a supernatural being, a spirit, a power, or a spiritual leader.
4. Non-Curriculum Related Student Group: Definition. A "non-curriculum related student group" is any student group that does not directly relate to the body of courses offered by the school. A student group directly relates to a school's curriculum if the subject

matter of the group is actually taught, or will soon be taught, in a regularly offered course; if the subject matter of the group concerns the body of courses as a whole; or if participation in the group results in academic credit.

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5. Religion: Definition. "Religion" broadly refers to a sincerely held belief in or reverence for God, a god, a supernatural being, spirit, power, or the like; a personal or institutionalized system grounded in such belief or worship; or a set of sincerely held beliefs and practices based on the teachings of a spiritual leader.
6. Religious Material: Definition. "Religious material" includes but is not limited to brochures, flyers, books, literature, and any other form of recorded data that advances or disparages a particular religion, religion generally, or any religious practice.
7. Distribution: Definition. "Distribution" includes but is not limited to posting materials on school walls, leaving materials on school property where students can access them, disseminating materials to one or more students, and sending materials to one or more students by means of electronic communication.

#### **IV. STUDENT RIGHTS REGARDING RELIGION**

##### **A. Student Prayer and Religious Discussion in School**

###### **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 speak to, challenge and debate 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.

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 non-specific.

### 3. School Functions and School Sponsored Events

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No person (including a student, parent/guardian, STEAM Academy employee, School Board Member, or community religious leader) may initiate or vocalize a prayer as part of a regular school function or school sponsored even, such as an assembly, athletic event, or pre-game ceremony, even if the prayer is non-denominational.

#### **B. Excusing Students with Objections to Subject Matter Being Taught**

##### 1. Excusing Students from Class or Classroom Activity

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. STEAM Academy generally has broad discretion in deciding whether to excuse a student. However, there are some occasions when STEAM Academy 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. Teachers should also use the opportunity to teach religious tolerance and ensure that the student is not ostracized by peers for not participating in the educational activity or lesson.

##### 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 Sunday school association incorporated under Minnesota law. Minn. Stat. § 120.101, subd. 9(3). The religious instruction shall be conducted in a place other than a public school building, and shall not be conducted at public expense. *Id.* STEAM Academy shall not encourage or discourage participation in such programs.

3. Excusing Students for Observance of Religious Holidays See section VIII, part B of this policy.

#### **C. Student Access to School Grounds and Facilities for Religion Clubs**

STEAM Academy shall treat religious clubs as it treats any other non-curriculum related student group with regards to use of its facilities. STEAM Academy shall give religious clubs and secular clubs equal access to bulletin boards, PA systems, school-sponsored club fairs, and the like.

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However, STEAM Academy shall disclaim sponsorship of student religious groups and shall require student groups to disclaim sponsorship by STEAM Academy.

STEAM Academy employees may not urge students to attend a student-initiated religious group meeting nor may school employees participate in such meetings. STEAM Academy reserves the right to insist that each meeting be attended by a school employee to maintain order. However, the employee 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.

**D. Use of School Facilities by Outside Religious Groups**

STEAM Academy shall treat outside religious groups as it treats any other outside group with regards to use of its facilities for meetings. STEAM Academy will not discriminate against a community group simply because the group desires to express a religious viewpoint on a particular subject. See also section VII of this policy (Clergy Members Meeting with Students at School); and section V, part I of this policy (Teachers Holding Religious Meetings on School Premises).

Granting use of its facilities to a religious group (if consistent with STEAM's policy regarding use of its facilities) shall not be construed as sponsorship. STEAM shall disclaim sponsorship of the group and shall require that the group disclaim sponsorship by STEAM Academy.

**F. Student Religious Garb and School Dress Codes**

STEAM Academy's Dress Code and Uniform Policy allows for full or partial exemptions if a student's religious observation which would be substantially hindered by compliance with the Dress Code or Uniform Code.

Students may wear religious garb and jewelry to the extent that they are permitted to wear other comparable garb and jewelry. The same general rule applies to students who wish to express their religion by the manner in which they wear their hair

**G. Vaccination Requirements**

STEAM Academy shall not require a minor student to be immunized if STEAM Academy has received a notarized statement, signed by the student's parent or guardian, stating that the student has not been immunized because of the conscientiously held beliefs of the parent or guardian.

## V. FACULTY RIGHTS AND STEAM ACADEMY RESPONSIBILITIES REGARDING RELIGION IN THE SCHOOLS

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### A. Prayer in School

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

### B. Religious Practices and School Employees

While acting in their capacity as STEAM Academy employees, 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 religious material is being used as a text to teach *about* religion. Proselytizing or attempting to proselytize students is prohibited. Employees may not visibly wear garb that endorses religion or non-religion. 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 that is not being used as a text to teach *about* religion.

### C. Moment of Silence

STEAM Academy may require teachers and students to observe a moment of silence. Minn. Stat. § 126.091. The moment of silence shall not substantially exceed one minute.

STEAM Academy employees shall not state or suggest that the moment be used for silent prayer. Students shall not be asked to perform a religious ritual, such as bowing their heads or folding their hands, during the moment of silence.

### D. Teaching *About* Religion

The Constitution permits objective teaching *about* religion, as opposed to religious instruction. 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 about 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.

#### 1. Music

Performance, whether in formal concert or in the classroom, is an important part of musical study. Performances, including programs and concerts, may include music with both a religious

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and a secular importance, but generally may not incorporate religious readings or dramatization of religious stories. The total effect of any music program or concert shall be secular.

The selection of music, for performance or other form of study, shall be based primarily on musical merit and the potential to cultivate musical knowledge, understanding, skills, growth, and appreciation in students.

### 2. Art and Drama

The study of art or drama may include works with a religious and secular importance, provided that (a) such works are presented in an objective, nonsectarian manner, and (b) the study of such works is limited to the extent reasonably necessary for a balanced and comprehensive understanding of the subject matter.

Music programs, concerts, plays and art exhibits presented at times close to religious holidays shall comply with Section VIII.A. of this policy. The program or concert shall be representative of the students' work for the quarter.

### E. Teaching Evolution and Creationism

STEAM Academy may require its biology teachers to teach students about evolution, because it is a "scientific theory," not a religious belief. STEAM Academy shall not prohibit the instruction of evolution or require that the instruction of evolution be balanced with the instruction of "creation science."

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 STEAM Academy employee.

### F. Teaching Values

STEAM Academy employees may actively teach civic values and virtue, as well as the moral code that holds our society together. The mere fact that some values are held by certain religions does not mean that those values cannot be taught in school.

### G. Religious Literature in the School Library

School libraries may contain significant religious literature, including scriptures, provided that no one faith tradition's literature is favored, and that the library as a whole does not show any preference for religious works.

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#### **H. Removing Religious and Anti-Religious Books from Curriculum or from Library**

The STEAM Academy Board is constrained by the First Amendment in deciding whether to remove a book from the library. The Board shall not seek to prescribe what is orthodox in politics, nationalism, religion, or other matters of expression. Accordingly, the Board shall not remove a book from a list of suggested readings or from the library solely because the book criticizes religion, advances a religious belief with which the Board disagrees, or contains ideas which the Board dislikes. However, the Board may remove a book that is vulgar, obscene, or otherwise educationally unsuitable.

#### **I. Teachers Holding Religious Meetings on School Premises**

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

#### **J. Employee Absence for Observance of Religious Holidays**

See Section VII, part C of this policy.

### **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 STEAM Academy.

##### **1. School Sponsored**

STEAM Academy may impose reasonable restrictions on the speech of students involved in a school sponsored activity, such as a school newspaper. Thus, STEAM Academy 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 to a legitimate educational purpose or concern.

## 2. Not School Sponsored

STEAM Academy 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

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permitted to distribute other materials that are unrelated to school curriculum or activities. This means that STEAM Academy 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 STEAM Academy may not single out religious literature for special regulation.

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, STEAM Academy may prohibit the distribution of any material that does not conspicuously disclaim sponsorship by STEAM Academy.

#### **B. Distribution by STEAM Academy Employees**

STEAM Academy 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 STEAM Academy permits any group (such as a school ring vendor) to distribute literature to students on school property during non-instructional time, STEAM Academy shall permit religious groups to distribute religious literature to students on school property during non-instructional time. STEAM Academy 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.



STEAM Academy 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.

The policies contained in this Section VI shall not be inconsistent with other policies adopted by the Board concerning the distribution of literature on school property.

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**VII. RELIGIOUS LEADERS MEETING WITH STUDENTS AT SCHOOL**

Community religious leaders (rabbis, clergy, imams, etc.) may use and be present on school property to the same extent as other adults in the community.

However, no person (including an adult volunteer or community religious leader) 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 community religious leader may meet and discuss religion on school property after school hours, provided that such use is consistent with STEAM's policy regarding use of its facilities and Section IV, Part D of this policy.

STEAM Academy may invite community religious leaders with the necessary skill sets to be present on school property to provide grief counseling or other forms of community support.

**VIII.**

**IX. HOLIDAY PROGRAMS AND OBSERVANCES**

**X.**

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

**XII.**

STEAM Academy 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 are part of the cultural and religious heritage of the holiday. For example, STEAM Academy 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 the public schools.

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.

Not all religious holidays have both a secular and a religious basis. STEAM Academy shall not observe purely religious holidays. Classrooms within STEAM Academy may observe Christmas,

Valentines' Day, St. Patrick's Day, Easter, Hanukkah, Thanksgiving, and Halloween, because these holidays have both a secular and a religious basis. Prior permission shall be obtained from the Director before other holidays are observed.

### **B. Student Absence for Observance of Religious Holidays**

STEAM Academy shall accommodate any student who wishes to be excused from a curricular activity for a religious observance, at least for a reasonable number of days. STEAM Academy shall not penalize a student who is absent for a religious holiday. The refusals to provide a make-up exam or the lowering of a student's grades are considered penalties.

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Students should not be unnecessarily burdened by attendance procedures when they seek to be excused from attending school for observance of a religious holiday. Schools should develop sensitive and respectful procedures that enable students to privately identify the need to be absent, without calling undue attention to the absence.

STEAM Academy need not close school on religious holidays in order to avoid a conflict with students' religious practices. However, as a matter of administrative convenience, STEAM Academy may close school in order to avoid the absence of large numbers of teachers or students.

### **C. Employee Absence for Observance of Religious Holidays**

Title VII of the 1964 Civil Rights Act provides that employers, a term which includes school boards, must reasonably accommodate the religious observances of employees. An employer may offer an employee any reasonable accommodation, even though other available means of accommodation may be less onerous to the employee. This means that STEAM Academy may refuse to grant paid leave to observe religious holidays, but it must allow employees to use their personal days for religiously motivated absences.