

RECOGNITION OF RELIGIOUS BELIEFS AND CUSTOMS

It is the position of the Monterey County Board of Education and the Monterey County Superintendent of Schools that students' education would be incomplete without an understanding of the role of religion in society. As appropriate for a particular course, teachers may objectively discuss the influences of various religions, using religious works and symbols to illustrate their relationship with culture, literature or the arts. The Monterey County Office of Education (MCOE) expects that such instruction will identify principles common to all religions and foster respect for the diversity of religions and customs in 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 shall not promote or denigrate the beliefs or customs of any particular religion or sect, nor should a preference be shown for one religious viewpoint over another. Staff members shall be highly sensitive to their obligation not to interfere with the religious development of any student in whatever tradition the student embraces.

(cf. 0410 - Nondiscrimination in MCOE Programs and Activities)
(cf. 1330 - Use of School Facilities)
(cf. 1325 - Advertising and Promotion)
(cf. 5113 - Absences and Excuses)
(cf. 6145.5 - Student Organizations and Equal Access)

Staff shall not endorse, encourage or solicit religious or anti-religious expression or activities among students during class time. As part of their official duties, staff shall not lead students in prayer or other religious activities. 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.

(cf. 5127 - Graduation Ceremony and Activities)

Students may express their beliefs about religion in their homework, artwork and other class work if the expression is germane to the assignment. Such work shall be judged by ordinary academic standards.

(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 5145.2 - Freedom of Speech/Expression)
(cf. 6144 - Controversial Issues)
(cf. 6154 - Homework/Make-up Work)

While 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. 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:

EDUCATION CODE

38130-38138	<i>Civic Center Act</i>
46014	<i>Absences for religious purposes</i>
51511	<i>Religious matters properly included in courses of study</i>
51938	<i>Right of parent/guardian to excuse from sexual health instruction</i>

UNITED STATES CODE, TITLE 20

4071-4074	<i>Equal Access Act</i>
6061	<i>School prayer</i>
7904	<i>School prayer</i>

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

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