



Small is Mighty

Policy #: 609

Name of Policy: Religious Accommodations

Adoption Date: 12/18/25

Updated:

ADMINISTRATIVE PROCEDURES AND REGULATIONS

The legal requirements of the U. S. Constitution's First Amendment and the Statement of Core Values of School District 834 are the foundation for the district's policy on religion in the schools. I.S.D. 834 will comply with state and federal law.

The First Amendment directs that "Congress shall make no law respecting the establishment of religion, or prohibiting the free exercise thereof."

Establishment of Religion: The schools may not endorse specific religious practices or doctrines, nor may they coerce participation in religious activity. The schools shall maintain official neutrality regarding sectarian religious issues and will neither advance nor inhibit religion.

Free Exercise: The schools may not forbid students acting on their own from expressing their personal religious views or engaging in religious activity solely because they are of a religious nature. Employees may express personal religious views or beliefs within the parameters of the law and according to district procedures.

In I.S.D. 834 religious liberty and freedom of conscience are precious rights. It is the responsibility of staff members, volunteers and students to guard these rights for the community the school district serves. Respecting each other's convictions will provide a common ground for civil debate on issues as they arise.

This policy is supported through rules and procedures covering rights, responsibilities, and respect. Appropriate review, updates, and training will be provided.

Rights and Responsibilities of Students, Staff and Volunteers

Student Expression of Personal Religious Beliefs or Views

1.1. Non-discrimination

District 834 may not limit student expression of personal religious views or beliefs solely because they are of a religious nature. The district may not discriminate against private religious expression by students, but must give students the same right to be involved in religious activity and discussion as they have with other activities.

1.2 Freedom to act

Students have an absolute right to their own religious beliefs, but they do not have an absolute right to act on those beliefs. If a student's religious expression is motivated by a sincere religious belief, then the expression is protected by the Free Exercise protections of the First Amendment to the U.S. Constitution and cannot be restricted.

1.3 Least restrictive means

If a student's religious expression is motivated by a sincere religious belief, the district may not regulate the conduct of the student unless the district has a compelling interest and protects its interest in the manner which is least restrictive of the student's religious expression.

1.4 Student religious expression during instructional time

1.4.1 Regulation of student religious expression during instructional time

During instructional time, students shall not be prohibited from expressing personal religious beliefs, unless the expression interferes with order and discipline, violates school rules, impinges on the rights of others, endangers persons or property, creates a coercive atmosphere, or violates the atmosphere of civility and propriety appropriate to the instructional setting. (Refer to: District 834 Discipline Policy)

1.4.2 Examples of permissible student religious conduct or expression

Examples of student religious conduct or expression that may not be prohibited in homework, classroom discussions, presentations, assignments, or district sponsored activities, unless they violate the standards in 1.4.1 above, are:

Students submitting homework, artwork, or other assignments with religious content;

Students giving class presentations with religious content that are relevant to the curriculum and matters being discussed;

Students making religious remarks or asking questions about religion in the ordinary course of classroom discussion;

Students asking questions of students or school employees regarding their religious beliefs or views.

1.4.3 Evaluation of homework and classroom work with religious content

The district should evaluate homework and classroom work with religious content consistent with ordinary scholastic standards of substance and relevance, as well as other legitimate academic concerns.

1.4.4 Classroom presentations on religious topics

While students have the right to give educationally relevant classroom presentations on religious topics or engage in other religious expression during instructional time, they do not have the right to make a captive audience listen to a lengthy sermon, or to compel other students to participate in religious exercises during instructional time. No student should be coerced to participate in such religious activity.

1.5 Student religious expression during discretionary time

District 834 will not limit religious practices or religious speech by a student during discretionary time, unless the conduct or speech unreasonably interferes with the ability of the district to maintain order and discipline, violates district rules, violates the rights of

others, unreasonably endangers people or property, creates a coercive environment, or violates the environment of civility or propriety appropriate to the school setting.

1.6 Examples of permissible student religious expression

Some examples of student conduct or speech of a personal religious nature that may not be prohibited, unless in violation of the standards listed in 1.4 above, are:

Reading religious books or materials;

Praying alone or with friends in cafeterias, hallways, around flagpoles, or at athletic contests and other extra-curricular activities;

Discussing religious views with other students, or attempting to persuade peers about religious topics, as long as the persuasive speech does not constitute harassment.

1.7 Religious Clothing and Apparel

1.7.1 Regulation of religious clothing and apparel

Because dress is a form of individual expression, any prohibition or regulation of student religious clothing or apparel must be done in the least restrictive manner possible to meet the objective of maintaining a safe and orderly school environment. School officials should make appropriate exemptions to the dress code and reasonably accommodate students who wear hairstyles, clothing, head wear, jewelry, cosmetics, or other apparel as a personal expression of sincerely held religious beliefs.

1.7.2 Examples of permissible religious attire

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

Hairstyles

Yarmulkes

Head scarves or turbans

Crucifixes, Stars of David, and other religious jewelry

T-shirts or badges with religious messages or insignia

Items of religious ceremonial dress

1.7.3 Accommodation for modesty concerns

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

Employee Expression of Personal Religious Beliefs

2.1 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 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.

2.2 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.

2.3 Religious Apparel

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

Expression by Volunteers of Personal Religious Beliefs

3.1 Non-Discrimination

District 834 prohibits discrimination on the basis of religion against any group or individual desiring to volunteer in the district.

3.2 Neutrality

Volunteers must be neutral about religion while performing volunteer work for the district.

3.3 Proselytizing is prohibited

Volunteers are prohibited from proselytizing or recruiting of any type on school grounds or in conjunction with any school activity, and must strictly follow directions given them by school officials.

3.4 Policy compliance and enforcement

District 834 will monitor the behavior and interactions of volunteers while they are serving in schools or participating in school activities. Volunteers who fail to comply with the provisions of this policy shall be asked to leave the school or activity. Ultimate responsibility for enforcement of this policy at the school level rests with the building administrator.

Distribution of Religious Materials on School Grounds

4.1 Non-school sponsored organization and non-student distribution

Non-school sponsored organizations and non-students may only distribute literature or other materials in schools or on school grounds in accordance with reasonable time, place, and manner restrictions of the school.

4.2 Student distribution

Students may distribute literature unrelated to school curriculum or activities only at reasonable times, places, and manners designated by the school.

4.3 Regulation of distribution

District 834 may not regulate or prohibit distribution of religious materials because of its religious content, but the district may regulate the time, place and manner of its

distribution in the same way that the district regulates the distribution of other non-school related materials.

Use of School Grounds

If the secondary school allows groups of students to meet during non-instructional time for student-initiated activities not directly related to the school curriculum, all of the student groups must be treated equally. The district cannot limit any student group meetings on the basis of the religious, political, philosophical, or other content of the speech at such meetings. Religious speech must receive equal treatment, not preferred treatment.

1 Westside Community Board of Education v. Mergens 496 U.S. 226 (1990); The Equal Access Act, 20 U.S.C. 4071- 407

Religion in the Curriculum

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.

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 834 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.

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.

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.

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. This notification will be sent in a timely manner, so that parents have the opportunity to review the resource and/or select alternative instruction prior to its use in the classroom. (Refer to: District 834 Policy Selection and Review of Instructional Resources)

Procedures for Religious Holidays, Symbols, and Music; and School Calendars

Religious Holidays

The purpose of the recognition of the religious holidays must be to provide objective and secular instruction about religious traditions rather than to promote the particular religion involved. While school staff may teach about religion, religious holidays shall not be celebrated in school.

School staff must be aware of and sensitive to the beliefs and spiritual practices of all students. For example, the schools may emphasize the universal values of peace, goodwill, philanthropy, kindness, unselfishness, and giving that are shared by all, whether they be of a particular religion or of no religion rather than attributing such values to a specific religion only.

School initiated or sponsored religious holiday gift-giving among students and teachers shall not occur.

Activities and discussions related to cultural holidays such as May Day, Valentine's Day, Thanksgiving, St. Patrick's Day, Kwanzaa, and Halloween should be academic in nature. The recognition of those holidays shall not be religious in nature.

Religious Symbols

Display of religious symbols:

The display of religious symbols that are part of religious holidays is permitted as a teaching aid or resource, provided such symbols are displayed as an example of the

cultural heritage of the holiday, and are temporary in nature. The symbols may be left on display for the time their presence is necessary to the study. Such holidays include, but are not limited to: Christmas, Kwanzaa, Hanukkah, Ramadan, Easter, and Passover.

If any religious symbol is to be part of a display, schools shall include other religious, cultural or ethnic symbols.

A religious symbol is:

Any object that portrays or recognizes the existence of a supreme being or deity. The cross, Star of David, nativity scene, menorah, eagle feather, ceremonial pipe, tablets, chalices, crescent, Buddha, and any other symbols that are part of a religious celebration or ceremony are in this category.

Any object that is so closely associated with religion or religions, or with the celebration of a religious holiday that it is looked upon by a segment of the population as being of a religious nature. The dreidel, Santa Claus, Christmas tree, Lion of Judah, medicine wheel, Easter eggs, and Easter bunnies are in this category

Religious Music

Study of religious music:

At all levels, the study of religious music as part of a musical appreciation course, as a musical experience, or as part of a study of various lands and cultures is to be encouraged.

Seasonally appropriate religious music may be studied during the season when interest is highest.

Religious musical programs:

Religious music or drama may be included in school events or co-curricular activities which are part of a secular program of education. The content of school special events, assemblies, concerts and programs must be primarily secular, objective and educational, and not focus on any one religion or religious observance. Such events must not promote or denigrate any particular religion, serve as a religious celebration, or become a forum for religious devotion. Student participation shall be voluntary.

Music or drama program handouts must be neutral in appearance and symbolism as defined in the "Religious Symbols" section.

Definition of Religious Music:

Religious music is any music that recognizes the existence of a supreme being or deity. "The Messiah," "O Holy Night," "Silent Night," the Kaddish, Kol Nidra, and Maoz Tzur are examples of this music.

Religious music is any music that is suggestive of or that has become so closely associated with religions or religious holidays that it is looked upon by a segment of the population as being of a religious nature, or celebratory of a particular religious holiday. "Santa Claus is Coming to Town," "Here Comes Peter Cottontail," "White Christmas," and "Dreydal" are examples of this music.

Definition of Nonreligious music:

Examples of seasonal music that are not religious in nature are "Frosty the Snowman," "Jingle Bells," and "Winter Wonderland.

Special notes

In all public school programs and study, care must be taken to avoid presentation of religious music as a celebration of a particular religion or nonreligion.

The faculty shall determine the appropriateness of music presented or studied, and shall be especially sensitive to the words of the music chosen so as not to promote or discourage religion. Music with religious themes may be included in teaching about holidays, provided it is presented in a religiously neutral manner and relates to secular educational goals.

Faculty shall be especially sensitive to the feelings of students who might wish to not participate for religious reasons, and should explore all reasonable alternatives in resolving a student's objection before offering or granting a waiver of participation. For those students that do not wish to participate, refer to: Minnesota Statute 120B.20 Parental Curriculum Review.

School Calendar

The school calendar shall be prepared so as to minimize conflict with the religious holidays of all faiths. A sincere attempt must be made not to schedule graduation, assemblies, and other special school and student events on religious holidays. If conflicts occur, sensitivity and flexibility need to be exercised.

Where conflicts are unavoidable, care shall be taken to avoid tests, special projects, introduction of new concepts, and other activities that would be difficult to make up.

Students are expected to make up missed assignments without penalty. While ensuring that absences for religious holidays are accommodated, students who remain in school must also continue to have meaningful learning experiences.

School Activities and Religion

Prayer in School

Student prayer. Under the Establishment Clause of the First Amendment students have the right to pray individually or in groups at school. Students may:

engage in voluntary individual prayer which is non-coercive and does not substantially disrupt the school's educational mission and activities;

pray before meals; and

engage other students in religious activity as long as there is no coercion.

Staff prayer. Staff members, when acting in their capacity as employees of the school district, are representatives of the state and may not encourage or solicit student religious or anti-religious activity or engage in religious activities with their students.

However, staff may engage in private religious activity during duty-free or non-contractual hours. (Reference: Employee contracts, agreements)

Classroom prayer. Vocal prayer and religious readings are unconstitutional in the public school classroom¹ even if the participation is voluntary or if students are excused from the activity or classroom during the religious practice. Student volunteers may not: offer prayers for recitation².

broadcast prayers over a school intercom system into the classroom³.

Moment of silence. A moment of silence may only be initiated and conducted by students and must not be used as a forum for vocal prayer or other religious exercise, but rather as an opportunity for those present to participate in a quiet moment according to the dictates of their own conscience. Any staff or other school officials present during a moment of silence must maintain official neutrality and must not say or do anything that could reasonably be interpreted as encouraging or discouraging prayer or other religious exercise during the moment of silence, for example, folding arms, bowing heads, reading scripture.

Prayer and co-curricular activities. A coach or other school official shall not initiate or lead a team prayer or ask a team member to do so, before, during or after a school-sponsored athletic activity or event. Members of the clergy shall not offer prayers before public school athletic activities or events. Consistent with the guidelines outlined in 1(a) above, students may pray together at such events.

2 *Karen B. v. Treen*, 653 F.2d 897 (5th Cir., 1981), *aff'd*, 455 U.S. 913 (1983)

3 *Herdahl v. Pontotoc County School District*, 1995 WL 312013 (D. Miss.).

Graduation exercises

District 834 prohibits prayers as an officially scheduled part of graduation exercises⁴

⁴ *Lee v. Weisman*, 112 S. Ct 2638 (1992); *American Civil Liberties Union of New Jersey v. Black Horse Pike Regional Bd. Of Educ.*, 84F.3d 1471 (3rd Cir. 1996); *Harris v. Joint Sch. Dist. No. 241*, 41F.3d 447 (9th Cir. 1994, vacated, 115 S. Ct 2604 (1995) (ruling that student-led graduation prayers are unconstitutional; with *Ingebretsen v. Jackson Pub. Sch. Dist 1*, 88 F.3d 274 (5th Cir. 1996); *Jones v. Clear Creek Indep. Sch. Dist.* 977 F.2d 963 (5th Cir. 1992), cert. Denied 113 S Ct. 2950 (1993); and *Albright v. Board of Educ. Of Granite Sch. Dist.*, 765 F. Supp. 682 (D. Utah 1991) (upholding student-led graduation prayers).

Baccalaureate services

Students who wish to include religious activities, such as prayer, in recognition or celebration of their graduation may organize or attend privately sponsored baccalaureate services. Baccalaureate services must be wholly distinct from official graduation ceremonies, privately sponsored, privately led and voluntary. These services may include prayers and religious sermons. However, there must be no school endorsement of such baccalaureate services. School officials must not encourage or discourage student participation in such services. Whether the services are organized or sponsored by students, parents, religious organizations, or community groups, the sponsors may rent district facilities according to the district's building rental policy.

Student religious club

Religious organizations and other organizations must be given equal access to the use of school grounds. District 834 has the authority to maintain order and discipline and to protect the well-being of students and faculty on school grounds. When allowing a religious organization to use school facilities after-hours, school officials should be careful not to create any impression of sponsorship or endorsement of the group's religious activities or views. Such an appearance of endorsement would violate the Establishment Clause. Under the Equal Access Act (EAA) [20 U.S.C. Secs. 4071-74] student religious, political or philosophical clubs may meet on school grounds if these groups are:
student-initiated.

student-sponsored and student-led.

voluntary in participation.

Under the EAA, school officials may:

monitor meetings to ensure compliance with provisions of the EAA.

prohibit club meetings which “materially and substantially interfere with the orderly conduct of educational activities within the school.”

require such clubs to follow the same rules as all other student clubs, including adherence to any nondiscrimination policy.

establish time, place and manner regulations applicable to club meetings, provided that they are uniform and nondiscriminatory.

end the school’s obligation under the EAA by prohibiting all noncurriculum related clubs from meeting on school premises.

Under the EAA, school officials or employees may not:

initiate or conduct club meetings.

sponsor, promote, lead or participate in club meetings.

Under the EAA, no one but students may:

initiate club meetings.

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.

Waivers from immunizations

Students may be exempt from state immunization requirements in accordance with state law, Minn. Stat. Section 121A.15, under the following circumstances:

immunizations are contrary to the parents’ or guardians’ conscientiously held beliefs, provided the school district is given a notarized statement to that effect; or

immunizations are contraindicated or unnecessary for medical reasons, provided the school district is given a physician’s written statement to that effect.

Excused absences for religious reasons

Under the Religious Freedom Restoration Act (42 U.S.C. Sections 2000bb, et seq)

public schools must grant students excused absences which are required for religious reasons unless the school has a compelling reason for requiring attendance. The school

may require written confirmation from the student’s parent or guardian. A student shall not suffer adverse or prejudicial consequences from an excused absence and should be allowed a reasonable opportunity to make up the schoolwork missed due to the

absence. Penalties to scholastic or attendance records may not be imposed upon students who are absent for religious reasons.

Released time religious education programs.

Released time programs may take place off school grounds, if no public school funds are expended, and if school officials or teachers do not promote program attendance through coercion or other means.⁵ A released time program must not be promoted or endorsed by the school. At the same time the school must not encourage or discourage attendance of religious education programs. A released time program may only take place off school premises; the school may not rent its facilities for such programs.

⁵ *Zorach v. Clauson*, 340 U.S. 302 (1952)

Policy and Procedures

Policy and Procedure Implementation, Publication, Monitoring and Review:

The responsibility for implementation of this policy and its procedures rests with the Superintendent or his/her designee. Implementation will include, but not be limited to, staff training covering the policy and procedures themselves and staff development offerings on religious diversity awareness and enriching the curriculum through teaching about diverse religions, beliefs and spiritual practices.

This policy or a summary of the policy will be posted throughout each school building in areas accessible to students, staff and volunteers. It shall also appear in student registration materials, student and staff handbooks, and other appropriate publications as directed by the Superintendent or Deputy Superintendent.

Complaints brought by students, their parents, or District 834 employees should be made to the building principal, assistant principal, or counselor where the student is enrolled, or to the employee's immediate supervisor, who should then forward the complaint to the District 834 Human Rights Officers. If the complaint involves the immediate supervisor, building principal, assistant principal, or counselor, the complaint may be filed directly with the Human Rights Officers. Complainants should be encouraged, but are not required, to submit the complaint on the attached Religious Rights Complaint Form.

Upon receipt of a complaint, the Human Rights Officers or a designee shall investigate the complaint and shall provide a response to the complainant regarding the findings and conclusions.

Nothing in this policy shall preclude a complainant from seeking redress to allegations of discrimination through state or federal agencies or courts.

On-going monitoring responsibility: The Superintendent or his/her designee will be responsible for ensuring compliance with this policy and its procedures. A full evaluation will take place at least biannually. He/she will evaluate, among other things, the frequency and nature of complaints under this policy; the effectiveness of the implementation in instilling the procedures in buildings throughout the district; staff, volunteer and student compliance with the policy and its procedures; and staff, student, and parent perceptions of the policy's effectiveness. Results of the evaluation will be reported to the school board and will be used to modify or update the policy as appropriate, with an emphasis on remedying deficiencies.

Policy review: A committee of administrators, teachers, parents and students will be convened as needed to review this policy's compliance with applicable state and federal law, and to update the policy and procedures accordingly.