



UNION

Religious Worlds of New York • Curriculum Development Project

What does the First Amendment Say about Religion in Schools? Teacher Education / Professional Development Workshop

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Abstract

The purpose of this professional development project is to help teachers become more knowledgeable and confident in their classroom discussions and interactions that regard religion. Many teachers are unsure and hesitant when it comes to handling religious topics or situations in the classroom. By reviewing the main points of the First Amendment Center's [A Teacher's Guide to Religion in the Public Schools](#) (1999) booklet, I hope to answer some of those questions.

Lesson

1. In the first part of the presentation we will discuss general issues regarding the constitutionality of discussing and interacting with topics of religion in a public classroom.
2. This will be followed by a discussion of how teachers should handle their personal faith practices and beliefs while at school.
3. Finally, we will close with a discussion of student behaviors regarding their personal faith practices and beliefs while at school.

For information about the Religious Worlds of New York summer institute for teachers, and more resources to enrich your teaching on religious diversity, see: www.religiousworldsnyc.org.



Teaching *About* Religion

What does the First Amendment say?

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- Despite all the religious problems found in the world today, there has never been a time of more religious diversity and acceptance as now.
 - However, there is still a good deal of Protestant anxiety; ie - a fall from God's grace = punishment still active today.



Two Failed Models

- The “Establishment” model: during most of the existence of public education where Protestant Christianity was the semi-official religion of schools. Still exists to some degree today, especially in the SE United States.
- “Naked Public Schools” model: religion is not mentioned at all.
- Neither works.



What does the First Amendment say?

- ▶ “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.”

First Amendment

U.S. Constitution

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Two Clauses

- The Establishment clause – the government, on any level, can not establish or endorse any specific religion over another.
- Free Exercise clause – government can not inhibit the free practice of religious expression.



So how do we insure these two rights are respected in public schools today?

- ▶ In 1999 the First Amendment Center, led by Dr. Charles Haynes, addressed 18 key points teachers can be aware of that will not only help to not establish any religious preference, but will also guarantee that students are not deprived of their free exercise of religious practice.
- ▶ We will address a few of those insights here today.



► Point 1: Is it Constitutional to teach about religion?

► Short answer – YES!

► In *Abington v Schemp* (1963) Justice Tom Clark wrote:

[I]t might well be said that one's education is not complete without a study of comparative religion or the history of religion and its relationship to the advancement of civilization. It certainly may be said that the Bible is worthy of study for its literary and historic qualities.

Nothing we have said here indicates that such study of the Bible or of religion, when presented objectively as part of a secular program of education, may not be effected consistently with the First Amendment.

► Point 3: Is study about religion included in textbooks and standards?

► Short Answer – YES

► However, there is generally very little depth and in only a doctrines and dates sort of a way.



► Point 4: How do I teach about religion?

- Must understand that there is a HUGE difference between teaching religion; ie: indoctrination, and teaching ABOUT religion.
- The First Amendment Center, working with 17 other educational and religious groups, produced the following guidelines.
 - The approach much be academic, not devotional
 - The school strives for student awareness of religions not student acceptance of any religion
 - The school sponsors STUDY about religion and not the PRACTICE of religion.
 - The school EXPOSES students to a variety of religious views but may not IMPOSE any religious view.
 - The school does not *promote* or *denigrate* any religion but *educates* about all religions.
 - The school informs about all beliefs but does not conform to any specific belief.



► Point 6: May I have guest speakers?

- Short answer: YES!
- Longer answer – any guest speaker should be an academic or well versed in Interfaith work so they will understand that proselytizing will not in any way be tolerated.

► Point 7: How should I treat religious holidays in my classroom?

- You may recognize the holiday and give the history and address some customs
- In general, avoid all religious symbols to be on the safe side.



► Point 11: May I pray or otherwise practice my faith while at school?

- Not in front of or with students in any way.
- You may pray or otherwise practice your faith in a private setting where students are not present.
- If a group of teachers want to have a prayer group or Bible study it must be done away from students.
- You may wear discreet religious jewelry or symbols. However no overt displays. Example – you can't wear a t-shirt that says "Jesus Saves".

► Point 12: How do I respond if students ask about my personal religious beliefs?

- Some believe it is inappropriate to answer at all while others believe a simple, straightforward response is fine.
- You always **MUST** consider the age of the students. Middle and high school students will be able to distinguish between a personal statement and an official position by the school. Younger students may not get that distinction.



► Point 13: May students express religious views in public schools?

- Short Answer – YES!
- Students have the right to pray individually or in groups as long as they are not disruptive.
- Students may speak of religious beliefs as long as it is not a “captive audience”.
 - Cafeteria is OK, other students can walk away.
 - Classroom is considered a captive audience.

► Point 14: May students express religious views in their assignments?

- *Students may express their beliefs about religion in the form of homework, artwork, and other written and oral assignments free of discrimination based on the religious content of their submissions. They must be judged and scored on a purely academic basis.*



► Point 16: May public schools accommodate students with special religious needs?

- Short Answer – YES!
- In fact, they should. Muslim students should have a private, quiet place to pray.

► Point 17: May students form extracurricular religious clubs?

- Short Answer – YES!
- If the school allows any other noncurricular-based clubs or organizations, they must allow it.
- The club must be student organized and student led.



► Point 18: May students hand out religious literature?

- Short Answer – YES!
- Handing out of literature may be placed under reasonable constitutional restrictions.
 - One religion may not be favored over others. All must be respected equally.

Any other questions or comments? Any concerns?