

Policy Regarding the Religious Rights of Parents and Children in the _____ School District

Purpose. The purpose of this policy is to:

- a. Foster an environment in the _____ School District that is respectful of different viewpoints on subjects that address or touch on¹ religious issues or questions.
- b. Teach subjects that address religious issues in an objective and age-appropriate manner such that the effect of the teaching will be religiously neutral.¹
- c. Engage students in critical analysis and reasoned dialogue on such subjects.
- d. Ensure that curricular subjects that address a religious issue are transparent so that stakeholders will be informed of its content.²
- e. Respect the religious beliefs of students and their families.²

1. The _____ School District shall ensure that curricular subjects that address or touch on a religious issue are designed to objectively inform in an age-appropriate manner so that the effect of the teaching will be religiously neutral.¹⁻³

2. The Superintendent or their designee shall take action to either eliminate or modify curriculum which does not meet the standard of Section 1.

3. The Superintendent or their designee shall identify each curricular subject that addresses a religious issue and shall make such curricula available for inspection by parents and other residents within the district, as well as to representative entities. This material shall include a reasonably complete description of the curriculum, its content, and its context, as well as books and other instructional aids that are used.

4. Students should be adequately informed that the curriculum they are about to be taught address opinions regarding religious issues. They should also know that the issues have not been decided by the state or by science, that explanations about origins (of the universe and of life and its diversity), environmental issues, sex and morality, and what it means to be a "good citizen" are often controversial, that there are many competing and conflicting views about the issues, and that the student should keep an open mind with respect to the issue and seek parental guidance about it.

5. Students should be informed that teachers may not present one of competing explanations about a religious issue as valid or as the best explanation, and that their job is to objectively explain the actual state of our scientific or other knowledge about the competing sides of the issue.

6. Any "scientific" explanation that deals with a religious issue that is based in part on Methodological Naturalism, must be accompanied by an extensive discussion of that doctrine, the extent of its use by modern institutions of science, the extent of its influence on the development of the explanation, the competing explanations excluded due to the use of the doctrine, and the evidence that supports the excluded views. Students should be adequately

informed that the goal of the school is to objectively inform them about the actual state of our scientific and other knowledge.

7. Parents, students and representative entities (the “stakeholders”) who suspect that a curricular subject is out of compliance with the above policy should arrange to review the description and instructional materials for the subject and to meet with the teacher involved and/or Principal of the school in an attempt to resolve the issue.

8. If the procedure in Section 7 does not resolve the issue, a stakeholder may seek further review by the Superintendent, their Designee, and/or the Board of Education.

9. Definitions.

(A) A “religion” is an organized belief system that addresses ultimate questions⁴ such as the cause, nature, and purpose of life and the universe, and how life should be lived morally and ethically. It is an activity that profoundly relates the life of man to the world in which he lives.⁵ Religion encompasses theistic, pantheistic, and atheistic belief systems.⁶⁻¹¹

(B) A “religious issue” is one that relates to an ultimate question. Topics in the curriculum that may involve religious issues include, but are not limited to: the origin, development, and nature of life and the universe; marriage, family, and human sexuality; morality and ethics; and religion in culture and history.

(C) “Objective” means not influenced by personal feelings, interpretations, or prejudice; based on facts; unbiased; informative rather than indoctrinating.³

(D) “Age-appropriate” means suitable for a particular grade level based on the knowledge, experience, and mental and emotional maturity of a typical student at that level.

(E) “Religiously neutral” means not explicitly or implicitly having the effect of favoring or disfavoring a particular religious view or belief; not advocating for a single perspective on a religious issue.^{1,12}

(F) A “parent” is a person with legal responsibility or guardianship for a minor child attending a public school within the school district.

(G) A “representative entity” is an association or non-profit corporation or other entity licensed to do business or operate within the State of _____ and which has undertaken to represent the religious rights of parents, children, and taxpayers who reside within the school district.

(H) “Methodological Naturalism” (MN) or scientific materialism, is a doctrine or orthodoxy that explanations of the cause and nature of natural phenomena may only use natural, material or mechanistic causes, and must assume that, supernatural, teleological or design conceptions of nature are invalid.

EXPLANATORY NOTES WHICH ARE NOT A PART OF THE POLICY

¹ “[T]he Establishment Clause stands at least for the proposition that when government activities touch on the religious sphere, they must be secular in purpose, evenhanded in operation, and neutral in primary impact.” *Gillette v. United States*, 401 U.S. 437, 450 (1971)

² “The Court has been particularly vigilant in monitoring compliance with the Establishment Clause in elementary and secondary schools. Families entrust public schools with the education of their children, but condition their trust on the understanding that the classroom will not purposely be used to advance religious views that may conflict with the private beliefs of the student and his or her family. Students in such institutions are impressionable and their attendance is involuntary.” *Edwards v. Aguillard*, 482 U.S. 578 (1987)

³ There are “three primary criteria we currently use to evaluate whether government aid has the effect of advancing religion: it does not result in governmental indoctrination; define its recipients by reference to religion; or create an excessive entanglement.” *Agostini v. Felton*, 521 U.S. 203 (1997)

⁴ “First, a religion addresses fundamental and ultimate questions having to do with deep and imponderable matters.” *Africa v. Commonwealth of Pennsylvania*, 662 F.2d 1025 (3rd Cir 1981)

⁵ “By its nature, religion – in the comprehensive sense in which the Constitution uses that word – is an aspect of human thought and action which profoundly relates the life of man to the world in which he lives.” *McGowan v. Maryland*, 366 U.S. 420 (1961)

⁶ “Religion simply includes ... a belief, not necessarily referring to supernatural powers ... [and] a system of moral practice directly resulting from an adherence to the belief...” *Fellowship of Humanity v. County of Alameda*, 315 P.2d 394, 405-6 (Cal. Ct. App. 1957)

⁷ “The Establishment Clause withdrew from the sphere of legitimate legislative concern and competence a specific, but comprehensive, area of human conduct: man’s belief or disbelief in the verity of some transcendental idea and man’s expression in action of that belief or disbelief.” *McGowan v. Maryland*, 366 U.S. 420, 461 (1961)

⁸ “Among religions in this country which do not teach what would generally be considered a belief in the existence of God are Buddhism, Taoism, Ethical Culture, Secular Humanism and others.” *Torcaso v. Watkins*, 367 U.S. 488, 495 note 11 (1961)

⁹ “Within [the phrase ‘religious training and belief’] would come all sincere religious beliefs which are based upon a power or being, or upon a faith, to which all else is subordinate or upon which all else is ultimately dependent.” *United States v. Seeger*, 380 U.S. 163, 176, 183 (1965)

¹⁰ Government may not prefer “theistic over nontheistic religion.” The “settled law” is that the Establishment “Clause applies ‘to each of us, be he Jew or Agnostic, Christian or Atheist, Buddhist or Freethinker.’” *Lee v. Weisman*, 505 U.S. 577 (1992)

¹¹ “[T]he Court has adopted a broad definition of ‘religion’ that includes nontheistic and atheistic beliefs, as well as theistic ones.” *Kaufman v. McCaughty*, 419 F.3d 678 (7th Cir. 2005)

¹² The “power of the individual to be self-legislating in the realm of morals.” *Webster’s Third New International Dictionary of the English Language* (2003)

¹³ The Establishment Clause “requires the state to be neutral in its relations with groups of religious believers and non-believers.” *Everson v. Board of Education*, 330 U.S. 1 (1947)