

Public schools are not religion-free zones

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For the past 50 years, much of our church-state jurisprudence has been informed by how we treat religion in the public schools. Simply put, our effort always has been to say "yes" to voluntary expressions of religion by students; but, at the same time, say "no" to official, school-sponsored religious exercises. Although we continue sometimes to struggle to find the appropriate balance, we have made dramatic improvements.

The start of a new school year provides an opportunity to review the many ways religion can properly be exercised, studied and otherwise included on public school campuses in ways that naturally arise in our very religious and religiously diverse country, while keeping school officials out of the business of promoting a particular religion or even religion in general.

Here are reminders of a few ways this can be done.

- Students may pray alone or in a group, silently or even out loud as long as it is voluntary, non-disruptive and respectful of the rights of other students not to participate. This would include vocal "See You at the Pole" prayer events before classes start and silent prayers after math tests begin.
- Students may form and lead religious clubs in secondary schools if other non-curriculum related groups are allowed. Outside adults may not lead or regularly attend club meetings, and teachers may be present only to monitor the meetings.
- Students may display and communicate religious messages on their clothing and orally in the same way other messages are allowed. Generally, they may wear religious garb, such as yarmulkes and head scarves, as well.
- Students may distribute religious material and literature, under the same rules as other material may be distributed. This right is subject to reasonable time, place and manner restrictions, such as requiring material to be placed on a table rather than being handed out.
- Students may speak to and even try to persuade other students on religious topics, including inviting them to participate in religious services and events. But, such speech and invitations cannot be allowed to turn into religious harassment. A "no thanks" must end the conversation.
- Students are allowed to include religious themes and ideas in their schoolwork and homework assignments, as long as those religious references are germane to the assignment.

- Students may be taught *about* religion where the topic naturally arises in the curriculum. The teaching should be academic, not devotional, and have an expressed educational goal in mind. In other words, schools may *expose* students to religious views but may not *impose* any particular view.
- A religious holiday may serve as an occasion to teach about that particular religion, but it is not to be celebrated as a religious event. Along the same lines, religious music may be played or sung and sacred artwork observed and appreciated as long as there is an educational goal in mind.
- Students may (and sometimes must) be excused from lessons that are objectionable based on religious convictions if the school does not have a sufficiently compelling interest in requiring all students to attend and participate.
- Teachers and other school personnel may meet with one another for Bible study, prayer and other religious discussions, as long as such gatherings are voluntary and outside the classroom (in the teachers' lounge, for example) during lunch breaks or other free time.

These are just a few of the many ways in which it is abundantly clear that God has **not** been kicked out of the public schools. But let's not abuse our freedom. We always need to be mindful of the importance of modeling good behavior and responsible citizenship. This includes not insisting upon governmental help, like using a school-controlled microphone to pray or to proselytize. It also means allowing students to participate in school-sponsored activities without being subjected to other students' religion, even when it is arguably personal student speech. As is the case in many other contexts, what we have the right to do is not always the right thing to do.

Please visit the Baptist Joint Committee website at www.BJConline.org for more information on religion in the public schools.