

386 RELIGION IN THE SCHOOLS

“Religion liberty in a democracy is a right that may not be submitted to vote and depends on the outcome of no election. A society is only as just and free as it is respectful of this right, especially toward the beliefs of its smallest minorities and least popular communities.”

Finding Common Ground, Haynes & Thomas, 1994

The Wisconsin Rapids Board of Education recognizes the need to foster understanding and mutual respect among students, parents, and school personnel on matters of religious belief. It values the rights of individual citizens to express their religious beliefs, yet recognizes the need to uphold the United States and Wisconsin Constitutions and maintain the concept of separation of church and state.

1. Purely private religious speech by students is allowed. Students may pray individually or in groups and discuss their religious views with their peers subject to the same rules as applied to other student speech. School officials should also ensure that no student is in any way coerced to participate in religious activity or discouraged from participating in religious activity.
2. Moments of silence initiated by school district officials that are secularly motivated are permissible.
3. Students may speak to and discuss with their peers religious topics, just as they do with regard to political topics. School officials should intervene to stop student speech that constitutes harassment.
4. Engaging in, encouraging, or leading student religious activity by school district officials during the school day or during school district activities violates the First Amendment and is not permissible. Examples of such activity include Bible reading, prayer, and religious instruction. School officials are also prohibited from discouraging activity because of its religious content.
5. Inclusion of an invocation and/or benediction by a member of the clergy at graduation is impermissible. School officials, when acting in that capacity, may not require or organize graduation ceremony prayers or a religious baccalaureate ceremony.
6. Schools may not provide religious instruction, but they may teach about religion. Students may be taught about religion in a historical or comparative context. Any instruction about religious matters or using religious materials shall be conducted in an objective, neutral, non-devotional manner and shall serve a secular educational purpose.
7. Students may express their religious beliefs through written, oral, and artistic assignments. Such work should be judged by ordinary academic standards of substance and relevance.

8. Students may be excused from a classroom activity or from portions of the established course of instruction where the instructional content would violate the child's religious beliefs. Students may be required to complete an alternative assignment or course of instruction to meet course requirements.
9. Students who must wear religious garb such as head scarves or yarmulkes should be permitted to do so in school. Students may also display religious messages on clothing to the same extent that other messages are permitted and are not disruptive to the educational process.
10. Distribution of religious literature is subject to the same time, place and manner restrictions imposed by the school. These restrictions must apply evenly to all non-school student literature.
11. School officials may not allow anyone to teach religion on campus during the school day or distribute religious or anti-religious literature in the classroom. Speakers may be invited to talk about religion at the teacher's discretion and with the knowledge of the building principal.
12. Teaching about religious holidays to gain an understanding of history, culture, and literature is permissible. Having students participate in the religious rituals to celebrate holidays is not permissible.
13. The use of religious symbols as examples of religious or cultural heritage is permissible as a teaching aid or resource. Religious symbols should be displayed only on a temporary basis as part of the academic program. The use of religious symbols shall be conducted in an objective, neutral, and non-devotional manner.
14. The use of music, art, drama, or literature with religious themes is permissible if it serves a secular educational goal in the curriculum, but not if used as a vehicle for promoting religious belief.
15. Religious clubs may meet before and after school. Religious clubs may have the same access to campus media to announce meetings as that of other student non-curriculum-related groups. Such meetings must be student-initiated and student-managed. Participation in such meetings by school district officials is not permissible. A staff member may attend for supervisory purposes.

Legal References:

Wisconsin Constitution – Article 1, Section 18 and Article 10, Section 3.
United States Constitution 1st Amendment
Section 118.13, Wisconsin State Statutes
PI 41, Wisconsin Administrative Code

Title VI of the Civil Rights Act
U.S. Department of Education Guidelines Regarding Religious Expression in Schools
(8/95)

School District of Abington Township v. Schempp, 374 U.S. 203, 255 (1963)

McGowan v. Maryland, 366 U.S. 420, 444-46(1961)

Windmar v. Vincent, 454 U.S. 263, 274 (1981)

Engle v. Vitale, 370 U.S. 618, 641 (1978)

Community B. of Ed. V. Mergens, 496 U.S. 226, 248 (1990)

McDaniel v. Paty, 435 U.S. 618, 641 (1978)

Tinker v. Des Moines, 393 U.S. 503, (1969)

Finding Common Ground, Haynes, Charles C., 1998

CROSS REF.: 333, Parent Rights in the Curriculum
386, Teaching about Controversial Issues
411, Discrimination and Harassment Prohibited

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