

Regulation 6141.2: Recognition Of Religious Beliefs And Customs

Status: ADOPTED

Original Adopted Date: 11/20/1996 | **Last Reviewed Date:** 11/20/1996

Upon written request, a student shall be excused from any part of health, family life, or sex education which conflicts with the religious training, beliefs, or personal moral convictions of the parent/guardian or student. (Education Code 51240) **Additionally, when required by law, parents/guardians shall be notified prior to instruction that they may request in writing that their child be excused from the instruction. Students whose parents/guardians decline such instruction may be offered an alternative activity of similar educational value.**

Alternate activities shall be provided for students who are so excused.

Programs and Exhibits

When school programs and exhibits are in any way related to instruction about religion or religious holidays, the following guidelines should be observed:

General Guidelines

1. The principal should utilize advisory resources by participating with staff, advisory council, and parents in planning and developing a holiday program. This is to ensure that the program will reflect respect for the sensitivities of staff and students of all faiths, including people of no faith, and is in keeping with the policies of the Board of Education and the laws of the State of California.
2. The quality of the program and the time spent in the preparation and presentation of any program must be educationally justifiable; any such program prepared under the jurisdiction of the school is a part of the instructional program of the school, and administrators should be aware continually of its development.
3. Holiday programs require careful planning so that no student or staff member will be precluded from participation because of personal conviction. Program or exhibit planners shall take into consideration the diverse religious faiths represented in the community, student body, and staff. At all times, students and staff whose beliefs prohibit their participation in a program shall be excused without penalty and an alternative activity shall be provided for any such student.
4. Religious symbols may be used for the purpose of specific instruction to develop knowledge and understanding of various religions of the world. Sectarian scenes, displays, and tableaux, whose purpose is to create a solely religious tone or sacred atmosphere are prohibited.
5. Through the years people and cultures have been inspired to express their deepest emotions and beliefs through the creation of literature, music, and various art forms such as painting or sculpture. Often these creative expressions are of a religious nature and many have become a part of our cultural heritage. They transcend the boundaries of religious doctrine, thus becoming a proper subject for study in the schools.

Specific School Guidelines

1. Stress should be placed on cultural learning. Careful programming can result in the awareness that holidays are observed differently by differing groups and nationalities.
 2. Schools may benefit from programs which increase a student's understanding of the variety of beliefs in a pluralistic society by teaching mutual understanding and respect for group differences.
 3. Avoid offering programs that are, or have the effect of being, religiously oriented or a religious celebration.
 4. Encourage simplicity in the planning and preparation of programs. Avoid using elaborate scenery or staging arrangements that are expensive and require excessive time and preparation.
 5. Give favorable consideration to having simple programs that might be held in the classroom. Encourage presentations during school hours.
 6. Exercise control over the amount of instructional time devoted to the preparation of holiday programs.
 7. Religious exhibits, displays, or symbols such as crosses, creches, and menorahs may be used when they are a necessary and integral part of the study of subjects in the curriculum, e.g., art, history, etc. However, such exhibits, displays, and symbols may not be used as decorations with intent to indoctrinate.
 8. When planning holiday programs, give consideration to such themes as:
 - a. Simple nonsectarian and non-denominational programs and plays.
 - b. Winter holidays around the world.
 - c. Holiday greetings of different lands and people.
 - d. A historical study of holidays of the world.
 - e. Folk music and folk dances of a nonsectarian and nondenominational nature associated with different cultures.
 9. Since any school sponsored program is a part of the curriculum, it is necessary that each be planned carefully to include:
 - a. Instructional objectives.
 - b. Instructional resources of the school, community, or district.
 - c. Content which is educationally defensible.
 - d. Specific relationships with the on-going instructional program of the school.
 - e. Supervision of the administration.
 - f. Provision for evaluation.
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Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Governing Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State

Ed. Code 38130-38139

Description

[Civic Center Act](#)

Ed. Code 46014

[Absences for religious purposes](#)

Ed. Code 51511

[Religious matters properly included in courses of study](#)

Ed. Code 51938

[Right of parent/guardian to excuse from sexual health instruction](#)

Federal

20 USC 4071-4074

Description

Equal Access Act

20 USC 6061

[School prayer](#)

20 USC 7904

[School prayer](#)

Management Resources

California Department of Education
Publication

Description

[Appendix F history social science framework for California public schools](#)

Court Decision

[Florey v. Sioux Falls \(1980\) 619 F.2d 1311](#)

Court Decision

[Fellowship of Christian Athletes v. San Jose Unified School District Board of Education \(2023\) 82 F.4th 664](#)

Court Decision

[Kennedy v. Bremerton \(2022\) 142 S.Ct. 2407](#)

Court Decision

[Cole v. Oroville Union High School District \(2000, 9th Cir.\) 228 F.3d 1092](#)

Court Decision

[Lassonde v. Pleasanton Unified School District \(2003, 9th Cir.\) 320 F.3d 979](#)

Court Decision

[Lemon v. Kurtzman \(1971\) 403 U.S. 602](#)

U.S. Department of Education
Publication

[Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools, May 2023](#)

Website

[CSBA District and County Office of Education Legal Services](#)

Website

[California Department of Education](#)

Website

[CSBA](#)

Website

[U.S. Department of Education](#)

Cross References**Code**

0410

Description

[Nondiscrimination In District Programs And Activities](#)

0450

[Comprehensive Safety Plan](#)

0450	<u>Comprehensive Safety Plan</u>
1325	<u>Advertising And Promotion</u>
1330	<u>Use Of School Facilities</u>
1330	<u>Use Of School Facilities</u>
1330-E PDF(1)	<u>Use Of School Facilities</u>
5113	<u>Absences And Excuses</u>
5113	<u>Absences And Excuses</u>
5121	<u>Grades/Evaluation Of Student Achievement</u>
5121	<u>Grades/Evaluation Of Student Achievement</u>
5127	<u>Graduation Ceremonies And Activities</u>
5132	<u>Dress And Grooming</u>
5132	<u>Dress And Grooming</u>
5141.31	<u>Immunizations</u>
5141.31	<u>Immunizations</u>
5145.2	<u>Freedom Of Speech/Expression</u>
5145.2	<u>Freedom Of Speech/Expression</u>
6115	<u>Ceremonies And Observances</u>
6115	<u>Ceremonies And Observances</u>
6143	<u>Courses Of Study</u>
6143	<u>Courses Of Study</u>
6144	<u>Controversial Issues</u>
6144	<u>Controversial Issues</u>
6145.5	<u>Student Organizations And Equal Access</u>
6145.5	<u>Student Organizations And Equal Access</u>
6145.5-E PDF(1)	<u>Student Organizations And Equal Access</u>
6154	<u>Homework/Makeup Work</u>
6154	<u>Homework/Makeup Work</u>
6161.11	<u>Supplementary Instructional Materials</u>
6161.11	<u>Supplementary Instructional Materials</u>