



# The California Three Rs Project

*Rights, Responsibility, and Respect*

October 2015

## BULLETIN

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## Holidays, Public Schools, and What it Means to Be an “American”

**Charles C. Haynes**

Vice president of the Newseum Institute and executive director of the Religious Freedom Center

Battles this month over holidays in public schools — from Halloween in Connecticut to Christmas in Indiana — are about far more than witches, ghosts, Santa Claus, or Jesus.

What’s really at stake for people on all sides are emotional questions such as “whose schools are these?” and “what kind of nation are we — will we become?”

As the United States grows increasingly diverse, our perennial holiday fights turn public schools into a microcosm of the public square, places where we debate and define what it means to be “American” across differences that are often deep and abiding.

Consider the angry backlash earlier this

month when school officials in Milford, Connecticut, banned the traditional Halloween parade and other activities in Milford’s elementary schools.

With growing numbers of families opting out for religious or cultural reasons, the district decided the time had come to axe the holiday. “School-day activities must be inclusive,” explained administrators in a letter sent home to parents.

The keep-Halloween crowd sprang into action. Halloween, it turns out, is one of those “growing up in America” traditions — like Thanksgiving and Christmas — that some people insist be celebrated in schools.

“These are our American customs and tradi-

tions,” argued the parent who organized the petition drive to save Halloween, “and we should not give them up because others find them offensive!”

After hundreds of parents signed the petition, the Milford school district backed down and re-instated Halloween celebrations at the schools.

Halloween may have survived this year in Milford, but the trend in

*(Continued on Page 2)*

### Inside this issue:

Holidays, Public Schools, 1  
and What It Means to Be an  
“American”

Constitution Day Confer- 3  
ence Brings CA3Rs to Wider  
Audience

New Lesson on James Mad- 4  
ison’s First Amendment

The California Three Rs Project is co-sponsored by Constitutional Rights Foundation, California County Superintendents Educational Services Association, and the Religious Freedom Center at the Newseum Institute.



**RELIGIOUS FREEDOM CENTER**  
OF THE NEWSEUM INSTITUTE

*Following First Amendment guidelines, religion may be included in school programs if, and only if, the purpose is educational and not devotional.*

many other school districts is to substitute “fall festivals” for Halloween or at least dial back the Halloween parties, lessons, parades and art — which can last for weeks in some schools.

Despite the religious objections of some Christians, Muslims and others, Halloween isn’t a First Amendment issue because the holiday as celebrated in schools is purely secular with no direct connection to the complicated religious origins of the holiday in distant history.

That means schools may, if they so choose, waste all the time they want to on secular Halloween celebrations without violating the establishment clause — as long as they are careful to uphold the free exercise clause by excusing children with religious objections.

But even though Halloween parties are legal, many school officials have decided — probably wisely — that this is not the culture-war molehill they want to die on. After all, why keep doing something with so little educational merit that upsets so many parents?

Christmas, however, is a

more challenging holiday dilemma. School activities in December not only stir debates about preserving “American traditions,” they implicate the First Amendment.

Last week, the ACLU and Freedom From Religion Foundation filed suit on behalf of a student and his father who object to the annual “Christmas Spectacular” program at the high school in Elkhart, Indiana.

Most of the program performed by students each year would appear to be legally unobjectionable with a variety of seasonal music, religious and secular. But the event always ends with a 20-minute re-enactment of the birth of Jesus — a live Nativity scene complete with scriptural readings and sacred music.

Most people in Elkhart — including the entire school board — want to fight to keep the Nativity pageant, arguing that it is a time-honored American tradition that reflects the beliefs and values of the majority.

But religious freedom in America, which requires that government not take sides in religion, is not up for a vote.

Under the First Amendment, school officials may not turn the local school into the local church in December or at any other time of year.

A reenactment of the birth of Jesus — a sacred event for Christians — belongs in houses of worship where believers voluntarily come together to practice their faith. It does not belong in a public school where there is a captive audience of impressionable young people.

Of course, public school programs may include religion — what would a music curriculum be without any sacred music? Following First Amendment guidelines, religion may be included in school programs if, and only if, the purpose is educational and not devotional.

The job of public schools is to not to celebrate religious holidays, but to teach students about Christianity and other religions in history, literature, art, and music or wherever in the curriculum study about religions is necessary for a good education.

(See “Holidays” on Page 3.)

## Holidays (cont'd)

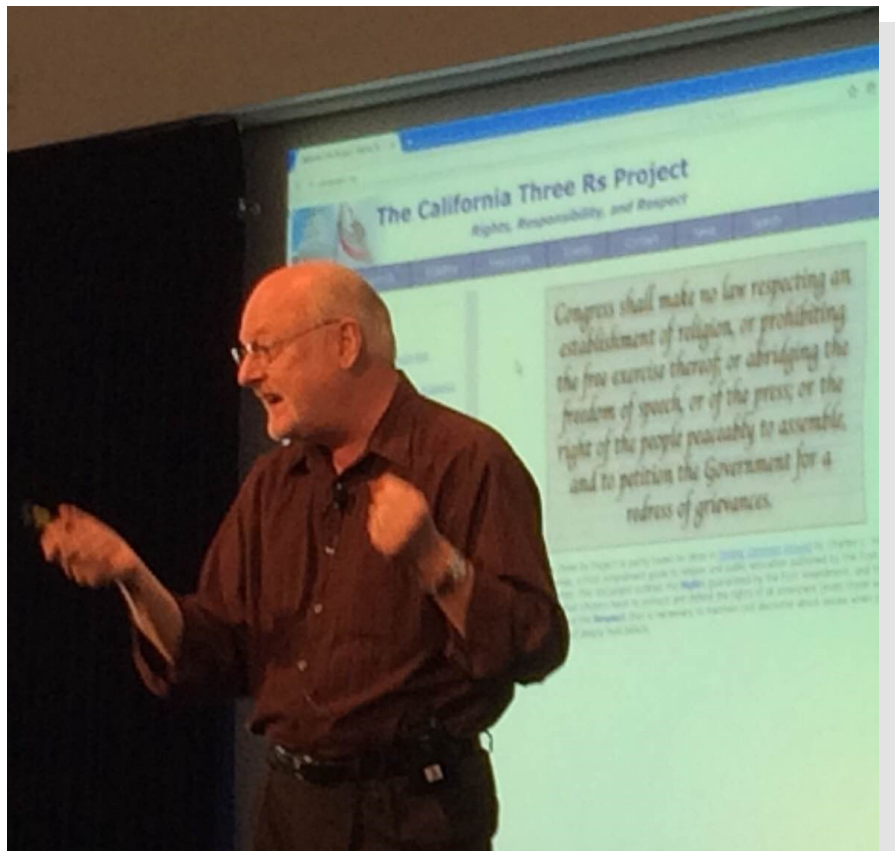
In a changing America, getting holidays right in public schools isn't easy. The current conflicts in school districts like Milford and Elkhart are reminders that Americans are no longer united — if we ever were — by Halloween parades or Nativity pageants.

But if we care about our life together as American citizens, we should be united by a shared commitment to the principles of religious freedom that ensure fairness and respect for people of all faiths and beliefs.

Beyond our diverse holidays and customs, that's what it truly means to be an American.

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*The above article was originally published on October 15, 2015, by the Religious Freedom Network at the Newseum Institute. It is republished here with the generous permission of the author and is also available at <http://www.newseuminstitute.org/2015/10/15/holidays-public-schools-and-what-it-means-to-be-american/>.*



Dr. Bruce Grelle addresses teachers in Simi Valley, California, on the subject of “Learning to Live With Our Deepest Differences” for Constitution Day, commemorating September 17, 1787, when Constitutional Convention delegates signed the U.S. Constitution. (Photo by Damon Huss)

## Constitution Day Conference Brings CA3Rs to Wider Audience

**Damon Huss**

For the past 11 years, a committee of Southern California nonprofits and the Los Angeles County Office of Education have sponsored a Constitution Day mini-conference every September. (Full disclosure: I represent CRF on that committee.)

This year, on September 20, longtime CA3Rs advisor Bruce Grelle was a featured speaker

at the conference, held at the Ronald Reagan Presidential Foundation and Library.

Dr. Grelle's presentation, “Learning to Live With Our Deepest Differences: A First Amendment Approach to Religion in Public Schools,” focused on creating “civil public schools” and was well-received, sparking lively discussion among teachers.

The message of the CA3Rs was made clear throughout Dr. Grelle's talk. “It was a great review for me,” wrote one teacher in comments, “to confirm that I should continue to be ‘brave’ and teach the influence and importance of religion in America.”

Another teacher wrote, “[Dr. Grelle] taught me that I need to be more tolerant.”

**Damon Huss, J.D., M.Ed.**

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**The California Three Rs Project (CA3Rs)** is a program for finding common ground on issues related to religious liberty and the First Amendment in public schools. The CA3Rs' approach is based on the principles of American democracy and citizenship, reflected in the First Amendment of the Bill of Rights and applied in a public school setting.

Since its inception, the CA3Rs has provided resources, professional development, and leadership training for teachers and education professionals in order to disseminate essential information about religious liberty and the history of religion in America.

**Common Ground Resources**

Haynes, Charles C., and Oliver Thomas. *Finding Common Ground: A Guide to Religious Liberty in the Public Schools*. Nashville: First Amendment Center, 2007.  
<http://www.firstamendmentcenter.org/madison/wp-content/uploads/2011/03/FCGcomplete.pdf>.

Religious Freedom Center of the Newseum. <http://religiousfreedomeducation.org>.

Special thanks to CRF Board reviewer, Marjorie Steinberg.

**WHAT'S HAPPENING IN SOCIAL STUDIES? FIND OUT!**

SUBSCRIBE to the listerv of Stacey Greer, Consultant for the Literacy, History & Arts Leadership Office of the Professional Learning Support Division in the California Department of Education. Send Stacey an email at [sgreer@cde.ca.gov](mailto:sgreer@cde.ca.gov) to subscribe today! It's FREE!

**Are you on Twitter?** Use the hashtag **#CA3Rs** whenever you tweet about religion in public schools. And catch the **#CA3Rs** feed at [www.ca3rsproject.org](http://www.ca3rsproject.org)!

**TEACHERS!**

Review *The Free Exercise of Religion in America* or any other lesson from CRF's Common Core resources page, and you will be entered into a **monthly drawing for a \$100 gift card**. Access the lesson here: <http://www.crf-usa.org/resources/the-free-exercise-of-religion-in-america>

Complete the quick survey here: <http://www.crf-usa.org/resources/common-core-resources-survey>

**New Lesson on James Madison's First Amendment**

Constitutional Rights Foundation (CRF) in Los Angeles is pleased to publish the first issue of its quarterly *Bill of Rights in Action* this year with the article and lesson "James Madison and the Bill of Rights."

In this lesson, students learn how the Bill of Rights did not simply venture from Madison's inspired thought to the written word. Instead, the Bill of Rights was the product of often heated legislative debate.

The activity allows students to explore a topic important to the CA3Rs by analyzing and discussing different proposed versions of the First Amendment, including Madison's original draft.

The lesson is available at the [Bill of Rights in Action home page](http://www.crf-usa.org/bill-of-rights-in-action) at [crf-usa.org](http://www.crf-usa.org).