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California Three Rs

Rights, Responsibility, and Respect

*A Project of the California County Superintendents Educational
Services Association and The First Amendment Center*

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Controversial Issues in Public Schools

Applying the Three Rs Principles

The “Rs” in the Three Rs principles stand for Rights, Responsibility, and Respect. Though designed to guide schools, communities, and parents in resolving conflicts related to differences in beliefs protected by the First Amendment, these same principles may be applied to all sorts of controversies that potentially could tear schools apart. The new Senate Bill 1437 (Kuehl) has brought the controversy over gay rights to a fever pitch in some communities. This issue seems like a great place to begin applying the 3Rs principles to find common ground.

Charles Haynes, Senior Scholar at the First Amendment Center writes below of a new consensus publication available from the First Amendment Center that provides guidance to schools and communities in wrestling with the difficult issues involving sexual orientation in the curriculum, student clubs, speech codes and other areas of school life that are undermining the educational mission of schools.

Any notion of the public interest is often lost in the clash of worldviews across seemingly unbridgeable distances. When people are this far apart, every act by one side is seen as a hostile move by the other. A “Day of Silence” to protest treatment of gays and lesbians is now followed by a “Day of Truth” to promote conservative religious views of homosexuality. A T-shirt proclaiming “Straight Pride” is worn to counter one professing “Gay Pride.” These differences are deep and difficult to negotiate.

Can we do better? If we care about education — and the future of the nation — we must. That’s why the First Amendment Center asked Wayne Jacobsen of BridgeBuilders, an organization that helps communities find common ground on religious issues, to help me create a road map for winning the peace in the fight over sexual orientation in schools. The drafting committee also included representatives from the Christian Educators Association International and the Gay, Lesbian and Straight Education Network, two groups with widely divergent views on homosexuality, but with a shared commitment to civil discourse.

It took eight months to hammer out a statement of principles we could all support. But finally, on March 9, we released “Public Schools and Sexual Orientation: A First Amendment framework for finding common ground.” Two major educational organizations, the American Association of School Administrators and the Association for Supervision and Curriculum Development, have endorsed the document. The guide does not prescribe a particular outcome, but rather proposes a process for reaching an agreement that all sides can support. All of the sponsoring groups have agreed to disseminate the guidelines widely and encourage schools to address these issues proactively.

Fairness is a two-way street

For the process to work, school officials must be fair, honest brokers of a dialogue that involves all stakeholders. That means, first and foremost, that school leaders must refrain from choosing sides in the culture-war debate over homosexuality. If schools are going to find agreement on policies and practices that bring the community together, it won't be by taking a side and coercing others to accept it.

Consider the case a few years ago of Thomas McLaughlin, a junior high school student in Pulaski County, Arkansas. Thomas complained that because he refused to keep quiet about being gay, school officials harassed and punished him — forcing him at one point to read aloud Bible verses and prayers. After a lawsuit was filed, the school district settled by paying damages and apologizing to the student.

On the other side of the spectrum, Betsy Hansen, a high school student in Ann Arbor, Michigan, challenged her district in 2002 for censoring her religious views in opposition to homosexuality. During a “diversity week” program, school officials prevented Betsy from delivering a speech she was asked to give because they claimed her Roman Catholic views on homosexuality were “negative.” Betsy also sued — and she won when a judge ruled that her free-speech rights had been violated.

As the outcomes of these cases make clear, school officials can't impose one religious view of homosexuality, but neither can they censor the religious convictions of students.

First Amendment ground rules

To avoid divisive fights and lawsuits, educators and parents must agree on civic ground rules to ensure fairness for all sides. After all, public schools belong to everyone. However deeply we disagree about homosexuality, the vast majority of us want schools to uphold the rights of all students in a safe learning environment. It isn't possible for us to reach ideological or religious consensus, but it is possible — and necessary — to reach civic consensus on civil dialogue.

School districts divided about how to handle issues concerning sexual orientation should take a step back from the debate and find agreement on First Amendment principles. Most Americans can agree that freedom of religion and speech are inherent rights for all. Starting with an acknowledgement of inalienable rights immediately levels the playing field, helping to ensure that everyone has a right to speak — and everyone's claim of conscience is taken seriously. More challenging, but still attainable, is an agreement that we all have a civic responsibility to guard the rights of others, including those with whom we disagree. And, finally, people must agree to debate one another without resorting to personal attacks, ridicule, false characterizations of opposing positions and similar tactics.

In the guide, we call this commitment to the principles of rights, responsibilities and respect “First Amendment ground rules.” Using this framework, people with deep differences are able to come to the table ready to engage in constructive dialogue.

Finding common ground

With civic ground rules in place, school districts should consider creating a permanent “common ground task force” that fully represents the range of perspectives in the community. Given time and opportunity, people with opposing views learn to trust and respect one another. And that trust and respect can then translate into shared recommendations on safe schools, balanced curricula, appropriate student expression and other issues.

When they begin to listen to one another, most educators, parents and students discover that they want the same thing: public schools that are safe and free for all students. As we say in the guide: “A safe school is free of bullying and harassment. And a free school is safe for student speech even about issues that divide us.” Once these shared goals are identified, people are ready to tackle other contentious issues such as gay student clubs and the treatment of sexual orientation in the curriculum.

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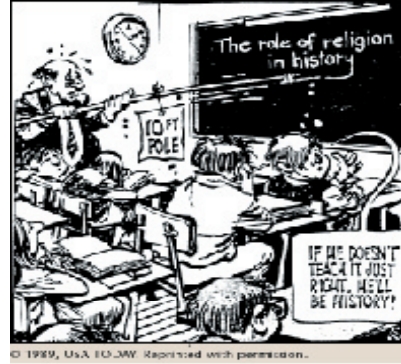


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invites
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Religion in American History: What to Teach and How to Teach It

July 17-21, 2006

**LOCATION: San Bernardino County
Superintendent of Schools West End
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TOPICS

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Mail completed registration coupon to: San Bernardino County Superintendent of Schools, Attention Margaret Hill,
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DEADLINE: July 3, 2006

Winning the peace isn't easy — it takes commitment and courage. But if people on all sides uphold the rights and responsibilities of the First Amendment, they can agree on policies and practices that serve the common good.

Adapted and reprinted from an article by Charles Haynes that appeared in USA Today, March 20, 2006.

Public Schools and Sexual Orientation: A First Amendment framework for finding common ground may be downloaded and printed from <http://www.firstamendmentcenter.org/PDF/sexual.orientation.guidelines.PDF>

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California Three Rs Project Website:

http://score.rims.k12.ca.us/score_lessons/3rs/

First Amendment Center: Religious Liberty http://www.firstamendmentcenter.org/rel_liberty/index.aspx

This is an up-to-the-minute resource with current issues and court cases. A PDF version of *Finding Common Ground* is available here.

For California Three Rs program information, contact...

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For First Amendment religious liberty information, contact...

Dr. Charles C. Haynes, First Amendment Center Senior Scholar, First Amendment Center/Arlington 1101 Wilson Blvd., Arlington, VA 22209 Tel: 703/528-0800 Fax: 703/284-3519
chaynes@freedomforum.org

For information on teaching about world religions, contact...

Dr. Bruce Grelle, Director, Religion and Public Education Resource Center, Department of Religious Studies, California State University Chico, Chico, CA 95929-0740, (530) 898-4739,
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