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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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### Displaying Religious Documents in the School and Classroom **Applying the Supreme Court Decisions**

Margaret Hill, Ph.D., California Three Rs Project Lead

In June of 2005, the U.S. Supreme Court ruled on the question of the constitutionality of Ten Commandments displays on public property. This religious text display on public property issue left many public school leaders more confused about what is proper procedure in schools. Is it appropriate for schools to display the Ten Commandments, excerpts from the Qur'an, or selections from the Sermon on the Mount?

The answer lies less in the display itself than in the purpose and duration of the display. It must be remembered that the role of public schools is academic and instructional and that by law they serve children of all faiths or none. As a result the key issues become, does the display endorse religion and is it for truly academic purposes? Applying this distinction requires tremendous wisdom on the part of educators and community leaders.

Justice O'Connor used some thought provoking words in casting her opinions in the June Ten Commandments ruling, saying,

"It is true that many Americans find the Commandments in accord with their personal beliefs. But we do not count heads before enforcing the First Amendment." Other cases provide better guidance to schools seeking to adhere to O'Connor's idea of fairness. In Stone v. Graham (1980), the Court held unconstitutional a Kentucky statute requiring the posting of the Ten Commandments in every public school classroom. That would be a clear endorsement of religion according to the Court.

But are there exceptions to public school display of the Commandments? Let us say that sixth grade teachers are working on History-Social Science Content Standard 6.3

### Students analyze the geographic, political, economic, religious, and social structures of the Ancient Hebrews.

6.3.1 Describe the origins and significance of Judaism as the first monotheistic religion based on the concept of one God who sets down moral laws for humanity. 6.3.2 Identify the sources of the ethical teachings and central beliefs of Judaism (the Hebrew Bible, the Commentaries): belief in God, observance of law, practice of the concepts of righteousness and justice, and importance of study; and describe how the ideas of the Hebrew traditions are reflected in the moral and ethical traditions of Western civilization.

In this case, the display of the Ten Commandments would have a clear academic purpose as a support to a unit of study on the Ancient Hebrews. However, if that study occurred in November, it would be hard to argue that the display was academically necessary during the April unit on Ancient China. Without a direct academic purpose, and in California, one clearly aligned to the Content Standards, schools would be left open to accusations that they are promoting a specific belief or religion in general if they displayed sacred texts.

How can an educator fairly judge the display or posting of religious material in the school and classroom? The following guidelines should be of some help.

### **Guidelines for the Display of Sacred Text in the Classroom**

- The display serves a clear academic purpose
- The academic purpose is directly tied to the California Content Standards
- The display is related to something under current study in the classroom
- The display is temporary, used as a teaching aid during the time the lesson or unit is being taught
- The overall use of religious material in the classroom doesn't ignore secular sources in favor of sacred or religiously related sources
- The display does not use examples from religions texts or other religious literature that are derogatory, accusatory, or instill prejudice against other religions or those who believe in other religions
- The display of sacred text should not coincide with related religious holidays.

As with the recent court rulings related to the display of the Ten Commandments on public property, context is the key. If schools remember their academic purpose, then most of the problems related to the display of religious text will be easy to resolve.

\* \* \* \*

This article was reviewed by First Amendment Center staff for accuracy but does not in any way represent legal advice. For more information about these issues see the consensus document **The Bible and Public Schools: A First Amendment Guide** <a href="http://www.firstamendmentcenter.org/about.aspx?id=6261">http://www.firstamendmentcenter.org/about.aspx?id=6261</a> This guide contains useful information about how best to use the Bible and other sacred text in the classroom.

## Three Rs Supports the California Campaign for the Civic Mission of Schools

At its spring meeting, the California Three Rs Project Advisory Board put its support behind the nationwide initiative to keep America's democracy strong, by reversing the decline in civic participation and actively engaging the next generation of citizens. They agree that the most effective way to nurture citizenship is to make civic learning an essential part of our nation's schools. They believe that the First Amendment rights and responsibilities advocated by the California Three Rs Project is part of the civic learning that teaches the fundamental ideas of American democracy and prepares young people to take on the rights and responsibilities of self-government. In support of the civic mission of schools the Advisory Board approves this resolution:

# CALIFORNIA CAMPAIGN FOR THE CIVIC MISSION OF SCHOOLS RESOLUTION

WHEREAS democracy is created anew by each generation;

**WHEREAS** preparing each generation to understand our local, state, and national systems of government, support democratic principles, and develop the civic skills and dispositions needed by effective citizens, was a primary reason for the creation of public schools;

**WHEREAS** our citizens have overwhelmingly agreed over the course of 33 years of Gallup polling that "educating young people for responsible citizenship" should be the primary purpose of our schools because it is essential to the well-being of American constitutional government;

**WHEREAS** our public schools are a significant institution and a meeting place for young people of all ethnic, religious, and cultural backgrounds and a natural place to provide instruction and experience in the responsibility to guard the First Amendment rights of others;

**WHEREAS** the democratic principles that underlie our society, such as republicanism, limited government, separation of powers, checks and balances, the rights and responsibilities of citizens including religious liberty, support for diversity, and the need to balance freedom with order, are difficult to understand unless given practical meaning as young people mature;

**WHEREAS** the importance of students' grasp of the concepts of civic responsibility and respect for others cannot be underestimated;

**WHEREAS** the history-social science framework goals now guiding California schools call for the integration of knowledge and cultural understanding, democratic understanding and civic values and skills attainment, and social participation;

**WHEREAS** state law only requires a single semester-long course in government in the twelfth grade, which we believe is both too little and too late;

**NOW BE IT RESOLVED**, that the California Three Rs Project urges the State Board of Education and all local school governing boards to examine current practice and develop plans to increase, broaden, and make explicit in every grade the study and application of the principles and practices of democracy as an integrated part of history-social science instruction and of school life.

Approved by the California Three Rs Project Advisory Board April 14, 2005

Like other supporters of the campaign for the Civic Mission of Schools, the California Three Rs Project believes that by educating students for democracy, we sharpen the civic knowledge, skills, and values that keep our country vital. The First Amendment liberties that provide the foundation for all our other liberties must be understood and applied in schools and classrooms. If our schools are the heart of our democracy, then civic learning must be the heart of our schools. For more on the Civic Mission of Schools see <a href="http://www.civicmissionofschools.org/campaign/index.html">http://www.civicmissionofschools.org/campaign/index.html</a>

### **California Three Rs Project Website:**

http://score.rims.k12.ca.us/score\_lessons/3rs/

#### **Common Ground Resources:**

*Finding Common Ground: A Guide to Religious Liberty in Public Schools* by Charles C. Haynes and Oliver Thomas. First Amendment Center, 2001.

This book has guidelines on how to handle a wide range of issues related to religious liberty and public schools.

**First Amendment Center: Religious Liberty** <a href="http://www.firstamendmentcenter.org/rel\_liberty/index.aspx">http://www.firstamendmentcenter.org/rel\_liberty/index.aspx</a> 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 information on teaching about world religions, contact...

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