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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

Volume 1, Number 3

February 2004

Staking Out the Common Ground In Your School District

by Wayne Jacobsen,

Just when you think the culture wars are dying down, the battle over the Ten Commandments in Alabama, Intelligent Design in Ohio and sexual orientation discrimination in California rekindles the flames. It is amazing how quickly a small conflict over religious or cultural differences can explode overnight, dividing the community at a time when we need to all work together for the betterment of public education.

If public education is going to thrive in this century, we will need to find a common ground large enough to contain the vast majority of people in our community and strong enough to endure our deepest cultural and religious differences. Fortunately, the current consensus under law regarding our First Amendment freedoms, much of it coordinated by the First Amendment Center, provides just such a tool for districts to stake out a common ground where our cultural differences can enrich our communities rather than polarize them.

What the First Amendment compels us to do for religious issues, we can willingly do for philosophical, and political differences as well. Then the community can appreciate that the temper of the debate will change dramatically and they will be able to craft creative solutions even in the most controversial issues. Implementing this approach to a new common ground has not only resolved conflicts over curriculum, holidays, religious expression, school safety and a host of other issues in numerous districts, but has also shown the way for districts to rebuild mutual respect across diverse lines and cultivate broad-based consensus across their community.

How does it work? Here are five key components of this new common ground.

1. ***No one uses public education to indoctrinate or disparage in matters of faith, values or political philosophy.*** People should not be asked to participate in a public school system that is biased against themselves. At the heart of First Amendment litigation in public school cases is the perception that students are being indoctrinated into worldviews at odds with those espoused by their families. Schools today must proactively demonstrate that they are not out to undermine parent concerns.

2. ***Decision-makers see themselves as custodians of the common good.*** Almost every one comes to the public school environment hoping to win the forum for their personal view. While we can appreciate why that happens, common ground thinking offers a better solution. School officials who see that a major part of their responsibility is to protect a common good for all will fare well in times of conflict.
3. ***Differences in worldviews are respected and treated fairly.*** Instead of trying to avoid controversy, educators can help the community work together beyond their differences by showing how unfairness toward one is unfairness for all. It is always a marvelous moment in a common ground negotiation when both sides of the table realize that those on the opposing side want what's best for their children too, even if they differ as to what that is. We can best guard our own liberties by guarding those of others.
4. ***Administrators, faculty, staff and students are trained to respect liberty of conscience.*** While First Amendment freedoms have been secured in the courts no one has helped the wider community understand them. Most popular notions of what 'separation of church and state' means are wrong and only produce greater confusion or animosity. Training staff, students and community on the importance of our civic compact and how to handle religious and cultural differences will disarm conflict and rebuild the fabric of the community.
5. ***If you haven't included all the stakeholders you have not fixed the problem.*** To resolve worldview conflicts in public education that will stand the test of time, all affected parties must be represented at the table. Building coalitions that demand their way at one moment will often be dismantled later by the opposition as it builds a stronger coalition. When the broadest group of constituents hammers out a proposal that takes notice of their differences and does not require others to compromise their deepest convictions, their decisions can be implemented openly without risking a firestorm in the community

Common ground thinking works because it appeals to common sense, which is often the first casualty in these disputes. Who can reject the notion that treating others the way we want to be treated levels the playing field for all of us? By embracing these principles we cultivate a genuine public school that is fair to all its constituencies.

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For further information on this amazing process, please visit The First Amendment Center at (firstamendmentcenter.org), BridgeBuilders (bridge-builders.org) or see Fastback #515 just published by the Phi Delta Kappa Educational Foundation called [Disarming Conflict Through Common Ground Thinking](#). This publication will help you and your staff know how to reclaim a common ground that enlist diverse segments of your community to work together for the good of public education. You can order copies of this Fastback at <http://www.pdkintl.org>.

As the President and Founder of **BridgeBuilders**, Wayne Jacobsen has helped numerous school districts and parent groups find avenues of mutual respect across some of the most divisive issues of our day. His workshops on Common Ground Thinking have been used at state and national education conventions as well as local school districts across the United States. He was called to testify before the U.S. Commission on Civil Rights regarding religious liberty rights in public education and served as a discussion leader and member of the drafting team at Columbia University's recent American Assembly on religion in public life. He also serves on the Advisory Board for California's 3Rs Project. He has written on these issues for numerous education journals including: *The School Administrator* and *Educational Leadership*.



The California Three Rs Project
and

The Association of California School Administrators

invite county, district, and school administrators, school board members and teacher leaders to

The First Amendment and California's Public Schools Knowing the Issues - Developing Policies that Work

May 13, 2004

Doubletree Hotel

2001 Point West Way (Arden Plaza), Sacramento

8:30 a.m.— 3:30 p.m.

\$50 per person, includes lunch and materials

Featured Speaker - John Ferguson, religious liberty attorney and First Amendment Center education coordinator

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; of abridging the freedom of speech, or of the press; of the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

The First Amendment of the U.S. Constitution

The First Amendment raises many questions for school administrators, especially in regard to student expression, school clubs, rights of teachers, and the No Child Left Behind Constitutionally Protected Prayer agreement. This conference is designed to answer questions on such topics as:

Is it constitutional for...

- * a teacher to wear religious jewelry or clothing?
- * students to publish negative stories about faculty or other students on their personal web pages?
- * students in the Bible Club to publicize their meetings during the school announcements?
- * students to form a gay/straight alliance club on campus?
- * students to pray at graduation?

The plenary session in the morning will focus on the civic and legal context of the First Amendment with special emphasis on how controversies arise in the public school setting. The afternoon will focus on case studies that will provide an opportunity for dialogue and discussion of the nuances of the law and their requisite school policy.

REGISTRATION DEADLINE – May 1, 2004

-----First Amendment and Public Schools-----

Name: _____ Institution: _____

Mailing Address: _____ City: _____

Zip _____ Phone:() _____ Fax:() _____ Email _____

Make check or P.O. payable to SBCSS. Mail completed registration coupon and \$50 per person to: San Bernardino County Superintendent of Schools, Attention Margaret Hill, CA 3Rs Lead, 601 North E Street, San Bernardino, CA 92410-3093 Fax (909) 386=2667

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 http://www.firstamendmentcenter.org/rel_liberty/index.aspx

This is an up-to-the-minute resource with current issues and court cases as well as the information in *Finding Common Ground*.

For California Three Rs program information, contact...

Dr. Margaret Hill, California 3Rs Project Lead, San Bernardino County Superintendent of Schools, 601 N. E St., San Bernardino, CA 92410, (909) 386-2611, peg_hill@sbcss.k12.ca.us

For First Amendment religious liberty information, contact...

John Ferguson, First Amendment Center, Vanderbilt University, 1207 18th Avenue So., Nashville, Tennessee 37212, (615) 727-1326, jferguson@fac.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, bgrelle@csuchico.edu

Sign up to receive the **Three Rs Bulletin** and program announcements electronically at peg_hill@sbcss.k12.ca.us