

## **609 RELIGION**

### **I. PURPOSE**

The purpose of this policy is to identify the status of religion as it pertains to the programs of the school district.

### **II. GENERAL STATEMENT OF POLICY**

- A. New Century Academy shall neither promote nor disparage any religious belief or non-belief. Instead, New Century Academy encourages all students and employees to have appreciation for and tolerance of each other's views.
- B. New Century Academy also recognizes that religion has had and is having a significant role in the social, cultural, political, and historical development of civilization.
- C. New Century Academy recognizes that one of its educational objectives is to increase its students' knowledge and appreciation of science, social studies, music, art, drama, and literature, which may have had a religious basis or origin as well as a secular importance.
- D. New Century Academy supports the inclusion of religious music, art, drama, and literature in the curriculum and in school activities provided it is intrinsic to the learning experience and is presented in an objective manner without sectarian indoctrination.
- E. The historical and contemporary values and the origin of various religions, holidays, customs and beliefs may be explained in an unbiased and nonsectarian manner.
  - a. According to *Lynch v. Donnelly*, public spaces being decorated with holiday decorations (not of religious origin) may be maintained.
  - b. *Wallace v. Jaffree* ruled school officials cannot mandate a time for voluntary prayer or religious practice.
  - c. The school board recognizes this can make activities such as decorating for holidays a fine line. Teachers/Advisors are strongly encouraged to have thoughtful conversations with students prior to activities being conducted. Such activities should be student led/driven. Families that have concerns can contact the director.

### III. RESPONSIBILITY

- A. It shall be the responsibility of the Director to ensure that the study of religious materials, customs, beliefs and holidays in the school district is in keeping with the following guidelines:
1. The proposed activity must have a secular purpose.
  2. The primary objective of the activity must be one that neither advances nor inhibits religion.
  3. The activity must not foster excessive governmental relationships with religion.
  4. Notwithstanding the foregoing guidelines, reasonable efforts will be made to accommodate any student who wishes to be excused from attendance at school for the purpose of religious instruction or observance of religious holidays.
- B. The Director is granted authority to develop and present for school board review and approval directives and guidelines for the purpose of providing further guidance relative to the teaching of materials related to religion. Approved directives and guidelines shall be attached as an addendum to this policy.

**Legal References:** U. S. Const., amend. I  
Minn. Stat. § 120A.22, Subd. 12(3) (Compulsory Instruction)  
Minn. Stat. § 120A.35 (Absence From School for Religious Observance)  
Minn. Stat. § 121A.10 (Moment of Silence)  
*Good News Club v. Milford Central School*, 533 U.S. 98, 121 S.Ct. 2093, 150 L.Ed.2d 151 (2001)  
*Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290, 120 S.Ct. 2266 (2000)  
*Tangipahoa Parish Bd. of Educ. v. Freiler*, 530 U.S. 1251, 120 S.Ct. 2706 (2000)  
*Lemon v. Kurtzman*, 403 U.S.602, 91 S.Ct. 2105, 29 L.Ed.2d 745 (1971)  
*Child Evangelism Fellowship v. Minneapolis Special Sch. Dist. No. 1*, 690 F.3d 996 (8th Cir. 2012)  
*Wigg v. Sioux Falls Sch. Dist.*, 382 F.3d 807 (8th Cir. 2004)  
*Doe v. School Dist. of City of Norfolk*, 340 F.3d 605 (8th Cir. 2003) *Stark v. Independent Sch. Dist. No. 640*, 123 F.3d 1068 (8th Cir. 1997) *Florey v. Sioux Falls Sch. Dist. 49-5*, 619 F.2d 1311 (8th Cir. 1980) *Roark v. South Iron R-1 Sch. Dist.*, 573 F.3d 556 (8th Cir. 2009)  
*Child Evangelism Fellowship v. Elk River Area Sch. Dist. No. 728*, 599 F.Supp.2d 1136 (D. Minn. 2009)  
*LeVake v. Independent Sch. Dist. No. 656*, 625 N.W.2d 502 (Minn. App. 2001)  
Minn. Op. Atty. Gen. 169-J (Feb. 14, 1968)

Minn. Op. Atty. Gen. 169-K (Oct. 21, 1949)  
Minn. Op. Atty. Gen. 63 (1940)  
Minn. Op. Atty. Gen. 120 (1924)  
Minn. Op. Atty. Gen. 121 (1924)

***Cross References:*** New Century Academy School District Policy 801 (Equal Access to Facilities of Secondary Schools)