

Instruction

Teaching About Religions ¹

The School District's curriculum may include the study of religions as they relate to geography, history, culture, and the development of various ethnic groups. The study of religions shall give neither preferential nor derogatory treatment to any single religion, religious belief, or to religion in general. The study of religions shall be treated as an academic subject with no emphasis on the advancement or practice of religion. ²

The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.

¹ State or federal law controls this policy's content.

² Conducting or sponsoring religious practices in public schools violates the First Amendment to the U.S. Constitution. A school district may not provide for religious instruction on public school property. McCullum v. Bd. of Educ., 333 U.S. 203 (1948); Engel v. Vitale, 370 U.S. 421 (1962) (daily classroom invocation of God's blessings as prescribed in prayer was a "religious activity" reciting a prayer); Sch. Dist. of Abington Twp v. Schempp, 374 U.S. 203 (1963) and Chamberlin v. Dade Co. Bd. of Public Instruction, 377 U.S. 402 (1964) (Bible reading and prayer); Stone v. Graham, 449 U.S. 39 (1980) (posting of the Ten Commandments in every classroom); and Wallace v. Jaffree, 472 U.S. 38 (1985) (a daily moment-one-minute period of silence for "meditation and-or voluntary prayer"). Consult the board attorney when faced with questions regarding religious expression or displays in school.

See also Kitzmiller v. Dover Area Sch. Dist., 400 F.Supp.2d 707 (M.D.Pa. 2005). This decision struck a policy on the teaching of intelligent design in high school biology class. The policy required students to hear a statement mentioning intelligent design as an alternative to Darwin's theory of evolution. The court held that it amounted to an endorsement of religion in violation of the Establishment Clause.

The Establishment Clause, however, permits teaching about religion as part of a balanced, secular education. Thus, the study of the Bible or religion is permissible when presented objectively as part of a secular education. Abington at 225 and see also Hilsenrath on behalf of C.H. v. Sch. Dist. of Chatham, 136 F.4th 484 (3d Cir. 2025) (inclusion of instructional videos about Islam was neutral where there was no coercion or preferential treatment of one religion over another as part of a curriculum that included various religions).

See also Subsection III(B), Teaching about Religion, of the U.S. Dept. of Educ.'s Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools (1-16-20), at: www2.ed.gov/policy/gen/guid/religionandschools/prayer_guidance.html. U.S. Dept. of Education Prayer Guidance, at: www.ed.gov/media/document/2026-guidance-constitutionally-protected-prayer-and-religious-expression-public-elementary-and-secondary-schools-113182.pdf.

Families of diverse religious faiths objected to a mandatory public elementary school curriculum endorsing homosexual unions and transgender identities, arguing that their religious convictions conflicted with that curriculum's messages about sexuality and gender identity in Mahmoud v. Taylor, 606 U.S. 522 (2025). The U.S. Supreme Court held that a public school "burdens the religious exercise of parents when it requires them to submit their children to instruction that poses 'a very real threat of undermining' the religious beliefs and practices that the parents wish to instill." Id. at 530. Consult the board attorney on questions related to religious opt-outs from curriculum and see sample policy 6:260, Complaints About Curriculum, Instructional Materials, and Programs, and its f/n 3.

Generally, holiday observations will survive constitutional scrutiny if they advance society's cultural and religious heritage or provide an opportunity for students to perform a full range of music, poetry, and drama that is likely to interest the students and their audience. Florey v. Sioux Falls Sch. Dist., 619 F.2d 1311 (8th Cir. 1980), approved a school board policy concerning holiday observations. That policy acknowledged that the school district would not promote a religious belief or non-belief. The policy allowed the historical and contemporary values and origins of religious holidays to be explained in an unbiased and objective manner. Furthermore, it permitted the use of religious music, art, literature, and symbols if presented in an objective manner and as part of the cultural and religious heritage of the particular holiday. The Court believed that Christmas programs, including Christmas carols, allowed students to learn about this country's customs and cultural heritage. A student who objects to participating in such programs must be accommodated.

LEGAL REF.: [Mahmoud v. Taylor, 606 U.S. 522 \(2025\).](#)
[Allegheny County v. ACLU Pittsburgh Chapter, 492 U.S. 573 \(1989\).](#)
[School Dist. of Abington Twp v. Schempp, 374 U.S. 203 \(1963\).](#)
[Allegheny County v. ACLU Pittsburgh Chapter, 492 U.S. 573 \(1989\).](#)

CROSS REF.: 6:20 (School Year Calendar and Day), 6:40 (Curriculum Development), 6:60 (Curriculum Content), 6:255 (Assemblies and Ceremonies)

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Public schools are prohibited from appearing to endorse or promote religion through religious holiday displays. Whether a particular display endorses or promotes religion will depend upon the particular context in which it appears. A display that is purely religious and located prominently may send the message that the school is endorsing religion. Mixing secular symbols with the religious symbols and injecting cultural and historical messages into the holiday display will more likely make it acceptable. [Allegheny Cnty. v. Pittsburgh ACLU, 492 U.S. 573 \(1989\).](#) See also [Freedom From Religion Foundation v. Concord Cmty. Schs., 885 F.3d 1038 \(7th Cir. 2018\)](#) (finding that school’s annual holiday show was not impermissibly coercive in violation of the Establishment Clause and that show’s nativity scene did not endorse religion).

See also [Skoros v. City of New York, 437 F.3d 1 \(2nd Cir. 2006\).](#) This decision upheld a holiday display policy restricting displays to “secular” symbols, including Christmas trees, menorahs, and the star and crescent, but not allowing displays of a crèche or nativity scene. The ruling was not on the question of whether a public school ever could include a crèche in a display. Instead, the case upheld the board’s decision to classify Christmas trees, menorahs, and the star and crescent as either secular or as being both religious and secular, whereas a crèche “is solely a religious symbol.”