

## 8800 - RELIGIOUS/PATRIOTIC CEREMONIES AND OBSERVANCES

Decisions of the United States Supreme Court have made it clear that it is not the province of a public school to advance or inhibit religious beliefs or practices. Under the First and Fourteenth Amendments to the Constitution, this remains the inviolate province of the individual and the church of his/her choice. The rights of any minority, no matter how small, must be protected. No matter how well intended, either official or unofficial sponsorship of religiously-oriented activities by the school are offensive to some and tend to supplant activities which should be the exclusive province of individual religious groups, churches, private organizations, or the family.

District staff members shall not use prayer, religious readings, or religious symbols as a devotional exercise or in an act of worship or celebration. The District shall not act as a disseminating agent for any person or outside agency for any religious or anti-religious document, book, or article. Distribution of such materials on District property by any party shall be in accordance with Policy 7510 and AG 7510A - Use of District Facilities and Policy 9700 and AG 9700 - Relations with Special Interest Groups.

The Board of Education acknowledges that it is prohibited from adopting any policy or rule respecting or promoting an establishment of religion or prohibiting any student from the free, individual, and voluntary exercise or expression of the student's religious beliefs. **However, such exercise or expression may be limited to lunch periods or other non-instructional time periods when students are free to associate.**

**[N] Any student enrolled in the District may choose to engage in religious expression before, during, or after school hours in the same manner and to the same extent that a student is permitted to engage in secular activities or expression. However, no student will be required to participate in any religious expression or activities.**

Observance of religious holidays through devotional exercises or acts of worship is also prohibited. Acknowledgement of, explanation of, and teaching about religious holidays of various religions is encouraged. Celebration activities involving nonreligious decorations and use of secular works are permitted, but it is the responsibility of all faculty members to ensure that such activities are strictly voluntary, do not place an atmosphere of social compulsion or ostracism on minority groups or individuals, and do not interfere with the regular school program.

The Board shall not conduct or sanction a baccalaureate service in conjunction with graduation ceremonies.

The Board shall not include religious invocations, benedictions, or formal prayer at any school-sponsored event.

At the discretion of the Superintendent, a moment of silence may be provided each school day for prayer, reflection, or meditation upon a moral, philosophical, or patriotic theme. However, under no circumstances shall students be compelled to participate.

The flag of the United States shall be raised above each school and/or at other appropriate places during all school sessions, weather permitting. The flag shall be raised before the opening of school and taken down at its close every day.

The mottoes of the United States of America ("In God We Trust") and the State of Ohio ("With God, All Things Are Possible") shall be displayed in an appropriate manner in a classroom, auditorium, or cafeteria of a school building of the District, if copies of the mottoes or money to purchase copies of the mottoes are donated to the District. The donated or purchased copies of the mottoes shall meet the applicable design requirements as provided by statute.

Furthermore, the Board requires that an observance be scheduled each year on or about Veterans Day to convey the meaning and significance of that day to all students and staff. The amount of time each school devotes to this observance shall be at least one (1) hour or, in schools that schedule class periods of less than one (1) hour, at least one (1) standard class period. The Board shall determine the specific activities to constitute observance in each school in the District after consulting with the school's administrators.

Districts are required to hold an educational program pertaining to the United States Constitution on September 17<sup>th</sup> of each year, Constitution Day. Whenever September 17<sup>th</sup> falls on a Saturday, Sunday, or holiday, the Constitution Day observance shall be held during the preceding or following week.

Professional staff members are authorized to lead students in the Pledge of Allegiance at an appropriate time each school day. However, no student shall be compelled/required to participate in the recitation of the Pledge. Additionally, the Board prohibits the intimidation of any student by other students or staff for the purposes of coercing participation. The Superintendent shall develop administrative guidelines that require any staff member who conducts this activity does it at an appropriate time, in an appropriate manner, and with due regard to the need to protect the rights and the privacy of a nonparticipating student. Wording of the Pledge of Allegiance as set forth in the United States Code shall not be altered.

R.C. 3313.601, 3313.602, 3313.76, 3313.77, 3313.801, 3314.03, 3314.03(A)(11)(h), [3320.01](#), [3320.02](#), [3320.03](#)  
20 U.S.C. 4071 et seq.  
Section 111 of Division J of Publ. L 108-447  
Gregoire vs. Centennial School District, 907 F.2d 1366, (3rd Cir. 1990)  
Lee vs. Weisman, 505 U.S. 577 (1992)

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**Comment [WU1]:** This policy has been revised because of changes enacted by H.B. 164. The new law defines religious expression to include prayer, religious gatherings such as prayer groups, distribution of written materials or literature of a religious nature, and "any other activity of a religious nature, including wearing symbolic clothing or expression of a religious viewpoint" as long as the expression is not vulgar, obscene, indecent, or offensively lewd. Boards are no longer permitted to restrict student exercise of religion to lunch periods or other noninstructional time periods. Finally, the law declares that a school district may not prohibit a student from engaging in religious expression when completing homework, artwork, or other type of classroom assignment. Rather, the assignments must be graded or scored using ordinary academic standards and shall neither reward or penalize a student based on the religious content.

This revised policy reflect current Ohio law and should be adopted to maintain accurate policies.

Legal

R.C. 3313.601, 3313.602, 3313.76, 3313.77, 3313.801, 3314.03, 3314.03(A)(11)(h), 3320.01, 3320.02, 3320.03  
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Last Modified by Tami Lee on November 16, 2020