



NATIONAL EDUCATION ASSOCIATION

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Washington, D.C. 20036-3290

Don Cameron, Executive Director

***Statement of the National Education Association
In support of
"A Teacher's Guide to Religion in the Public Schools"***

The National Education Association is pleased to add its endorsement to "A Teacher's Guide to Religion in the Public Schools." The rights of the nation's children to religious expression must be protected, and we welcome this common-sense guide for teachers, school administrators, and others on how to treat religion and religious conviction with fairness and respect.

Studying about religion is an important part of a complete public education, and NEA supports that practice. This guide provides direction on how to keep the study of religion in an *educational*, not devotional, context.

NEA is pleased to work with a diverse group of religious, educational, and other organizations in distributing the guide. We encourage the nation's educators to review this important publication and work within their schools and communities to ensure that all students' religious and constitutional rights are protected at school.

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12/17/99

The National Education Association is the nation's largest professional employee organization, representing nearly 2.5 million elementary and secondary teachers, college faculty, educational support personnel, school administrators, retired educators, and students preparing to become teachers.

**NATIONAL
ASSOCIATION
EVANGELICAL**

RELIGION IN THE PUBLIC SCHOOLS

Mention religion and public schools in the same breath and some people get uneasy. Misunderstanding about what the Supreme Court said in its landmark school prayer decisions led to a kind of religious paranoia in many public schools. Indeed, some schools — and text books — became virtually "religion-free zones." That is changing, and America is better for it. A number of recent publications, including the popular *Religion in the Public Schools: A Joint Statement of Current Law*, have cleared the air so that parents, educators, and students can all breathe easier.

As an organization committed to religious freedom for all, the National Association of Evangelicals applauds President Clinton and Secretary of Education Richard W. Riley for recognizing the importance of faith in young people's lives and for being helpful in this sensitive area.

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News

Contact: Stephen Steiner
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212-360-1540

Embargoed Until 10:06 AM
Saturday, December 18, 1999

Matthew Dorf, Director
Office of Governmental and Public Affairs
202-332-4001

Following the President's Saturday Radio Address:

**AJCONGRESS WELCOMES CLINTON ANNOUNCEMENT THAT
EDUCATION DEPARTMENT WILL DISTRIBUTE GUIDELINES ON
PUBLIC SCHOOLS AND RELIGIOUS COMMUNITIES NATIONWIDE**

The American Jewish Congress, which played a lead role in the drafting of *Public Schools & Religious Communities: A First Amendment Guide*, today welcomed the announcement by President Clinton in his nationally broadcast Saturday radio address that the Department of Education will be distributing these guidelines to schools across the country. The guidelines describe how religious and secular neighborhood organizations can work with the public schools to help children without violating the First Amendment separation of church and state.

AJCongress, together with the Freedom Forum and the Christian Legal Society, released the guidelines in July. The three organizations share a common interest in setting the boundaries between church and state in the public schools. The guidelines are intended to ensure that programs involving religious institutions fully comply with the constitutional requirement of church-state separation and yet

(More)

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take maximum advantage of the initiatives, personnel and facilities that community groups, including religious ones, can bring to bear for the benefit of public school students.

AJCongress, which has been active for years through the courts and legislatures in maintaining the First Amendment separation of church and state, has also played a leadership role in coalitions which have issued guidelines on *Religion in the Public Schools*, and *Religion in the Federal Workplace*. The Clinton Administration has used both sets of guidelines as the basis for its policies in these contentious church/state areas. U.S. Secretary of Education Richard Riley has given his support to the latest guidelines, which will now receive the endorsement of the President.

"Given the problems that afflict society, it is no surprise that the public schools in communities across the country have reached out to religious institutions for assistance in devising programs to work with their students," said AJCongress President Jack Rosen. "The guidelines spell out what is permitted and equally important -- not permitted -- in these partnerships. By referring to the guidelines, President Clinton will do a great deal to inform school boards, educators, parents and students that there is a resource they can use to formulate their programs within constitutional boundaries, and to assure that no group or minority will feel left out when these programs go forward."

"The guidelines provide that schools may not coerce children to participate in these programs or assign children to programs based on their religion, nor may joint programs serve as occasions for proselytizing school children," Rosen explained. "Religious institutions which wish to conduct thoroughly religion-based programs on their own without these restrictions are free to do so, but may not seek the cooperation of the public schools in doing so," declared Rosen.

(More)

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AJCongress Executive Director Phil Baum expressed confidence that "religious organizations, together with other secular community groups, can work within these guidelines for the benefit of all our nation's children. Our schools need the assistance of every institution in helping children," Baum said. "The President's message can only serve to encourage schools and churches to work together in a constitutionally approved manner on behalf of their students."

Marc Stern, Co-Director of the AJCongress Commission on Law and Social Action, played a lead role in drafting the guidelines, together with Steven McFarland of the Christian Legal Society and Charles C. Haynes of the Freedom Forum.

Copies of the guidelines are available from the AJCongress Publications Department, 15 East 84th Street, New York, NY 10028.

NOTE TO EDITORS: Maintaining the wall of separation of church and state is a leading priority for the American Jewish Congress.

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AND CURRICULUM
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Religious Liberty Guidelines for Public Schools

Statement by Gene Carter, Executive Director
Association for Supervision and Curriculum Development (ASCD)
December 18, 1999

The Association for Supervision and Curriculum Development (ASCD) applauds the work of President Clinton and Secretary Riley, with the support of the Freedom Forum First Amendment Center, in initiating the mailing of religious liberty guidelines to all public schools. We see this mailing as a milestone in the progress to advance trust, understanding, and cooperation among our diverse public schools and faith communities.

Our schools must serve as true centers of learning—environments of inclusion, connectedness, nurturing, and support. Religion is a part of this learning environment; it is embedded in the history of our nation and our world, our culture, and our way of life. Public schools uphold the First Amendment when they protect the religious liberties of students of all faiths or none. Schools must be places where religion and religious conviction are treated with fairness and respect.

As the nation's largest educational leadership organization, ASCD has, for more than a decade, provided leadership on Constitutional issues relating to religious liberty and religion in public schools. For example, ASCD has sponsored forums and special sessions at its annual conference, special articles in its flagship publication, *Educational Leadership*, as well as the publication of books on related topics, such as *Taking Religion Seriously Across the Curriculum*. ASCD also served as a signatory on a statement of principles for school districts in dealing with religious liberty issues and, most recently, cosponsored two of the guidelines produced by the Freedom Forum and contained in the White House mailing—*A Teacher's Guide to Religion in the Public Schools* and *Public Schools and Religious Communities*.

At the cusp of a new millennium, it is increasingly important that we seek new ways to find connections between schools and the communities surrounding them—bridging the gap of isolation and distrust within the school walls and beyond the school grounds. Religious communities represent an important resource for a student-centered culture that values greater openness and civic participation.

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Founded in 1943, ASCD provides professional development in curriculum and supervision, initiates and supports activities to provide educational equity for all students, and serves as a world-class leader in education information services. ASCD's 160,000 members reside in more than 100 countries and include superintendents, supervisors, principals, teachers, professors of education, school board members, students, and parents.



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Gene R. Carter ASCD Executive Director



An educator and administrator, Dr. Gene R. Carter assumed the position of executive director of the Association for Supervision and Curriculum Development (ASCD) in 1992. Before joining ASCD, Dr. Carter served for nine years as the superintendent of schools in Norfolk, Virginia, where he succeeded in reducing the dropout rate, built a partnership program with the private sector, implemented a district wide school improvement program, established an early childhood education center for three-year-olds and their parents, and implemented a regional scholarship foundation for public school students.

Dr. Carter serves on the Lehigh University College of Education Visiting Committee, the Pennsylvania State University College of Education Board of Visitors, the Southern Education Foundation, Inc. Board of Trustees, the Education Commission of the States Advisory Board, the Virginia Historical Society Board of Trustees, the Center for the Study of Religious Freedom Advisory Board at Virginia Wesleyan College, and the Norfolk Southern Corporation Board of Directors. He also served for seven years on the Board of Visitors of Old Dominion University.

A native of Staunton, Virginia, Dr. Carter received his B.A. degree in history from Virginia State University and an M.A. in educational administration from Boston University. Having taught U.S. government, world history, and English for nine years, he attended Teachers College, Columbia University, and received his Ed.D. in instructional and curricular practice in 1973. He has also received an honorary Doctor of Law degree from Virginia State University and an honorary Doctor of Letters degree from Old Dominion University.

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Founded in 1943, ASCD provides professional development in curriculum and supervision, initiates and supports activities to provide educational equity for all students, and serves as a world-class leader in education information services. ASCD's 160,000 members reside in more than 140 countries and include superintendents, supervisors, principals, teachers, professors of education, school board members, students, and parents.



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and
churches

Baptist Joint Committee Lauds Decision to Send Religious Liberty Guidelines to Public Schools

December 18, 1999

Contact: J. Brent Walker or Melissa Rogers

Public school students, parents, teachers and administrators received an early holiday present today with President Clinton's announcement of the mailing of five religious liberty publications to all public schools. These five publications sensitively and wisely address the schools' responsibility to respect the religious beliefs of all without endorsing one religion over another or religion over nonreligion.

Confusion over the rights and responsibilities of the religion clauses of the First Amendment has caused much controversy in our public schools. The myth that students are not allowed to pray in schools, for example, is so pervasive that many school officials do not know that only state-sponsored prayer has been banned from the public schools. The President's mailing should help alleviate some of the confusion and ensure the protection of religious liberty in American classrooms.

The Baptist Joint Committee is proud to be associated with these guides. *A Teacher's Guide to Religion in the Public Schools*, *Public Schools and Religious Communities*, and *A Parent's Guide to Religion in the Public Schools* are all excellent resources that answer frequently asked questions and address constitutional concerns. The careful reading and dissemination of the information will go a long way in making religious freedom ring in our public schools.

PRESIDENT CLINTON ANNOUNCES RELEASE OF RELIGIOUS GUIDELINES CULMINATING 4 YEARS OF WORK

December 18, 1999

In today's weekly radio address President Clinton will announce the release of a comprehensive packet of religious guidelines which will be sent to every public school in America. The guidelines represent the culmination of four years of work to bring together the education and faith communities to build consensus on the role of religion in public schools. Since 1995 when President Clinton directed Secretary of Education Riley to provide every school district in America with a statement of principles on religious expression, this effort has helped to bridge the divide on the role of religion. The guidelines the President will announce today encourage greater cooperation within constitutional limits between public schools and faith-based organizations. The President said that while public schools and faith communities have different missions, they share many of the same moral and civic values and goals and that they should work together to support common goals. The packet released today contains information and guidance for parents, teachers, volunteers and the faith community on issues of religious expression, religion in the classroom, and partnerships between schools and faith-based organizations.

PACKET HIGHLIGHTS HOW FAITH-BASED ORGANIZATIONS CAN SUPPORT LEARNING IN PUBLIC SCHOOLS. Faith-based organizations can and are playing effective roles in helping support the goal of children's learning and school success. The President stated that schools and faith communities should be reaching out to each other to support their common goals for children and families and working together within constitutional limits. The packet highlights effective cooperation in areas such as after-school programs, school safety, college preparation planning, and reading support. The guides highlight both the protection of private religious expression in school and the prohibitions against coercing or compelling students to participate in religious expression.

NEW INFORMATION PROVIDED FOR TEACHERS, PARENTS, VOLUNTEERS AND FAITH COMMUNITIES. The packet will be mailed to every public school in the nation, and also to religious leaders. The mailing is a joint effort of the Department of Education and the Freedom Forum's First Amendment Center. The six publications in the packet are:

- *Religion in the Public Schools: A Statement of Principals*
- *A Parents Guide to Religion in the Public Schools*
- *A teacher Guide to Religion in the Public Schools*
- *Public Schools and Religious Communities: A First Amendment Guide*
- *Guidelines for Volunteers participating in Partnerships with Public Schools*
- *How Faith Communities Support Children's Learning in Public Schools*

ENDORSEMENT BY TWENTY-TWO RELIGIOUS, EDUCATION, AND CIVIL RIGHTS ORGANIZATIONS DEMONSTRATES EMERGING CONSENSUS ON RELIGIOUS GUIDELINES. The guidance released today has been endorsed by a broad spectrum of organizations including the National Association of Evangelicals, the National PTA, the American Jewish Congress, the Anti-Defamation League, The American Association of School Administrators and other faith-based and educational associations. The President called the broad support for the guidelines the beginnings of a new consensus on the role of religion in schools. He called on political leaders to resist the polarizing language that used to characterize this debate and instead to unite in fashioning a common ground upon which more appropriate partnerships between schools and faith communities could be built.



U.S. Department of Education

Washington, D.C.

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Congress shall make
A Parent's
no law respecting an
Guide to
establishment of religion
Religion
or prohibiting the free
in the
exercise thereof; or
Public
abridging the freedom
Schools
of speech, or of the press,
or the right of the people
peaceably to assemble,

and to petition the
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Public
Schools
&
Religious
Communities

A FIRST AMENDMENT GUIDE

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RELIGIOUS EXPRESSION IN PUBLIC SCHOOLS:

A STATEMENT OF PRINCIPLES

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A Teacher's Guide to Religion in the Public Schools



*First
amendment*



THE SECRETARY OF EDUCATION
WASHINGTON, D.C. 20202

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

*First Amendment to the
U.S. Constitution*

December 17, 1999

Dear Principal:

For many years one of the most sensitive and controversial matters that has divided Americans when it comes to public education has been the issue of religion in public schools.

Many Americans, unfortunately, came to believe that the 1962 Supreme Court decision disallowing state-sponsored school prayer meant no religious expression at all was permitted. They were mistaken, but little was done to fully inform concerned parents that the 1962 Supreme Court ruling did not preclude individual students, in their personal capacity, from expressing their religious faith. As a result, a great misunderstanding grew up over time and the issue of prayer and religious expression in public schools became increasingly divisive and polarizing.

In the last few years, new and promising efforts have been made to end this division about the proper place of religion in our nation's public schools. Educators, religious leaders of many faiths, and civil libertarians have worked together to review Supreme Court and other court decisions. In the process, these dedicated Americans have come to a new and deeper understanding of the proper place of religion in America's system of public education.

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Leaders on both sides of this debate have lowered their voices, retreated from the polarizing language of the last three decades, and worked diligently together to find a new common ground. This effort is in the best tradition of our nation's Founding Fathers and reflects a wonderful respect for the basic idea that is America – that we are free people who protect our freedoms by respecting the freedoms of others who differ from us.

These educators, religious leaders, and civil libertarians see our nation's Bill of Rights as something more than a piece of dry, old parchment on display in our National Archives. They recognize that each generation must do its part to explain fully how the First Amendment protects the rights of students to express their religious faith and/or their freedom of conscience.

It is in that spirit that I am sending you a set of guidelines that you can use to inform students, parents, teachers, and other members of the community about the proper way to treat religion and religious topics in our nation's public schools. The guidelines cover a broad range of topics from how to teach about religion to how to properly develop partnerships with community-based groups, including faith-based organizations, as part of a broad effort to improve education in our public schools.

The guidelines clearly indicate that the religious rights of students and their right to freedom of conscience do not stop at the schoolhouse door. President Clinton may have said it best:

“For more than 200 years, the First Amendment has protected our religious freedoms and allowed many faiths to flourish in our homes, in our work place and in our schools. Clearly understood and sensibly applied, it works.”

The essence of all of these guidelines is the balanced nature of the First Amendment regarding religious expression that is rooted in two basic and equally important principles. First, schools must protect the right of individual students, in their personal capacity, to express their religious faith, or to speak about religious matters, to the same extent they are permitted to engage in nonreligious expression, or to speak about nonreligious topics.

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Second, schools must refrain from government-sponsored religious activities, and from adopting or expressing any preference for or against religious expression by students speaking in their personal capacity.

Teachers, principals, and others in authority in a school must give students the same right in their personal capacity to engage in religious activity and discussion, as they have to engage in any other comparable activity. For example, students may read their Bible or other scriptures, say grace before meals, or pray before tests to the same extent they may engage in comparable, nondisruptive activities.

At the same time, school officials may not endorse or favor religious activity or doctrine, coerce participation in religious activity, or seek to impose their religious beliefs on impressionable children. Public schools may teach about religion -- for example, in classes on history, music, the arts, or comparative religion, the Bible (or other scripture)-as-literature, the role of religion in history -- but public schools may not provide religious instruction.

In protecting students from government-sponsored prayer, the First Amendment also shields students of all faiths from any effort by a majority faith to define how religion should be expressed in a public school. The right to engage in personal voluntary prayer or religious discussion free from discrimination does not include the right to have a captive audience listen, or to compel other students to participate. We are a nation of many religious faiths and we must be vigilant in protecting the right of all students to express their religious faith in their own way, in addition to expressing their freedom of conscience not to participate in religious activities.

Some have suggested that the federal government has been an enemy of religion. I believe otherwise. I know that President Clinton and Vice President Gore have gone out of their way to encourage the growing effort to find a new common ground regarding religious expression in our nation's public schools. I am pleased to be part of this effort as well.

After more than 30 years of division on this most sensitive of subjects, I believe we are finding a positive way to bring people together and that's good for education. I hope public officials, at all levels of government, will support this growing effort to find common ground and retreat from the

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polarizing language of the past. Our public schools should not be the public space for a war on values but the public space where we educate our children, help them to build good character, and teach them about the many freedoms, including the freedom of religion, that are embodied in our nation's Constitution.

All of the documents in this packet are freely available from either the U.S. Department of Education or the Freedom Forum First Amendment Center. The full text of all of these publications is available through the U.S. Department of Education's Web site (www.ed.gov). I encourage you to read these documents carefully and make them available to teachers, other staff, parents and students. Thank you for your cooperation.

Yours sincerely,

Richard W. Riley

To: Secretary Riley

Fr: Kevin Sullivan

Re: RELEASE OF RELIGIOUS GUIDELINES

Over the past few months we have been working to develop a comprehensive packet of religious guidelines. This idea was first suggested to us by Ann Lewis at the White House. Tentatively we are scheduled to release these guidelines on Tuesday, December 14th with the President. There are three significant reasons why we have developed this comprehensive package.

1. The guidelines we released on "Religious Expression" in 1995 and in 1998 have been sent to the offices of school superintendent and many school principals still have no awareness that these guidelines exist.

2. Our increasing efforts to encourage partnerships and the growing public debate about the role of faith-based communities in public life suggests a need for guidelines about how public schools and faith-based communities can work in partnership together while respecting Constitutional boundaries.

3. The recent support in the House of Representatives to encourage the posting of the Ten Commandments suggests that now is a good time to remind the public that students have many religious freedoms and that these freedoms are well protected.

The packet we will send will include a cover letter from you and the following pieces.

1. *Religion in Public Schools: A Statement of Principles (reprint of our 1995 document)*
2. *A Parents Guide to Religion in Public Schools (reprint)*
3. *A Teachers Guide to Religion in Public Schools (new)*
4. *Public Schools & Religious Communities: A First Amendment Guide. (Freedom Forum document released last July)*
5. *Guidelines for volunteers participating in Partnerships with Public Schools (2 page list of do's and don'ts) (new)*
6. *How Faith Communities Support Children's Learning in Public Schools. (an extract from a longer Department report released in Sept) (new)*

Unlike previous mailings that only went to school superintendents this packet will be sent to all public schools in addition to a separate mailing to religious leaders. We are printing a 150,000 copies of everything. This is a joint effort of the Department and the Freedom Forum First Amendment Center. Our goal is to get good information down to the school level where the problems start to help school leaders avoid the divisive law suits that so often tear a community apart.

Public schools, and the programs operated in partnership with them, can neither foster religion nor preclude it. Our public schools must treat religion with fairness and respect and vigorously protect religious expression as well as the freedom of conscience of all students. Volunteer mentors and tutors must uphold these constitutional protections when assisting children in the public school setting. In doing so, public school programs reaffirm the First Amendment and enrich the lives of their students.

Resources from the U.S. Department of Education (1-877-4ED-PUBS)

- *Religious Expression in Public Schools: A Statement of Principles*
- *How Faith Communities Support Children's Learning in Public Schools*
- *Faith Communities Joining Local Communities to Support Children's Learning: Good Ideas*
- *Guidelines for Volunteers and Mentors Participating in Partnerships with Faith-based Communities*
- *Yes, You Can: Establishing Mentoring Programs to Prepare Youth for College*

Information about the Partnership for Family Involvement in Education can be found at <http://pfie.ed.gov> or via e-mail at Partner@ed.gov.

Resources from the Freedom Forum First Amendment Center (615-321-9588)

- *Public Schools & Religious Communities: A First Amendment Guide*
- *A Teacher's Guide to Religion in the Public Schools*
- *A Parent's Guide to Religion in the Public Schools*

For a list of organizations that can answer questions about religious expression in public schools, consult *Religious Expression in Public Schools: A Statement of Principles*, pages 11-12.



Guidelines for School Officials, Volunteers and Mentors Participating in Public School Community Partnerships

Children and schools gain a great deal when every part of a community comes together to support education. This is why we encourage the growing partnership efforts between our nation's public schools and families, community groups, faith-based communities and employers. In 1994, U.S. Secretary of Education Richard Riley began the Partnership for Family Involvement in Education (PFIE) with 40 organizations. Today, close to 6,000 groups and organizations are part of this dynamic and growing effort.

Every part of the community can do its part to encourage adults to take time out of their busy schedules to support the work of our nation's schools. Faith communities can be important participants in these partnerships. For example, members of faith communities can act as tutors and mentors to help children learn to read and write. They can also work with other members of the community to ensure the safety of children in positive after-school activities.

However, it is not appropriate for members of faith communities to use their involvement in public schools as an occasion to endorse religious activity or doctrine or to encourage participation in a religious activity. Adults who choose to volunteer in public schools must respect both the rules established by the school and the strong constitutional protections that children have from becoming a captive audience.

In August 1995, U.S. Secretary of Education Richard Riley, in consultation with Attorney General Janet Reno and at the direction of President Clinton, released guidelines entitled *Religious Expression in Public Schools: A Statement of Principles*. These guidelines were released again in June 1998, and most recently in December 1999. In his original cover letter to these guidelines, Secretary Riley pointed out that the guidelines for religious expression in public schools reflect two basic and equally important obligations of the First Amendment.

"First, schools may not forbid students acting on their own from expressing their personal religious views or beliefs solely because they are of a religious nature. Schools may not discriminate against private religious expression by students, but must instead give students the same right to engage in religious activity and discussion as they have to engage in other comparable activity... At the same time, schools may not endorse religious activity or doctrine, nor may they coerce participation in religious activity... [t]he right of religious expression in school does not include the right to have a 'captive audience' listen, or to compel other students to participate."

When members and leaders of faith communities volunteer in schools or volunteer to work with students and their families, they should and must act with the same understanding of the First Amendment as school officials have. A volunteer's faith may have motivated him or her to participate in the school volunteer program, but the Constitution does not allow the volunteer to infringe on the religious freedom and beliefs of the students being helped.

An adult who acts as a mentor may not, for example, seek in any way to encourage or discourage the religious faith of the student whom they are mentoring for educational purposes. Suggestions on the best ways to recruit, screen and support mentors can be found in *Yes You Can: Establishing Mentoring Programs to Prepare Youth for College*, a 1998 publication produced by the Department.

A religious leader who is asked by school officials to participate in crisis counseling should respond to the direct concerns of the students at a time of great sensitivity. At the same time, a religious leader cannot use the occasion to proselytize on behalf of his or her own faith or encourage a student to attend the following week's service.

When public schools develop partnerships involving religious communities they must do so with particular care. The following is a helpful checklist for school officials and members and leaders of faith communities who are developing or participating in educational partnerships. This checklist should be seen and used as a companion piece to *Public Schools & Religious Communities: A First Amendment Guide* (see Resources below). These guidelines only address partnership programs that are jointly sponsored by faith-based community groups and public schools. They do not apply to programs run solely by faith-based communities.

Partnerships Involving Public Schools And Faith-based Communities

Public schools forming partnerships including faith-based communities should consider and adhere to the following in developing and supporting such activities:

Things to Do:

Make sure the program has a secular purpose.

In selecting partners remain neutral between secular and religious groups and among religious groups.

Select student participants without regard to the religious affiliation of the students.

Make sure any jointly sponsored activities provided within the partnership program, wherever located, are purely secular.

Make sure any space used for the program is safe and secure for the children.

Make sure any space used by the public school for instructional purposes is free of religious symbols.

Put the partnership agreement in writing.

Things Not to Do:

Do not limit participation in the partnership, or student selection, to religious groups or certain religious groups.

Do not encourage or discourage student participation with particular partners based on the religious or secular nature of the organization.

Do not encourage or discourage students from engaging in religious activities.

Do not condition student participation in any partnership activity on membership in any religious group, or on acceptance or rejection of any religious belief, or on participation in, or refusal to participate in, any religious activity.

Do not reward or punish students (for example, in terms of grades or participation in other activities) based on their willingness to participate in any activity of a partnership with a religious organization.

VOLUNTEERS NEED TO BE REMINDED

Volunteers always need to be thanked for their willingness to volunteer their time to help children learn. At the same time, it is very important to remind volunteers from faith communities that the purpose of any partnership is educational and secular in nature, not religious, and that volunteers must respect the very strong First Amendment rights of students. Remind volunteers:

Do not pray with the students and families or encourage them to pray during your volunteer session with them.

Do not preach about your faith to the children and their families while conducting your educational activity.

Do not prohibit or discourage speech or other activity simply because of its religious content or nature.

Do not infringe on the rights of students and their family members to speak about religion or to say a prayer or to read a Scripture, provided it is within the reasonable limits of rules for orderliness, talking, and congregating that are set for other speech and activities.

The three guidelines that will generate the most interest will be a new *"Teachers Guide to Religion in Public Schools"* which has been endorsed by over 21 religious and education groups including the NEA, AFT, NSBA, National PTA, American Jewish Committee, American Jewish Congress, Anti-Defamation League, National Association of Evangelicals, etc. This guide was developed by the Freedom Forum at our request. The two guidelines on developing partnerships with public schools and faith based communities will also be considered newsworthy.

The scope of the mailing, the timing of this release just before the Holidays when many schools have to deal with religious issues, and the recent Congressional debate over posting the Ten Commandments in schools, will generate strong press interest. None of the guidelines deal with the contentious issue of creationism but we will be prepared to answer that in the Q&A.

This comprehensive mailing is in many ways the culmination of a great deal of work that has been done over the past five to six years by many religious leaders and educators to find a new common ground when it comes to religion and public schools.

Basin

Ath 3rd year of college our
school paper

Column - built new
corner yard. Enclosed

leave parking lot
behind

New delivery - feather side
6222 paper
enclosed it

Blue - 62 - enclosed



UNITED STATES DEPARTMENT OF EDUCATION
THE SECRETARY

"...Schools do more than train children's minds. They also help to nurture their souls by reinforcing the values they learn at home and in their communities. I believe that one of the best ways we can help out schools to do this is by supporting students' rights to voluntarily practice their religious beliefs, including prayer in schools.... For more than 200 years, the First Amendment has protected our religious freedom and allowed many faiths to flourish in our homes, in our work place and in our schools. Clearly understood and sensibly applied, it works."

President Clinton
May 30, 1998

Dear American Educator,

Almost three years ago, President Clinton directed me, as U.S. Secretary of Education, in consultation with the Attorney General, to provide every public school district in America with a statement of principles addressing the extent to which religious expression and activity are permitted in our public schools. In accordance with the President's directive, I sent every school superintendent in the country guidelines on Religious Expression in Public Schools in August of 1995.

The purpose of promulgating these presidential guidelines was to end much of the confusion regarding religious expression in our nation's public schools that had developed over more than thirty years since the U.S. Supreme Court decision in 1962 regarding state sponsored school prayer. I believe that these guidelines have helped school officials, teachers, students and parents find a new common ground on the important issue of religious freedom consistent with constitutional requirements.

In July of 1996, for example, the Saint Louis School Board adopted a district wide policy using these guidelines. While the school district had previously allowed certain religious activities, it had never spelled them out before, resulting in a lawsuit over the right of a student to pray before lunch in the cafeteria. The creation of a clearly defined policy using the guidelines allowed the school board and the family of the student to arrive at a mutually satisfactory settlement.

In a case decided last year in a United States District Court in Alabama, (*Chandler v. James*) involving student initiated prayer at school related events, the court instructed the DeKalb County School District to maintain for circulation in the library of each school a copy of the presidential guidelines.

The great advantage of the presidential guidelines, however, is that they allow school districts to avoid contentious disputes by developing a common understanding among students, teachers, parents and the broader community that the First Amendment does in fact provide ample room for religious expression by students while at the same time maintaining freedom from government sponsored religion.

The development and use of these presidential guidelines were not and are not isolated activities. Rather, these guidelines are part of an ongoing

This is a fine line we are reminded of our religious liberties & of the increasing religious diversity in our nation.

Also about effective partnership w/ faith-based groups that can help schools meet their goals - tapping local community

and growing effort by educators and America's religious community to find a new common ground. In April of 1995, for example, thirty-five religious groups issued "Religion in the Public Schools: A Joint Statement of Current Law" that the Department drew from in developing its own guidelines. Following the release of the presidential guidelines, the National PTA and the Freedom Forum jointly published in 1996 "A Parent's Guide to Religion in the Public Schools" which put the guidelines into an easily understandable question and answer format.

In the last two years, I have held three religious-education summits to inform faith communities and educators about the guidelines and to encourage continued dialogue and cooperation within constitutional limits. Many religious communities have contacted local schools and school systems to offer their assistance because of the clarity provided by the guidelines. The United Methodist Church has provided reading tutors to many schools, and Hadassah and the Women's League for Conservative Judaism have both been extremely active in providing local schools with support for summer reading programs.

The guidelines we are releasing today are the same as originally issued in 1995, except that changes have been made in the sections on religious excusals and student garb to reflect the Supreme Court decision in Boerne v. Flores declaring the Religious Freedom Restoration Act unconstitutional as applied to actions of state and local governments.

These guidelines continue to reflect two basic and equally important obligations imposed on public school officials by the First Amendment. First, schools may not forbid students acting on their own from expressing their personal religious views or beliefs solely because they are of a religious nature. Schools may not discriminate against private religious expression by students, but must instead give students the same right to engage in religious activity and discussion as they have to engage in other comparable activity. Generally, this means that students may pray in a nondisruptive manner during the school day when they are not engaged in school activities and instruction, subject to the same rules of order that apply to other student speech.

At the same time, schools may not endorse religious activity or doctrine, nor may they coerce participation in religious activity. Among other things, of course, school administrators and teachers may not organize or encourage prayer exercises in the classroom. Teachers, coaches and other school officials who act as advisors to student groups must remain mindful that they cannot engage in or lead the religious activities of students.

And the right of religious expression in school does not include the right to have a "captive audience" listen, or to compel other students to participate. School officials should not permit student religious speech to turn into religious harassment aimed at a student or a small group of students. Students do not have the right to make repeated invitations to other students to participate in religious activity in the face of a request to stop.

The statement of principles set forth below derives from the First Amendment. Implementation of these principles, of course, will depend on specific factual contexts and will require careful consideration in particular cases.

In issuing these revised guidelines I encourage every school district to make sure that principals, teachers, students and parents are familiar with their content. To that end I offer three suggestions:

First, school districts should use these guidelines to revise or develop their own district wide policy regarding religious expression. In developing such a policy, school officials can engage parents, teachers, the various faith communities and the broader community in a positive dialogue to define a common ground that gives all parties the assurance that when questions do arise regarding religious expression the community is well prepared to apply these guidelines to specific cases. The Davis County School District in Farmington, Utah, is an example of a school district that has taken the affirmative step of developing such a policy.

At a time of increasing religious diversity in our country such a proactive step can help school districts create a framework of civility that reaffirms and strengthens the community consensus regarding religious liberty. School districts that do not make the effort to develop their own policy may find themselves unprepared for the intensity of the debate that can engage a community when positions harden around a live controversy involving religious expression in public schools.

Second, I encourage principals and administrators to take the additional step of making sure that teachers, so often on the front line of any dispute regarding religious expression, are fully informed about the guidelines. The Gwinnett County School system in Georgia, for example, begins every school year with workshops for teachers that include the distribution of these presidential guidelines. Our nation's schools of education can also do their part by ensuring that prospective teachers are knowledgeable about religious expression in the classroom.

Third, I encourage schools to actively take steps to inform parents and students about religious expression in school using these guidelines. The Carter County School District in Elizabethton, Tennessee, included the subject of religious expression in a character education program that it developed in the fall of 1997. This effort included sending home to every parent a copy of the "Parent's Guide to Religion in the Public Schools."

Help is available for those school districts that seek to develop policies on religious expression. I have enclosed a list of associations and groups that can provide information to school districts and parents who seek to learn more about religious expression in our nation's public schools.

In addition, citizens can turn to the U.S. Department of Education web site (<http://www.ed.gov>) for information about the guidelines and other activities of the Department that support the growing effort of educators and religious communities to support the education of our nation's children.

Finally, I encourage teachers and principals to see the First Amendment as something more than a piece of dry, old parchment locked away in the national attic gathering dust. It is a vital living principle, a call to action, and a demand that each generation reaffirm its connection to the basic idea that is America -- that we are a free people who protect our freedoms by respecting the freedom of others who differ from us.

Our history as a nation reflects the history of the Puritan, the Quaker, the Baptist, the Catholic, the Jew and many others fleeing persecution to find

religious freedom in America. The United States remains the most successful experiment in religious freedom that the world has ever known because the First Amendment uniquely balances freedom of private religious belief and expression with freedom from state-imposed religious expression.

Public schools can neither foster religion nor preclude it. Our public schools must treat religion with fairness and respect and vigorously protect religious expression as well as the freedom of conscience of all other students. In so doing our public schools reaffirm the First Amendment and enrich the lives of their students.

I encourage you to share this information widely and in the most appropriate manner with your school community. Please accept my sincere thanks for your continuing work on behalf of all of America's children.

Sincerely,



Richard W. Riley
U.S. Secretary of Education

RELIGIOUS EXPRESSION IN PUBLIC SCHOOLS

Student prayer and religious discussion: The Establishment Clause of the First Amendment does not prohibit purely private religious speech by students. Students therefore have the same right to engage in individual or group prayer and religious discussion during the school day as they do to engage in other comparable activity. For example, students may read their Bibles or other scriptures, say grace before meals, and pray before tests to the same extent they may engage in comparable nondisruptive activities. Local school authorities possess substantial discretion to impose rules of order and other pedagogical restrictions on student activities, but they may not structure or administer such rules to discriminate against religious activity or speech.

Generally, students may pray in a nondisruptive manner when not engaged in school activities or instruction, and subject to the rules that normally pertain in the applicable setting. Specifically, students in informal settings, such as cafeterias and hallways, may pray and discuss their religious views with each other, subject to the same rules of order as apply to other student activities and speech. Students may also speak to, and attempt to persuade, their peers about religious topics just as they do with regard to political topics. School officials, however, should intercede to stop student speech that constitutes harassment aimed at a student or a group of students.

Students may also participate in before or after school events with religious content, such as "see you at the flag pole" gatherings, on the same terms as they may participate in other noncurriculum activities on

school premises. School officials may neither discourage nor encourage participation in such an event.

The right to engage in voluntary prayer or religious discussion free from discrimination does not include the right to have a captive audience listen, or to compel other students to participate. Teachers and school administrators should ensure that no student is in any way coerced to participate in religious activity.

Graduation prayer and baccalaureates: Under current Supreme Court decisions, school officials may not mandate or organize prayer at graduation, nor organize religious baccalaureate ceremonies. If a school generally opens its facilities to private groups, it must make its facilities available on the same terms to organizers of privately sponsored religious baccalaureate services. A school may not extend preferential treatment to baccalaureate ceremonies and may in some instances be obliged to disclaim official endorsement of such ceremonies.

Official neutrality regarding religious activity: Teachers and school administrators, when acting in those capacities, are representatives of the state and are prohibited by the establishment clause from soliciting or encouraging religious activity, and from participating in such activity with students. Teachers and administrators also are prohibited from discouraging activity because of its religious content, and from soliciting or encouraging antireligious activity.

Teaching about religion: Public schools may not provide religious instruction, but they may teach about religion, including the Bible or other scripture: the history of religion, comparative religion, the Bible (or other scripture)-as-literature, and the role of religion in the history of the United States and other countries all are permissible public school subjects. Similarly, it is permissible to consider religious influences on art, music, literature, and social studies. Although public schools may teach about religious holidays, including their religious aspects, and may celebrate the secular aspects of holidays, schools may not observe holidays as religious events or promote such observance by students.

Student assignments: Students may express their beliefs about religion in the form of homework, artwork, and other written and oral assignments free of discrimination based on the religious content of their submissions. Such home and classroom work should be judged by ordinary academic standards of substance and relevance, and against other legitimate pedagogical concerns identified by the school.

Religious literature: Students have a right to distribute religious literature to their schoolmates on the same terms as they are permitted to distribute other literature that is unrelated to school curriculum or activities. Schools may impose the same reasonable time, place, and manner or other constitutional restrictions on distribution of religious literature as they do on nonschool literature generally, but they may not single out religious literature for special regulation.

Religious excusals: Subject to applicable State laws, schools enjoy substantial discretion to excuse individual students from lessons that are objectionable to the student or the students' parents on religious or other conscientious grounds. However, students generally do not have a Federal right to be excused from lessons that may be inconsistent with their religious beliefs or practices. School officials may neither encourage

nor discourage students from availing themselves of an excusal option.

Released time: Subject to applicable State laws, schools have the discretion to dismiss students to off-premises religious instruction, provided that schools do not encourage or discourage participation or penalize those who do not attend. Schools may not allow religious instruction by outsiders on school premises during the school day.

Teaching values: Though schools must be neutral with respect to religion, they may play an active role with respect to teaching civic values and virtue, and the moral code that holds us together as a community. The fact that some of these values are held also by religions does not make it unlawful to teach them in school.

Student garb: Schools enjoy substantial discretion in adopting policies relating to student dress and school uniforms. Students generally have no Federal right to be exempted from religiously-neutral and generally applicable school dress rules based on their religious beliefs or practices; however, schools may not single out religious attire in general, or attire of a particular religion, for prohibition or regulation. Students may display religious messages on items of clothing to the same extent that they are permitted to display other comparable messages. Religious messages may not be singled out for suppression, but rather are subject to the same rules as generally apply to comparable messages.

THE EQUAL ACCESS ACT

The Equal Access Act is designed to ensure that, consistent with the First Amendment, student religious activities are accorded the same access to public school facilities as are student secular activities. Based on decisions of the Federal courts, as well as its interpretations of the Act, the Department of Justice has advised that the Act should be interpreted as providing, among other things, that:

General provisions: Student religious groups at public secondary schools have the same right of access to school facilities as is enjoyed by other comparable student groups. Under the Equal Access Act, a school receiving Federal funds that allows one or more student noncurriculum-related clubs to meet on its premises during noninstructional time may not refuse access to student religious groups.

Prayer services and worship exercises covered: A meeting, as defined and protected by the Equal Access Act, may include a prayer service, Bible reading, or other worship exercise.

Equal access to means of publicizing meetings: A school receiving Federal funds must allow student groups meeting under the Act to use the school media -- including the public address system, the school newspaper, and the school bulletin board -- to announce their meetings on the same terms as other noncurriculum-related student groups are allowed to use the school media. Any policy concerning the use of school media must be applied to all noncurriculum-related student groups in a nondiscriminatory matter. Schools, however, may inform students that certain groups are not school sponsored.

Lunch-time and recess covered: A school creates a limited open forum under the Equal Access Act, triggering equal access rights for religious

groups, when it allows students to meet during their lunch periods or other noninstructional time during the school day, as well as when it allows students to meet before and after the school day.

Revised May 1998

List of organizations that can answer questions on religious expression in public schools

Religious Action Center of Reform Judaism

Name: Rabbi David Saperstein
Address: 2027 Massachusetts Ave., NW, Washington, DC 20036
Phone: (202) 387-2800
Fax: (202) 667-9070
Web site: <http://www.rj.org/rac/>

American Association of School Administrators

Name: Andrew Rotherham
Address: 1801 N. Moore St., Arlington, VA 22209
Phone: (703) 528-0700
Fax: (703) 528-2146
Web site: <http://www.aasa.org>

American Jewish Congress

Name: Marc Stern
Address: 15 East 84th Street, New York, NY 10028
Phone: (212) 360-1545
Fax: (212) 861-7056

National PTA

Name: Maribeth Oakes
Address: 1090 Vermont Ave., NW, Suite 1200, Washington, DC 20005
Phone: (202) 289-6790
Fax: (202) 289-6791
Web site: <http://www.pta.org>

Christian Legal Society

Name: Steven McFarland
Address: 4208 Evergreen Lane, #222, Annandale, VA 22003
Phone: (703) 642-1070
Fax: (703) 642-1075
Web site: <http://www.clsnet.com>

National Association of Evangelicals

Name: Forest Montgomery
Address: 1023 15th Street, NW #500, Washington, DC 20005
Phone: (202) 789-1011
Fax: (202) 842-0392
Web site: <http://www.nae.net>

National School Boards Association

Name: Laurie Westley
Address: 1680 Duke Street, Alexandria, VA 22314
Phone: (703) 838-6703
Fax: (703) 548-5613

Web site: <http://www.nsba.org>

Freedom Forum

Name: Charles Haynes

Address: 1101 Wilson Blvd, Arlington, VA 22209

Phone: (703) 528-0800

Fax: (703) 284-2879

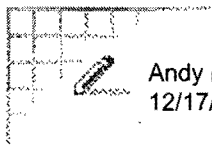
Web site: <http://www.freedomforum.org>

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[Return to What's New]



Last Updated -- March 19, 1999, (pjk)



Andy Rotherham
12/17/99 01:58:38 PM

Record Type: Record

To: kevin_sullivan@ed.gov @ inet, Maureen T. Shea/WHO/EOP@EOP, John B. Buxton/OPD/EOP@EOP, Bethany Little/OPD/EOP@EOP

cc:

Subject: POTUS 1995 speech calling for guidelines

FYI for background

----- Forwarded by Andy Rotherham/OPD/EOP on 12/17/99 01:57 PM -----



Megan C. Moloney

12/17/99 01:23:43 PM

Record Type: Record

To: Anna Richter/OPD/EOP@EOP, Andy Rotherham/OPD/EOP@EOP

cc:

Subject: POTUS 1995 speech calling for guidelines

To help us establish a little history, we may want to reference this in the paper (see highlights):

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

July 12, 1995

REMARKS BY THE PRESIDENT
ON RELIGIOUS LIBERTY IN AMERICA

James Madison High School
Vienna, Virginia

10:58 A.M. EDT

THE PRESIDENT: Thank you, Secretary Riley, for the introduction, but more for your outstanding leadership of the

Department of Education and the work you have done not only to increase the investment of our country in education, but also to lift the quality and the standards of education and to deal forthrightly with some of the more difficult, but important issues in education that go to the heart of the character of the young people we build in our country.

Superintendent Spillane, congratulations on your award and the work you are doing here in this district. Dr. Clark, Ms. Lubetkin. To Danny Murphy, I thought he gave such a good speech I could imagine him on a lot of platforms in the years ahead. (Laughter.) He did a very fine job.

Mayor Robinson, and to the Board of Supervisors -- Chair Katherine Hanley, and to all the religious leaders, parents, students who are here; the teachers; and especially to the James Madison teachers, thank you for coming today.

Last week at my alma mater, Georgetown, I had a chance to do something that I hope to do more often as President, to have a genuine conversation with the American people about the best way for us to move forward as a nation and to resolve some of the great questions that are nagging at us today. I believe, as I have said repeatedly, that our nation faces two great challenges: first of all, to restore the American dream of opportunity, and the American tradition of responsibility; and second, to bring our country together amidst all of our diversity in a stronger community so that we can find common ground and move forward together.

In my first two years as President I worked harder on the first question, how to get the economy going, how to deal with the specific problems of the country, how to inspire more responsibility through things like welfare reform and child support enforcement. But I have come to believe that unless we can solve the second problem we'll never really solve the first one. Unless we can find a way to honestly and openly debate our differences and find common ground, to celebrate all the diversity of America and still give people a chance to live in the way they think is right, so that we are stronger for our differences, not weaker, we won't be able to meet the economic and other challenges before us. And therefore, I have decided that I should spend some more time in some conversations about things Americans care a lot about and that they're deeply divided over.

Today I want to talk about a conversation -- about a subject that can provoke a fight in nearly any country town or on any city street corner in America -- religion. It's a subject that should not drive us apart. And we have a mechanism as old as our Constitution for bringing us together.

This country, after all, was founded by people of profound faith who mentioned Divine Providence and the guidance of God twice in the Declaration of Independence. They were searching for a place to express their faith freely without persecution. We

take it for granted today that that's so in this country, but it was not always so. And it certainly has not always been so across the world. Many of the people who were our first settlers came here primarily because they were looking for a place where they could practice their faith without being persecuted by the government.

Here in Virginia's soil, as the Secretary of Education has said, the oldest and deepest roots of religious liberty can be found. The First Amendment was modeled on Thomas Jefferson's Statutes of Religious Liberty for Virginia. He thought so much of it that he asked that on his gravestone it be said not that he was President, not that he had been Vice President or Secretary of State, but that he was the founder of the University of Virginia, the author of the Declaration of Independence and the author of the Statutes of Religious Liberty for the state of Virginia.

And of course, no one did more than James Madison to put the entire Bill of Rights in our Constitution, and especially, the First Amendment.

Religious freedom is literally our first freedom. It is the first thing mentioned in the Declaration of Independence. And as it opens, it says Congress cannot make a law that either establishes a religion or restricts the free exercise of religion. Now, as with every provision of our Constitution, that law has had to be interpreted over the years, and it has in various ways that some of us agree with and some of us disagree with. But one thing is indisputable: the First Amendment has protected our freedom to be religious or not religious, as we choose, with the consequence that in this highly secular age the United States is clearly the most conventionally religious country in the entire world, at least the entire industrialized world.

We have more than 250,000 places of worship. More people go to church here every week, or to synagogue, or to a mosque or other place of worship than in any other country in the world. More people believe religion is directly important to their lives than in any other advanced, industrialized country in the world. And it is not an accident. It is something that has always been a part of our life.

I grew up in Arkansas which is, except for West Virginia, probably the state that's most heavily Southern Baptist Protestant in the country. But we had two synagogues and a Greek Orthodox church in my hometown. Not so long ago in the heart of our agricultural country in Eastern Arkansas one of our universities did a big outreach to students in the Middle East, and before you know it, out there on this flat land where there was no building more than two stories high, there rose a great mosque. And all the farmers from miles around drove in to see what the mosque was like and try to figure out what was going on there. (Laughter.)

This is a remarkable country. And I have tried to be faithful to that tradition that we have of the First Amendment. It's

something that's very important to me.

Secretary Riley mentioned when I was at Georgetown, Georgetown is a Jesuit school, a Catholic school. All the Catholics were required to teach theology, and those of us who weren't Catholic took a course in world's religion, which we called Buddhism for Baptists. (Laughter.) And I began a sort of love affair with the religions that I did not know anything about before that time.

It's a personal thing to me because of my own religious faith and the faith of my family. And I've always felt that in order for me to be free to practice my faith in this country, I had to let other people be as free as possible to practice theirs, and that the government had an extraordinary obligation to bend over backwards not to do anything to impose any set of views on any group of people or to allow others to do it under the cover of law.

That's why I was very proud -- one of the proudest things I've been able to do as President was to sign into law the Religious Freedom Restoration Act in 1993. And it was designed to reverse the decision of the Supreme Court that essentially made it pretty easy for government, in the pursuit of its legitimate objectives, to restrict the exercise of people's religious liberties. This law basically said -- I won't use the legalese -- the bottom line was that if the government is going to restrict anybody's legitimate exercise of religion they have to have an extraordinarily good reason and no other way to achieve their compelling objective other than to do this. You have to bend over backwards to avoid getting in the way of people's legitimate exercise of their religious convictions. That's what that law said.

This is something I've tried to do throughout my career. When I was governor, for example, we were having -- of Arkansas in the '80s -- you may remember this -- there were religious leaders going to jail in America because they ran child care centers that they refused to have certified by the state because they said it undermined their ministry. We solved that problem in our state. There were people who were prepared to go to jail over the home schooling issue in the '80s because they said it was part of their religious ministry. We solved that problem in our state.

With the Religious Freedom Restoration Act we made it possible, clearly, in areas that were previously ambiguous for Native Americans, for American Jews, for Muslims to practice the full range of their religious practices when they might have otherwise come in contact with some governmental regulation.

And in a case that was quite important to the Evangelicals in our country, I instructed the Justice Department to change our position after the law passed on a tithing case where a family had been tithing to their church and the man declared bankruptcy, and the government took the position they could go get the money away from the church because he knew he was bankrupt at the time he gave it. And I realized in some ways that was a close question,

but I thought we had to stand up for the proposition that people should be able to practice their religious convictions.

Secretary Riley and I, in another context, have also learned as we have gone along in this work that all the religions obviously share a certain devotion to a certain set of values which make a big difference in the schools. I want to commend Secretary Riley for his relentless support of the so-called character education movement in our schools, which is clearly led in many schools that had great troubles to reduce drop-out rates, increased performance in schools, better citizenship in ways that didn't promote any particular religious views but at least unapologetically advocated values shared by all major religions.

In this school, one of the reasons I wanted to come here is because I recognize that this work has been done here. There's a course in this school called Combatting Intolerance, which deals not only with racial issues, but also with religious differences, and studies times in the past when people have been killed in mass numbers and persecuted because of their religious convictions.

You can make a compelling argument that the tragic war in Bosnia today is more of a religious war than an ethnic war. The truth is, biologically, there is no difference in the Serbs, the Croats and the Muslims. They are Catholics, Orthodox Christians and Muslims, and they are so for historic reasons. But it's really more of a religious war than an ethnic war when properly viewed. And I think it's very important that the people in this school are learning that and, in the process, will come back to that every great religion teaches honesty and trustworthiness and responsibility and devotion to family, and charity and compassion toward others.

Our sense of our own religion and our respect for others has really helped us to work together for two centuries. It's made a big difference in the way we live and the way we function and our ability to overcome adversity. The Constitution wouldn't be what it is without James Madison's religious values. But it's also, frankly, given us a lot of elbow room. I remember, for example, that Abraham Lincoln was derided by his opponents because he belonged to no organized church. But if you read his writings and you study what happened to him, especially after he came to the White House, he might have had more spiritual depth than any person ever to hold the office that I now have the privilege to occupy.

So we have followed this balance, and it has served us well. Now what I want to talk to you about for a minute is that our Founders understood that religious freedom basically was a coin with two sides. The Constitution protected the free exercise of religion, but prohibited the establishment of religion. It's a careful balance that's uniquely American. It is the genius of the First Amendment. It does not, as some people have implied, make us a religion-free country. It has made us the most religious country in the world.

It does not convert -- let's just take the areas of

greatest controversy now -- all the fights have come over 200 years over what those two things mean: What does it mean for the government to establish a religion, and what does it mean for a government to interfere with the free exercise of religion. The Religious Freedom Restoration Act was designed to clarify the second provision -- government interfering with the free exercise of religion and to say you can do that almost never. You can do that almost never. (Applause.)

We have had a lot more fights in the last 30 years over what the government establishment of religion means. And that's what the whole debate is now over the issue of school prayer, religious practices in the schools and things of that kind. And I want to talk about it because our schools are the places where so much of our hearts are in America and all of our futures are. And I'd like to begin by just sort of pointing out what's going on today and then discussing it if I could. And, again, this is always kind of inflammatory; I want to have a noninflammatory talk about it. (Laughter.)

First of all, let me tell you a little about my personal history. Before the Supreme Court's decision in Engel against Vitale, which said that the state of New York could not write a prayer that had to be said in every school in New York every day, school prayer was as common as apple pie in my hometown. And when I was in junior high school, it was my responsibility either to start every day by reading the Bible or get somebody else to do it. Needless to say, I exerted a lot of energy in finding someone else to do it from time to time, being a normal 13-year-old boy.

Now, you could say, well, it certainly didn't do any harm; it might have done a little good. But remember what I told you. We had two synagogues in my hometown. We also had pretended to be deeply religious and there were no blacks in my school, they were in a segregated school. And I can tell you that all of us who were in there doing it never gave a second thought most of the time to the fact that we didn't have blacks in our schools and that there were Jews in the classroom who were probably deeply offended by half the stuff we were saying or doing -- or maybe made to feel inferior.

I say that to make the point that we have not become less religious over the last 30 years by saying that schools cannot impose a particular religion, even if it's a Christian religion and 98 percent of the kids in the schools are Christian and Protestant. I'm not sure the Catholics were always comfortable with what we did either. We had a big Catholic population in my school and in my hometown. But I did that -- I have been a part of this debate we are talking about. This is a part of my personal life experience. So I have seen a lot of progress made and I agreed with the Supreme Court's original decision in Engel v. Vitale.

Now, since then, I've not always agreed with every decision the Supreme Court made in the area of the First Amendment. I said the other day I didn't think the decision on the prayer at the

commencement, where the Rabbi was asked to give the nonsectarian prayer at the commencement -- I didn't agree with that because I didn't think it any coercion at all. And I thought that people were not interfered with. And I didn't think it amounted to the establishment of a religious practice by the government. So I have not always agreed.

But I do believe that on balance, the direction of the First Amendment has been very good for America and has made us the most religious country in the world by keeping the government out of creating religion, supporting particular religions, interfering, and interfering with other people's religious practices.

What is giving rise to so much of this debate today I think is two things. One is the feeling that the schools are special and a lot of kids are in trouble, and a lot of kids are in trouble for nonacademic reasons, and we want our kids to have good values and have a good future.

Let me give you just one example. There is today, being released, a new study of drug use among young people by the group that Joe Califano was associated with -- Council for a Drug-Free America -- massive poll of young people themselves. It's a fascinating study and I urge all of you to get it. Joe came in a couple of days ago and briefed me on it. It shows disturbingly that even though serious drug use is down overall in groups in America, casual drug use is coming back up among some of our young people who no longer believe that it's dangerous and have forgotten that it's wrong and are basically living in a world that I think is very destructive.

And I see it all the time. It's coming back up. Even though we're investing money and trying to combat it in education and treatment programs, and supporting things like the DARE program. And we're breaking more drug rings than ever before around the world. It's almost -- it's very disturbing because it's fundamentally something that is kind of creeping back in.

But the study shows that there are three major causes for young people not using drugs. One is they believe that their future depends upon their not doing it; they're optimistic about the future. The more optimistic kids are about the future, the less likely they are to use drugs.

Second is having a strong, positive relationship with their parents. The closer kids are to their parents and the more tuned in to them they are, and the more their parents are good role models, the less likely kids are to use drugs.

You know what the third is? How religious the children are. The more religious the children are, the less likely they are to use drugs.

So what's the big fight over religion in the schools and

what does it mean to us and why are people so upset about it? I think there are basically three reasons. One is, people believe that -- most Americans believe that if you're religious, personally religious, you ought to be able to manifest that anywhere at any time, in a public or private place. Second, I think that most Americans are disturbed if they think that our government is becoming anti-religious, instead of adhering to the firm spirit of the First Amendment -- don't establish, don't interfere with, but respect. And the third thing is people worry about our national character as manifest in the lives of our children. The crime rate is going down in almost every major area in America today, but the rate of violent random crime among very young people is still going up.

So these questions take on a certain urgency today for personal reasons and for larger social reasons. And this old debate that Madison and Jefferson started over 200 years ago is still being spun out today basically as it relates to what can and cannot be done in our schools, and the whole question, specific question, of school prayer, although I would argue it goes way beyond that.

So let me tell you what I think the law is and what we're trying to do about it, since I like the First Amendment, and I think we're better off because of it, and I think that if you have two great pillars -- the government can't establish and the government can't interfere with -- obviously there are going to be a thousand different factual cases that will arise at any given time, and the courts from time to time will make decisions that we don't all agree with, but the question is, are the pillars the right pillars, and do we more or less come out in the right place over the long run.

The Supreme Court is like everybody else, it's imperfect -- and so are we. Maybe they're right and we're wrong. But we are going to have these differences. The fundamental balance that has been struck it seems to me has been very good for America, but what is not good today is that people assume that there is a positive-antireligious bias in the cumulative impact of these court decisions with which our administration -- the Justice Department and the Secretary of Education and the President -- strongly disagree. So let me tell you what I think the law is today and what I have instructed the Department of Education and the Department of Justice to do about it.

The First Amendment does not -- I will say again -- does not convert our schools into religion-free zones. If a student is told he can't wear a yarmulke, for example, we have an obligation to tell the school the law says the student can, most definitely, wear a yarmulke to school. If a student is told she cannot bring a Bible to school, we have to tell the school, no, the law guarantees her the right to bring the Bible to school.

There are those who do believe our schools should be value-neutral and that religion has no place inside the schools. But I think that wrongly interprets the idea of the wall between church

and state. They are not the walls of the school.

There are those who say that values and morals and religions have no place in public education; I think that is wrong. First of all, the consequences of having no values are not neutral. The violence in our streets -- not value neutral. The movies we see aren't value neutral. Television is not value neutral. Too often we see expressions of human degradation, immorality, violence and debasement of the human soul that have more influence and take more time and occupy more space in the minds of our young people than any of the influences that are felt at school anyway. Our schools, therefore, must be a barricade against this kind of degradation. And we can do it without violating the First Amendment.

I am deeply troubled that so many Americans feel that their faith is threatened by the mechanisms that are designed to protect their faith. Over the past decade we have seen a real rise in these kind of cultural tensions in America. Some people even say we have a culture war. There have been books written about culture war, the culture of disbelief, all these sort of trends arguing that many Americans genuinely feel that a lot of our social problems today have arisen in large measure because the country led by the government has made an assault on religious convictions. That is fueling a lot of this debate today over what can and cannot be done in the schools.

Much of the tension stems from the idea that religion is simply not welcome at all in what Professor Carter at Yale has called the public square. Americans feel that instead of celebrating their love for God in public, they're being forced to hide their faith behind closed doors. That's wrong. Americans should never have to hide their faith. But some Americans have been denied the right to express their religion and that has to stop. That has happened and it has to stop. It is crucial that government does not dictate or demand specific religious views, but equally crucial that government doesn't prevent the expression of specific religious views.

When the First Amendment is invoked as an obstacle to private expression of religion it is being misused. Religion has a proper place in private and a proper place in public because the public square belongs to all Americans. It's especially important that parents feel confident that their children can practice religion. That's why some families have been frustrated to see their children denied even the most private forms of religious expression in public schools. It is rare, but these things have actually happened.

I know that most schools do a very good job of protecting students' religious rights, but some students in America have been prohibited from reading the Bible silently in study hall. Some student religious groups haven't been allowed to publicize their meetings in the same way that nonreligious groups can. Some students have been prevented even from saying grace before lunch. That is rare, but it has happened and it is wrong. Wherever and whenever the religious rights of children are threatened or suppressed, we must move quickly

to correct it. We want to make it easier and more acceptable for people to express and to celebrate their faith.

Now, just because the First Amendment sometimes gets the balance a little bit wrong in specific decisions by specific people doesn't mean there's anything wrong with the First Amendment. I still believe the First Amendment as it is presently written permits the American people to do what they need to do. That's what I believe. (Applause.) Let me give you some examples and you see if you agree.

First of all, the First Amendment does not require students to leave their religion at the schoolhouse door. We wouldn't want students to leave the values they learn from religion, like honesty and sharing and kindness, behind the schoolhouse door -- behind at the schoolhouse door, and reinforcing those values is an important part of every school's mission.

Some school officials and teachers and parents believe that the Constitution forbids any religious expression at all in public schools. That is wrong. Our courts have made it clear that that is wrong. It is also not a good idea. Religion is too important to our history and our heritage for us to keep it out of our schools. Once again, it shouldn't be demanded, but as long as it is not sponsored by school officials and doesn't interfere with other children's rights, it mustn't be denied.

For example, students can pray privately and individually whenever they want. They can say grace themselves before lunch. There are times when they can pray out loud together. Student religious clubs in high schools can and should be treated just like any other extracurricular club. They can advertise their meetings, meet on school grounds, use school facilities just as other clubs can. When students can choose to read a book to themselves, they have every right to read the Bible or any other religious text they want.

Teachers can and certainly should teach about religion and the contributions it has made to our history, our values, our knowledge, to our music and our art in our country and around the world, and to the development of the kind of people we are. Students can also pray to themselves -- preferably before tests, as I used to do. (Laughter.)

Students should feel free to express their religion and their beliefs in homework, through art work, during class presentations, as long as it's relevant to the assignment. If students can distribute flyers or pamphlets that have nothing to do with the school, they can distribute religious flyers and pamphlets on the same basis. If students can wear T-shirts advertising sports teams, rock groups or politicians, they can also wear T-shirts that promote religion. If certain subjects or activities are objectionable to their students or their parents because of their religious beliefs, then schools may, and sometimes they must, excuse

the students from those activities.

Finally, even though the schools can't advocate religious beliefs, as I said earlier, they should teach mainstream values and virtues. The fact that some of these values happen to be religious values does not mean that they cannot be taught in our schools.

All these forms of religious expression and worship are permitted and protected by the First Amendment. That doesn't change the fact that some students haven't been allowed to express their beliefs in these ways. What we have to do is to work together to help all Americans understand exactly what the First Amendment does. It protects freedom of religion by allowing students to pray, and it protects freedom of religion by preventing schools from telling them how and when and what to pray. The First Amendment keeps us all on common ground. We are allowed to believe and worship as we choose without the government telling any of us what we can and cannot do.

It is in that spirit that I am today directing the Secretary of Education and the Attorney General to provide every school district in America before school starts this fall with a detailed explanation of the religious expression permitted in schools, including all the things that I've talked about today. I hope parents, students, educators and religious leaders can use this directive as a starting point. I hope it helps them to understand their differences, to protect student's religious rights, and to find common ground. I believe we can find that common ground.

This past April a broad coalition of religious and legal groups -- Christian and Jewish, conservative and liberal, Supreme Court advocates and Supreme Court critics -- put themselves on the solution side of this debate. They produced a remarkable document called "Religion in Public Schools: A Joint Statement of Current Law." They put aside their deep differences and said, we all agree on what kind of religious expression the law permits in our schools. My directive borrows heavily and gratefully from their wise and thoughtful statement. This is a subject that could have easily divided the men and women that came together to discuss it. But they moved beyond their differences and that may be as important as the specific document they produced.

I also want to mention over 200 religious and civic leaders who signed the Williamsburg Charter in Virginia in 1988. That charter reaffirms the core principles of the First Amendment. We can live together with our deepest differences and all be stronger for it.

The charter signers are impressive in their own right and all the more impressive for their differences of opinion, including Presidents Ford and Carter; Chief Justice Rehnquist and the late Chief Justice Burger; Senator Dole and former Governor Dukakis; Bill Bennett and Lane Kirkland, the president of the AFL-CIO; Norman Lear and Phyllis Schlafly signed it together -- (laughter) -- Coretta

Scott King and Reverend James Dobson:

These people were able to stand up publicly because religion is a personal and private thing for Americans which has to have some public expression. That's how it is for me. I'm pretty old-fashioned about these things. I really do believe in the constancy of sin and the constant possibility of forgiveness, the reality of redemption and the promise of a future life. But I'm also a Baptist who believe that salvation is primarily personal and private, that my relationship is directly with God and not through any intermediary.

People -- other people can have different views. And I've spent a good part of my life trying to understand different religious views, celebrate them and figure out what brings us together.

I will say again, the First Amendment is a gift to us. And the Founding Fathers wrote the Constitution in broad ways so that it could grow and change, but hold fast to certain principles. They knew -- they knew that all people were fallible and would make mistakes from time to time. And I have -- as I said, there are times when the Supreme Court makes a decision, if I disagree with it, one of us is wrong. There's another possibility: both of us could be wrong. (Laughter.) That's the way it is in human affairs.

But what I want to say to the American people and what I want to say to you is that James Madison and Thomas Jefferson did not intend to drive a stake in the heart of religion and to drive it out of our public life. What they intended to do was to set up a system so that we could bring religion into our public life and into our private life without any of us telling the other what to do.

This is a big deal today. One county in America, Los Angeles County, has over 150 different racial and ethnic groups in it -- over 150 different. How many religious views do you suppose are in those groups? How many? Every significant religion in the world is represented in significant numbers in one American county, and many smaller religious groups -- in one American county.

We have got to get this right. We have got to get this right. And we have to keep this balance. This country needs to be a place where religion grows and flourishes.

Don't you believe that if every kid in every difficult neighborhood in America were in a religious institution on the weekends, the synagogue on Saturday, a church on Sunday, a mosque on Friday, don't you really believe that the drug rate, the crime rate, the violence rate, the sense of self-destruction would go way down and the quality of the character of this country would go way up? (Applause.)

But don't you also believe that if for the last 200 years we had had a state governed religion, people would be bored with it, think that it would -- (laughter and applause) -- they would think it

had been compromised by politicians, shaved around the edges, imposed on people who didn't really content to it, and we wouldn't have 250,000 houses of worship in America? (Applause.) I mean, we wouldn't.

It may be perfect -- imperfect, the First Amendment, but it is the nearest thing ever created in any human society for the promotion of religion and religious values because it left us free to do it. And I strongly believe that the government has made a lot of mistakes which we have tried to roll back in interfering with that around the edges. That's what the Religious Freedom Restoration Act is all about. That's what this directive that Secretary Riley and the Justice Department and I have worked so hard on is all about. That's what our efforts to bring in people of different religious views are all about. And I strongly believe that we have erred when we have rolled it back too much. And I hope that we can have a partnership with our churches in many ways to reach out to the young people who need the values, the hope, the belief, the convictions that comes with faith, and the sense of security in a very uncertain and rapidly changing world.

But keep in mind we have a chance to do it because of the heritage of America and the protection of the First Amendment. We have to get it right.

Thank you very much. (Applause.)

END

11:37 A.M. EDT