

Instruction**BP 6141.2 (a)****RECOGNITION OF RELIGIOUS BELIEFS AND CUSTOMS**

The Governing Board recognizes that students' education would be incomplete without an understanding of the role of religion in society. As appropriate for a particular course, teachers may objectively discuss the influences of various religions, using religious works and symbols to illustrate their relationship with culture, literature or the arts. The Board expects that such instruction will identify principles common to all religions and foster respect for the diversity of religions and customs in the world and be consistent with the adopted instructional materials and state standards, as applicable.

In order to respect each student's individual right to freedom of religious practice, religious indoctrination is forbidden in the public schools. The Superintendent or designee shall ensure that instruction about religion shall not promote or denigrate the beliefs or customs of any particular religion or sect, nor should a preference be shown for one religious viewpoint over another. Teachers and other district staff shall be highly sensitive to their obligation not to interfere with the religious development of any student in whatever tradition the student embraces, and treat all religions and religious conviction, including nonbelief, with fairness and respect.

Staff shall not endorse, encourage or solicit religious or anti-religious expression or activities among students during class time.

Staff shall not coerce students in prayer or other religious activities as part of their official duties. However, staff are not prohibited, when acting in their private capacity, from encouraging students' participation in personal prayer or other religious activity. Additionally, staff shall not prohibit or discourage any student from praying or otherwise expressing his/her religious belief as long as this does not disrupt the classroom or other district sponsored activity.

Students may express their beliefs about religion in their homework, artwork and other class work if the expression is germane to the assignment. Such work shall be judged by ordinary academic standards, relevance, and other legitimate pedagogical objectives.

While teaching about religious holidays is a permissible part of the educational program, celebrating religious holidays is not allowed in the district. District-sponsored programs shall not be, nor have the effect of being, religiously oriented or a religious celebration. School and classroom decorations may express seasonal themes that are not religious in nature. The use of religious symbols that are part of a religious holiday is permitted as a teaching aid or resource provided that such symbols are displayed as an example of cultural and religious heritage of the holiday and temporary in nature.

Classroom methods in instruction about religion shall not include religious role-playing activities or simulated religious devotional acts.

Instruction**BP 6141.2 (b)****RECOGNITION OF RELIGIOUS BELIEFS AND CUSTOMS**

Music, art, literature or drama programs having religious themes are permitted as part of the curriculum for district-sponsored activities and programs if presented in an objective manner and as a traditional part of the cultural and religious heritage.

District schools shall not prohibit religious activities if the same or similar non-religious activities are permitted.

When required by law, the district shall notify parents/guardians that they may, via written request, opt their students out of instruction on the basis of their religious beliefs as specified in the accompanying administrative regulation. Students whose parents/guardians opt them out of such instruction may be offered an alternative activity of similar educational value. Additionally, a student shall not be subject to disciplinary action, academic penalty, or other sanction on the grounds that the student was opted out of such instruction.

State

Ed. Code 38130-38139: Civic Center Act

Ed. Code 46014: Absences for religious purposes

Ed. Code 51240: Excuse from instruction due to religious beliefs

Ed. Code 51511: Religious matters properly included in courses of study

Ed. Code 51930-51939: California Healthy Youth Act

Federal

20 USC 4071-4074: Equal Access Act

20 USC 6061: School prayer

20 USC 7904: School prayer

Management Resources

California Department of Education Publication: Appendix F history social science framework for California public schools

Court Decision: Mahmoud v. Taylor (2025) 606 U.S. ____ (2025 WL 1773627)

Court Decision: Florey v. Sioux Falls (1980) 619 F.2d 1311

Court Decision: Fellowship of Christian Athletes v. San Jose Unified School District Board of Education (2023) 82 F.4th 664

Court Decision; Kennedy v. Bremerton (2022) 142 S.Ct. 2407

Court Decision: Cole v. Oroville Union High School District (2000, 9th Cir.) 228 F.3d 1092

Court Decision: Lassonde v. Pleasanton Unified School District (2003, 9th Cir.) 320 F.3d 979

Court Decision: Lemon v. Kurtzman (1971) 403 U.S. 602

U.S. Department of Education Publication: Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools, May 2023

Website: CSBA District and County Office of Education Legal Services

Website: California Department of Education

Website: CSBA

Website: U.S. Department of Education

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ORCUTT UNION SCHOOL DISTRICT
Orcutt, California