

Marcia Beauchamp



Marcia Beauchamp holds a master's degree in theological studies and secondary education from Harvard Divinity School and has experience teaching at both the high school and college levels. Most recently she has worked as Religious Freedom Programs Coordinator for The Freedom Forum First Amendment Center where her duties included coordination of the activities of the California 3 Rs Project (Rights, Responsibilities, Respect), the largest of the state education projects sponsored by the First Amendment Center. She is a member of the AAR's Religion in the Schools Task Force.

Before September 11, 2001, the need to address religion and religious perspectives in the curriculum and throughout the school culture was not high on the educational agenda of many schools. Perhaps now that will change.

The tragic events of that day are a clear reminder that religion matters. It matters in a world torn by conflict over religious differences. And it matters in our nation — the most religiously diverse place on Earth. From the sublime examples of abiding faith found in the stories of suffering families to the ugly attacks on American Muslims (and others mistaken for Muslims), religion is suddenly front and center in America's public square.

Of course, it shouldn't take a national crisis or outbreaks of hate and ignorance to get educators to notice how poorly religion is addressed in America's public and private schools. We have known about our failure to include religion in the curriculum for more than a decade through multiple textbook studies, and periodic reports from the Association for Supervision and Curriculum Development, the National Council for the Social Studies, and others.¹ Only in the last few years have textbooks and schools even begun to address religion, while most schools of education continue to ignore it altogether.

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We have also known for some time that our diverse student populations have many religious needs and requirements that schools must do more to accommodate.

On December 17, 1999, President Clinton used his radio address to announce that the U.S. Department of Education would send religious liberty guidelines to every public school in the nation.³ Although largely ignored by the media, this action by the president is nothing less than historic. For the first time in American history, every school will have consensus guidelines on the religious liberty rights of students, the appropriate role for religion in the curriculum, and partnerships between faith communities and public schools.

A Growing Concern

The packet of guidelines from the U.S. Department of Education represents the culmination of fifteen years of hard work by many religious and educational groups, representing a broad spectrum of views. It is the most important and comprehensive step to date in the effort to get beyond the controversy and conflict that has characterized the “religion and schools” debate for many years. Much of the confusion about these issues may be traced to a misunderstanding and misapplication of the Supreme Court’s decisions of the early 1960’s, striking down state-sponsored prayer and devotional Bible reading in public schools.⁴ The political rhetoric surrounding these decisions convinced many Americans, including many school administrators, that religion and religious expression had no place in public schools. Fear of controversy also led many textbook publishers largely to ignore the role of religion in history and other subjects.

By the mid-1980’s, however, the tide began to turn. Textbook studies by both liberal and conservative groups, as well as textbook trials in Alabama and Tennessee, highlighted the need for schools to take religion more seriously. Lawsuits proliferated on both sides of the debate. From the right, conservative Christians challenged school policies they believed unconstitutionally banned student religious speech during the school day. From the left, civil libertarians and separationists challenged school practices (particularly in the rural South), they saw as continuing to involve school officials in promoting religion.

Political pressure to address the problem of public schools as “religion-free zones” led to the passage of the Equal Access Act in 1984, which was upheld as constitutional by the U.S. Supreme Court in 1990.⁵ For many conservatives, this legislation represents a major breakthrough in the effort to allow for student religious expression in public schools.

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While the Equal Access Act opened the door to student religious expression, it did not answer the many other questions about religious liberty rights of students, and it did nothing to address the question of religion in the curriculum.

Building A New Consensus

In the wake of the textbook studies and controversies, a collection of diverse religious and educational groups decided we could do better on issues of religion in the public schools. In an effort to move us beyond the fights of the past, this group of organizations met to develop guidelines regarding some unresolved issues.⁷

In an effort to demonstrate that consensus already existed on the many ways to address religion in the schools, several important pamphlets were produced by this coalition. *Religion in the Public School Curriculum: Questions and Answers*

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Religious Holidays in the Public Schools

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Equal Access and the Public Schools: Questions and Answers

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are all products of this diverse coalition's work together.

The way in which these documents were created is as important as what they say. They are consensus statements, providing schools with assurance that they represent a broad range of views coming to agreement. As a result, they have been widely disseminated by the organizations that participated in their creation. Many school districts across the country have adopted the language of the guides as they have created policies to address a range of issues related to religion in schools.

Simultaneous with these efforts to reach consensus, the Williamsburg Charter Foundation brought together a diverse group of citizens to affirm American commitment to the civic framework provided by the Religious Liberty Clauses of the First Amendment. In 1988, 200 national leaders, including representatives of America's major faiths, political leaders, and scholars, signed the *Williamsburg Charter*,¹¹ rededicating American citizens to the principles of religious freedom guaranteed by the First Amendment to the United States Constitution. This

charter articulates the fundamental principles undergirding religious freedom: religious liberty or
freedom of conscience as an inalienable *right; a*
commitment to take seriously the civic
responsibility
to protect that right for all citizens, including those with whom we disagree; and a commitment to
debate our deep differences with civility and
respect

In more recent years, significant consensus has emerged on what the law says about religion in public schools. This led to the April, 1995 publication of the *Joint Statement of Current Law*.¹² A group of twelve religious and civil rights organizations — chaired by the American Jewish Congress, and including the Christian Legal Society and the American Civil Liberties Union — drafted the Statement, with twenty-three additional organizations endorsing it. The *Joint Statement of Current Law* became the foundation for the growing consensus on the law that has followed. This pamphlet covers issues such as religious expression rights of students in a public school, religious activities at official school events, student assignments and religion, and teaching values.

The shared vision of the role of religion and religious liberty in public schools is clearly articulated by *Religious Liberty, Public Education, and the Future of American Democracy: A Statement of Principles*, published in 1995.¹³ Principle IV states:

Public schools may not inculcate nor inhibit religion. They must be places where religion and religious conviction are treated with fairness and respect. Public schools uphold the First Amendment when they protect the religious liberty rights of students of all faiths or none. Schools demonstrate fairness when they ensure that the curriculum includes study about religion, where appropriate, as an important part of a complete education.

This vision, endorsed by twenty-four religious and educational organizations — from the Christian Coalition and the National Association of Evangelicals, to People for the American Way and the Anti-Defamation League — indicates how far we have come in finding common ground on religion in the public schools.

Spreading the Word

In spite of the consensus that has developed, many school districts are still afraid to address the issues, and most have not taken a pro-active stance. Many are still without effective policies, and in almost every case the curriculum still largely ignores religion.

In various school districts however, there are now some very successful efforts to translate the new consensus into real change. Taking the principles of *rights*, *responsibilities*, and *respect*, articulated in the

Williamsburg Charter

, the First Amendment Center's Religious Freedom Programs have partnered with state educational organizations and departments to create 3 Rs Projects across the country.

The most fully developed programs exist in California, in partnership with the California County Superintendents Educational Services Association, and in Utah, with the Utah State Office of Education. The 3 Rs Projects are designed to help schools and communities find common ground on educational philosophy, school reform, and the role of religion and values in public schools through workshops, institutes, and forums.¹⁴ Other communities, such as Richardson, Texas, Tulsa, Oklahoma, and Bay Shore, New York, have also embraced these principles and put them into policies, training for teachers and administrators, and workshops on teaching about religion in the public schools.

These efforts were aided when, in 1995, President Clinton directed Secretary of Education Richard Riley to develop and distribute to every public school superintendent guidelines for religious expression in the public schools. The President's guidelines were based upon the earlier *Joint Statement of Current Law* and consultation with experts in the field. With very slight alteration, these guidelines were re-released to superintendents again in 1998.

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Responding to a request by the Secretary of Education for a version of the President's guidelines that would be suitable for parents, the First Amendment Center, in partnership with the National PTA, published *A Parent's Guide to Religion in the Public Schools*.¹⁶ It was also released in 1995, and distributed widely by both organizations.

In December of 1999, when President Clinton asked the Secretary of Education to send out another mailing, a new strategy was employed. This time, the mailing would be a comprehensive set of guidelines and would go to every principal in every public school in the nation. A complete packet of guidelines addressing many of the thorniest issues in public

education is now in the hands of every public school principal in the nation.

The five publications included in the mailing were:

- ***Religious Expression in the Public Schools***

Provides a statement of principles from the US Secretary of Education that addresses the extent to which religious expression and activity are permitted in U.S. public schools.

- ***A Parent's Guide to Religion in the Public Schools***

Provides general information based on the First Amendment concerning religious expression and practices in schools. This booklet uses a question and answer format to address topics such as how to find common ground, student religious expression, student prayer, teaching about religion, religious holidays, student religious clubs, and character education. It contains a list of free-speech resource organizations and information on how to obtain a more in-depth guide to religion in public schools.

- ***A Teacher's Guide to Religion in the Public Schools***

Provides general information for teachers and administrators on the subject of religion in public schools. This guide answers questions such as, Is it constitutional to teach about religion?; May I pray or otherwise practice my faith while at school?; and May students express religious views in public schools?.

- ***Public Schools and Religious Communities: A First Amendment Guide***

Focuses on arrangements between public schools and religious institutions, given the special constitutional implications of those relationships. Addresses such issues as crisis counseling, mentoring programs, and use of school facilities.

- ***How Faith Communities Support Children's Learning in Public Schools***

Provides examples of ways in which faith communities such as the Male Youth Enhancement Project at Shiloh Baptist Church (Washington D.C.), the Interdenominational Ministerial Alliance (Panellas County, Florida), and the National Jewish Coalition for Literacy have made a positive impact on children's learning. This booklet also summarizes the dos and don'ts for partnerships between faith-based communities and public schools that were first developed in *Religious Expression in Public Schools*.

Also added to the packet was a “Things to Do” checklist for partnerships involving public schools and faith-based communities. This checklist was added to the packet at the request of some civil liberties groups who believed there should be more guidance and caution as schools and religious communities worked out these partnerships.

This Department of Education mailing provides an historic opportunity to take the consensus on religious expression in schools to a new level. In spite of the guidelines and the many good examples in communities across the nation, some school districts still impose religion, and some ignore or are hostile to it. Everywhere, the curriculum still fails to take religion seriously.¹⁷ The fact that every school now has these guidelines means that schools in every community can develop policies on religion and religious expression in their schools confidently, ensuring that students of all faiths or none are treated with fairness and respect. Textbooks and classrooms can and should begin to reflect the shared vision for the role of religion in the curriculum. Where we still have disagreements, they can be debated civilly in an environment dedicated to the common good. Schools and communities no longer have any excuse for thinking that religion should be ignored or imposed, since there now exists a widely agreed upon third model.

Remaining Challenges

While the broad-based consensus achieved is real, and the distribution of these materials to schools across the nation is historic in its potential impact, there is much more to be done. Not every challenge faced by public schools is solved by the law or court decisions, and sometimes guidelines need to be supplemented with hands-on assistance.

On issues where we still have deep and abiding differences, such as creationism and evolution, and sexuality and sex education, developing processes for debating our differences with respect and finding some common ground is crucial. School districts struggling with these and other “hot button” issues should be encouraged to reach out to organizations like the ones listed at the back of the Department of Education’s guidelines for assistance (see List of Organizations below).

If religion and religious conviction are to be treated fairly and with respect in our public schools, then teaching about religion must be taken more seriously.

...if public schools `may not inculcate nor inhibit' religion, if they are to remain neutral concerning religion, then the curriculum must include religious as well as secular ways of understanding the world.¹⁸

In order to teach about religion in an objective way, appropriate to a public school education, teachers must themselves learn something about religion. They must know something about the world's religions generally, and something about how religion impacts their own area of expertise. This is not currently a part of what teachers are expected to know when they complete their teacher training programs, but it must be included if students are to receive a complete education.

Similarly, in order to promote a civil environment in our schools where all the members of the public school are treated with respect, teachers must understand their role as representatives of our common compact as Americans. In a significant way, "we the people" are represented by public school employees. Their role carries with it a responsibility to be neutral in religious matters, and to protect the freedom of conscience of each student in the school.

These issues still present challenges to us that are only magnified by our increasing pluralism. We now have an unprecedented opportunity to rise to the challenge to apply fully and fairly the principles and ideals in our Constitution and Bill of Rights. Not to some Americans, but to all. Our public schools are the obvious place to begin.

[**Note to Reader:** An earlier version of this essay appeared in *Religion and Education*, 27:1, Fall, 2000.]

Endnotes

¹ See the following textbook studies: O.L. Davis, et. al. *Looking At History: A Review of Major U.S. History Textbooks* . Washington D.C.: People for the American Way, 1986; Haynes, Charles C. *Teaching About Religious Freedom in American Secondary Schools*

. Silver Spring, MD: Americans United Research Foundation, 1985; Vitz, Paul.

Censorship: Evidence of Bias in Our Children's Textbooks

. Ann Arbor: Servant Books, 1986. See also

Religion in the Curriculum

, a report published by the Association for Supervision and Curriculum Development in 1987.

² See *Teaching About Religion in National and State Social Studies Standards*, by Susan Douglass. Conducted by the Council on Islamic Education and published by the Freedom Forum First Amendment Center, 2000. Executive summary available by calling the First Amendment Center at 615-321-9588.

³ The press release for this address can be found at the [Federal Department of Education's web site](#)

⁴ *Engle v. Vitale*, 370 US 421 (1962) and *Abington School District v. Schempp*, 374 US 203 (1963).

⁵ *Westside Community Schools v. Mergens* 496 US 226 (1990).

⁶ The Equal Access Act (20 USC. 4071-74) allows for religious expression by students in secondary public schools. The Act lays out the conditions under which students may initiate and form religious clubs, namely, if other non-curriculum related clubs are allowed to meet, and it provides clear guidance to schools in maintaining neutrality with respect to those clubs.

⁷ This coalition was co-chaired by Charles Haynes, then with Americans United Research Foundation, and Oliver Thomas of the Baptist Joint Committee.

⁸ "Religion in the Public School Curriculum: Questions and Answers," *Finding Common Ground*, Haynes, Charles C. and Oliver Thomas, eds. (Nashville: The First Amendment Center, 1998), 6.1.

⁹ "Religious Holidays in the Public Schools," *Finding Common Ground*, Haynes, Charles C. and Oliver Thomas, eds. (Nashville: The First Amendment Center, 1998), 10.1.

¹⁰ "Equal Access and the Public Schools: Questions and Answers," *Finding Common Ground*, Haynes, Charles C. and Oliver Thomas, eds. (Nashville: The First Amendment Center, 1998), 11.4.

¹¹ Hunter, James Davison and Os Guinness, eds. *The Williamsburg Charter*. Washington: The Brookings Institution, 1990.

¹² *Religion in the Public Schools: A Joint Statement of Current Law*, New York: American Jewish Congress, 1995.

¹³ *Religious Liberty, Public Education, and the Future of American Democracy: A Statement of Principles*. Nashville: First Amendment Center, 1995.

¹⁴ For more information on 3 Rs Projects, contact Charles Haynes, Senior Scholar, Religious Freedom Programs of the First Amendment Center, TEL: 703-528-0800.

¹⁵ The most recent version is reprinted in *Finding Common Ground*, 13.1, and is available from the Federal Department of Education.

¹⁶ *A Parent's Guide to Religion in the Public Schools*, 1995, a joint publication of The National PTA and the First Amendment Center. It is available free of charge from the First Amendment Center.

¹⁷ Nord, Warren A. and Charles C. Haynes. *Taking Religion Seriously Across the Curriculum*. Alexandria, VA: Association for Supervision and Curriculum Development, 1998.

¹⁸ Nord and Haynes, *Taking Religion Seriously*, 23.

List of Organizations

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

American Association of School Administrators

Contact: Andrew Rotherham

Address: 1801 North Moore Street, Arlington, VA 22209

Phone: (703) 528-0700

Fax: (703) 528-2146

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

American Jewish Congress

Contact: Marc Stern

Address: 15 East 84th Street, New York, NY 10028

Phone: (212) 360-1545

Fax: (212) 861-7056

Christian Legal Society

Contact: Steven McFarland

Address: 4208 Evergreen Lane, #222, Annandale, VA 22003

Phone: (703) 642-1070

Fax: (703) 642-1075

Web site: <http://www.clsnet.com>

Freedom Forum

Contact: Charles Haynes

Address: 1101 Wilson Boulevard, Arlington, VA 22209

Phone: (703) 528-0800

Fax: (703) 284-2879

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

National Association of Evangelicals

Contact: 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 PTA

Contact: Maribeth Oakes

Address: 1090 Vermont Avenue NW, Suite 1200, Washington, DC 20005

Phone: (202) 289-6790

Fax: (202) 289-6791

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

National School Boards Association

Contact: Laurie Westley

Address: 1680 Duke Street, Alexandria, VA 22314

Phone: (703) 838-6703

Fax: (703) 548-5613

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

Religious Action Center of Reform Judaism

Contact: Rabbi David Saperstein

Address: 2027 Massachusetts Avenue NW, Washington, DC 20036

Phone: (202) 387-2800

Fax: (202) 667-9070

Web site: <http://www.rj.org/rac/>