

MONTGOMERY COUNTY PUBLIC SCHOOLS

GUIDELINES
FOR RESPECTING
Religious Diversity





VISION

We inspire learning by providing the greatest public education to each and every student.

MISSION

Every student will have the academic, creative problem solving, and social emotional skills to be successful in college and career.

CORE PURPOSE

Prepare all students to thrive in their future.

CORE VALUES

*Learning
Relationships
Respect
Excellence
Equity*

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850 Hungerford Drive
Rockville, Maryland 20850
www.montgomeryschoolsmd.org



Dear Friends,

Montgomery County Public Schools (MCPS) is committed to a culture of respect and equity that embraces the diversity of our community and ensures that every student has the opportunity to succeed and thrive. Part of that commitment is making sure our students have the right to express their religious beliefs and practices, free from discrimination, bullying, or harassment. As a system, we are committed to making feasible and reasonable accommodations for those beliefs and practices.

That is why we created this guide. There are many Board of Education policies and MCPS regulations and procedures that address this important topic. But we felt it was important to put all this information together in one place so that the expectations were clear to our staff, our students, our families, and our community.

We have worked closely with members of the Montgomery County Executive's Faith Community Working Group and other stakeholders to create this guide and we appreciate their partnership and collaboration. These partnerships deepen our commitment to our core values of Learning, Relationships, Respect, Excellence, and Equity.

We hope you find this guide informative. Thank you for your continued support of MCPS students, staff, and families.

Respectfully,

Patricia B. O'Neill
President, Montgomery County Board of Education

Larry A. Bowers
Interim Superintendent, Montgomery County Public Schools

INTRODUCTION

Respecting Religious Diversity in Montgomery County Public Schools

Montgomery County Public Schools (MCPS) is committed to promoting respect and appreciation for the religions, beliefs, and customs of our diverse student population. MCPS believes that multiculturalism is one of our greatest strengths and should enrich our community as we learn together in our schools. Respect is a core value of MCPS and, therefore, fostering a culture where all families feel respected is of utmost importance.

Our nation and the state of Maryland have a deep and long-standing commitment both to the protection of religious liberty and to the separation of church and state. The First Amendment to the U.S. Constitution states: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof...” This means that the government may not promote one religion over another, prefer religion over nonreligion, or express hostility or opposition to religion.

The U.S. Supreme Court has emphasized the importance of neutrality toward religion by public schools. Schools must protect the religious liberty rights of all students while rejecting public endorsement of religion. Schools may neither inculcate nor inhibit religion, and students have a right to an academic environment where religious beliefs are not advocated in courses or in school-sponsored activities, such as commencements or assemblies. Equally important, each student has a right to his or her religious beliefs and practices, free from discrimination, bullying, or harassment, and MCPS is committed to making feasible and reasonable accommodations for those beliefs and practices.

MCPS created this guide, in collaboration with the Montgomery County Executive’s Faith Community Working Group, to answer frequently asked questions about religious guidelines for students while in school and during school-sponsored activities. We hope you find it helpful. If you have questions about anything in this guide, please first talk with your school administrators. If you have further questions, contact Dr. Donna Shimoda Hollingshead, Associate Superintendent of School Administration in the MCPS Office of School Support and Improvement, via e-mail at Donna_Hollingshead@mcpsmd.org. If your questions cannot be answered by staff, you also may contact the Board of Education Chief of Staff/Ombudsman Roland Ikheloa at Roland_Ikheloa@mcpsmd.org.

This guide is intended to provide a quick reference regarding several Montgomery County Board of Education policies and MCPS regulations, as well as state and federal laws, which guide the district on these topics. Please note that these legal requirements are subject to change and supersede the statements and references contained in this publication. Further information is available on our website, www.montgomeryschoolsmd.org.

QUICK REFERENCE GUIDE

Frequently Asked Questions

Are students' absences excused for observances of religious holidays?

YES. Families must follow all of the regular procedures to report and document absences. Please see the *Absences for Religious Holidays* section of these guidelines for further information.

Can students make up work due to absences for religious holidays?

YES. Families should work with their child's school to arrange for making up work. Please see the *Absences for Religious Holidays* section of these guidelines for more detailed information.

Can students pray during the school day?

YES, under certain circumstances. Please see the *Prayer and Religious Dress* section of these guidelines for more specific information.

Can students wear clothing associated with their religion?

YES. Students may wear scarves, hijabs, yarmulkes, patkas, or other clothing associated with their religion in accordance with MCPS regulations and policies. Please see the *Prayer and Religious Dress* section of these guidelines for more specific information.

Can religious topics be discussed in school assignments?

YES. Students may express their religious beliefs or nonbelief in school assignments as long as their expressions meet the assignment's requirements, are relevant to the topic, and follow the other guidelines discussed in this guide. In addition, objective and factual lessons about religion in literature, history, and the arts may be part of the MCPS curriculum. Please see the *Religion in the Instructional Program* section of these guidelines for further information.

Do schools accommodate students' religion-related dietary restrictions?

YES. Schools regularly work with students who may have religion-related dietary restrictions. Please see the *Food and Religious Observance* section of these guidelines for more information.

Can students distribute religious informational materials?

YES. Students may distribute religious materials on the same terms as they are permitted to distribute other informational material unrelated to school activities. Students must follow school rules about where, when, and how materials are distributed. Please see the *Distributing Religious Informational Materials* section of these guidelines for more information.

Are religious extracurricular clubs allowed in schools?

YES. Students have a right to organize religion-related extracurricular clubs or assemble and conduct religious meetings, prayer groups, or other observances of religious practices during noninstructional time, on the same basis as other extracurricular student groups that are not related directly to a subject taught in school. These religion-related extracurricular meetings or clubs must be student led. For more information and specific guidance, please see the *Extracurricular Student Religious Activities* section of these guidelines.

Absences for Religious Holidays

Attendance and Absences for Observance of Religious Holidays

Daily attendance at school is crucial to student achievement. Nevertheless, MCPS understands that students may miss school for a variety of reasons, including the observance of religious holidays. These are excused absences, and students will be allowed to make up missed assignments. If students miss school, they should bring a note from a parent or guardian providing a written explanation, within three school days of returning to school.

MCPS also will accommodate requests for late arrivals or early dismissals related to the observance of a religious holiday, but they must be authorized by a parent or guardian.

Although participation in any athletic event or practice generally requires athletes to attend all of their scheduled classes on the day of the event or practice, students who have prescheduled activities, such as the observance of a religious holiday, will be permitted to participate in athletic events or practices on the day of the absence, provided they receive advance approval from their school.

Because free exercise of religion is a constitutional right, MCPS schools that have perfect attendance awards may not withhold these awards from students whose only absences have been excused for the observance of religious holidays.

- For further details, see MCPS Regulation JEA-RA, *Student Attendance* www.montgomeryschoolsmd.org/departments/policy/pdf/jeara.pdf
- Montgomery County has developed a listing of Days of Commemoration, including certain holidays relating to the religious, ethnic, and cultural heritage of county residents, available at this link: www.montgomerycountymd.gov/mcg/commemorations.html
- The calendar on the MCPS website will display the Days of Commemoration as a reference for staff, students, parents/guardians, and community members, in addition to MCPS school closure information. The calendar is available at www.montgomeryschoolsmd.org/info/calendars/

Making Up Work After an Absence for Observing Religious Holidays

Students have a responsibility and generally are expected to make up work they miss while absent from school. It is best for students and their parents/guardians to plan ahead to arrange extensions or other accommodations for work that students will miss when they are absent to observe a religious holiday. However, MCPS realizes that it is not always realistic or possible to do so. If the absence is excused, the student's teacher will help a student make up work, offer a retest, or grant an extension on classwork or homework that was due during the student's observance of a religious holiday. While each situation must be addressed on a case-by-case basis, students typically will be eligible for an extension of up to three school days to make up work after an excused absence for observance of a religious holiday.

Prayer and Religious Dress

Prayer at School

Students are free to pray and discuss their religious views with other students, as long as these activities are voluntary, student initiated, and do not materially disrupt or infringe upon classroom instruction, other school activities, or the rights of others. For example, a student may say a prayer or read religious texts before a meal or before a test in informal settings, such as cafeterias or hallways, to the same extent that students are permitted to engage in nonreligious activities; or a student athlete may pray before a game or after scoring a touchdown or a goal as long as it does not unreasonably delay or disrupt the game or interfere with the rights of other athletes or spectators. While students may exercise their right to pray during the school day or at school-related activities, they may not compel, harass, or pressure others at school to participate in or listen to a prayer, sermon, or other religious activity. For instance, student-led prayers broadcast to all classes over the school's public announcement system would be impermissible.

If a student requests a quiet place to pray, schools will make a reasonable effort to accommodate the request, provided that space is available, there is appropriate staff monitoring to ensure student safety, and the educational process is not disrupted. This could mean a quiet space in the media center, an empty classroom, or other room.

Students and their parents/guardians should expect that MCPS teachers, administrators, and other staff will not organize, lead, initiate, endorse, or

actively participate in student prayers or other student religious activities during school hours or at school-sponsored events. MCPS staff may be present during student prayers or other student-led religious activities only for purposes of monitoring and providing oversight to ensure student and school safety.

Religious Dress

Students may not be disciplined for their style of dress unless it—

- is likely to cause significant disruption to school activities,
- endangers health or safety,
- fails to meet a reasonable requirement of a course or activity,
- is associated with gangs,
- is lewd, vulgar, obscene, or revealing or of a sexual nature, or
- promotes the use of tobacco, alcohol, or drugs.

As long as their style of dress is consistent with these guidelines, students should be permitted to wear scarves, hijabs, yarmulkes, patkas, or other clothing or jewelry associated with their religion or containing a religious message.

When possible, schools should provide reasonable accommodations to students, if they (or their parents/guardians on their behalf) request permission not to wear certain clothing during gym class or school-sponsored activities that they perceive as immodest, based on religious beliefs. Such accommodations do not preclude a student's participation in an activity.

Religion in the Instructional Program

Religion in School Assignments

Students are free to express religious beliefs or nonbelief in school assignments as long as their expressions are relevant to the topic and meet the requirements of the assignment. In the evaluation of school assignments, teachers will not discriminate based on the religious content of students' submissions. Schoolwork will be judged by ordinary academic standards and other legitimate educational interests. For example, if an assignment involves writing a poem, the work of a student who submits a poem in the form of a prayer (such as a psalm or a piyyut) will be evaluated based on academic standards (such as literary quality) and neither penalized nor rewarded based on the poem's religious content.

Requests to be Excused from Instructional Programs for Religious Reasons

When possible, schools should try to make reasonable and feasible adjustments to the instructional program to accommodate requests from students, or requests from parents/guardians on behalf of their students, to be excused from specific classroom discussions or activities that they believe would impose a substantial burden on their religious beliefs. Students, or their parents/guardians on behalf of their students, also have the right to ask to be excused from the classroom activity if the students, or their parents/guardians, believe the activity would invade student privacy by calling attention to the student's religion. When a student is excused from the classroom activity, the student will be provided an alternative to the school activity or assignment.

For example, it may be feasible to accommodate objections from students or their parents/guardians to a particular reading assignment on religious grounds by providing an alternative selection that meets the same lesson objectives. If requests for exemptions become too frequent or too burdensome, however, the school may refuse to accommodate the requests. Schools are not required to alter fundamentally the educational program or create a separate educational program or a separate course to accommodate a student's religious practice or belief.

Teaching About Religion or Religious Holidays in Schools

MCPS believes that schools should develop a climate in which children can learn and appreciate cultures and heritages different from their own. To this end, the MCPS curriculum recognizes the role of religions in literature, history, the humanities, and the arts. Indeed, it would be difficult to teach about these subjects without considering religious influences. The MCPS curriculum also builds students' understanding of the relationship between government and religious freedom as a preparation for full citizenship in a multicultural society. Students may attend elective classes, when available, on the history or comparative study of religions in which aspects of religion are discussed.

When students are taught about religion, they should expect instructional activities to be fair, objective, and not demean any religious or nonreligious beliefs. Respecting students' differing beliefs is an essential element of a pluralistic society. Classroom presentations by teachers, students, and/or guest speakers should not proselytize or advocate particular religious viewpoints as superior to other religious or nonreligious viewpoints. Students may or may not choose to share their ideas about religious

traditions. Students should expect that they will not be asked to be spokespersons or representatives for their religious traditions. Singling out students in this way may make them feel uncomfortable, and one student's religious experience should never be generalized to an entire group.

As a teaching aid or resource, schools may use religious symbols in the classroom as examples of religious or cultural heritage. But these teaching aids or resources may be displayed only on a short-term basis to accompany appropriate classroom instruction.

As part of the educational program, schools may teach about religious holidays in a factual manner. School activities may feature the secular aspects of a holiday, but holiday activities may not involve participation in a religious practice or event. Students of various faiths, or their parents/guardians, may ask for students to be excused from certain holiday activities. Teachers should work to honor these requests by planning an alternate activity for students who request one. Even birthdays or other occasions that many consider to be secular, such as Halloween and Valentine's Day, may be viewed by others as having religious overtones. Schools are permitted to have activities around these events—as long as they are secular in nature—and may excuse students who do not want to participate.

Religion in School Assemblies and Concerts

Special school events, assemblies, concerts, and programs must be designed to further a secular and objective program of education and must not focus on any one religion or religious observance. For instance, religious music may be performed at a winter concert as long as the total effect of the program is nonreligious, and secular music is also included as part of a balanced and inclusive approach.

When assemblies or programs include student bands or other musical groups, participating students may request reasonable and feasible accommodations if they feel that performing religious music is inappropriate to their beliefs. In handling requests for accommodations, school staff should consult with the students and their parents/guardians and take care to avoid embarrassment to, or coercion of, students.

Student or guest speakers at assemblies should be selected based on neutral and even-handed criteria that neither favor nor disfavor religion. Schools should make appropriate, neutral disclaimers to avoid conveying

the perception to other students, their parents/guardians, or guests that the school endorses the student's or guest speaker's viewpoints (whether religious or not). In addition, parents/guardians should expect that age will be a factor in schools' programming for assemblies and other school events involving religion-related topics or holidays. While high school students may understand that a school does not endorse the viewpoints of students or guests who are selected on an even-handed basis to speak, middle and elementary students are less likely to make this distinction, even if school staff provide appropriate disclaimers.

Food and Religious Observance

Religion-Related Dietary Restrictions and Fasting

Students, or their parents/guardians, may request schools to make reasonable and feasible accommodations for a student's dietary needs, including religion-related dietary restrictions and fasting. The MCPS Division of Food and Nutrition Services helps students who have certain dietary restrictions by labeling foods and/or offering a variety of choices for breakfast, lunch, and snacks, such as pork-free options; but schools are not required to prepare special foods solely to fulfill a student's particular religious requirements.

Similarly, students who are fasting for religious reasons may be permitted to go to the media center or another separate area, rather than the cafeteria, during lunchtime, provided there is appropriate staff supervision. In addition, students who are fasting for religious reasons and ask to be excused from strenuous activities during physical education should be provided reasonable accommodations. Students should bring to school a note from a parent or guardian providing a written explanation identifying the requested fasting-related accommodation.

Distributing Religious Informational Materials

Student Requests to Distribute Religion-Related Informational Materials

Students may distribute religion-related informational materials to their schoolmates on the same terms as they are permitted to distribute other informational material that is unrelated to school curriculum or activities. This means that schools can specify at what time the distribution may occur, where it may occur, and how it may occur, as long as these time,

place, and manner restrictions are applied consistently to all non-school-related informational materials.

These time, place, and manner requirements are reflected in MCPS policy that students' distribution of religious informational materials, like political materials or any other non-school-related informational material, should occur only outside of class time and in a nondisruptive manner. For example, schools may permit students to distribute informational materials on sidewalks and in the cafeteria, designated hallways, or student government rooms or areas. But students may not distribute non-school-related informational materials in classrooms, the media center, or other school rooms during the school day, except (a) when the room is being used as a voluntary meeting place, or (b) when the informational material is being used in a class as part of the regular teaching program or a voluntary forum or seminar held by students. In addition, students may not distribute informational materials, whether religious or otherwise, that are obscene, defamatory, disruptive of the educational environment, or invade the rights of others in the school setting.

- For more information, see MCPS Regulation JFA-RA, *Student Rights and Responsibilities*
www.montgomeryschoolsmd.org/departments/policy/pdf/jfara.pdf
- For guidelines on the distribution of materials by nonstudents, see MCPS Regulation CNA-RA, *Display and Distribution of Informational Materials and Announcements*
www.montgomeryschoolsmd.org/departments/policy/pdf/cnara.pdf

Extracurricular Student Religious Activities

Religion-Related Extracurricular Activities and Clubs

Students have a right to organize religion-related extracurricular clubs or assemble and conduct religious meetings, prayer groups, or other observances of religious practices during noninstructional time. These religion-related extracurricular meetings or clubs must be student led. MCPS staff provide appropriate monitoring and oversight to ensure student and school safety, but they must not organize, lead, initiate, endorse, or actively participate in prayers or any other religious activities undertaken in these extracurricular meetings or clubs.

Students should inform the school administration about any student-led, religious extracurricular club or activity, and they should talk with

school administrators in advance to find an adequate space within the school for these activities. Student religious groups may have access to school facilities, equipment, and services on the same basis as other extracurricular student groups that are not related directly to a subject that is taught in school. This could include access to bulletin boards, computers, and notices in the school newspaper, if such access is made available to other extracurricular student groups that are not related directly to a subject that is taught in school. These religion-related extracurricular groups also may be listed in the section of the school yearbook designated for extracurricular student groups that are not related directly to a subject that is taught in school.

Religion-related extracurricular student groups may invite outside adults or religious leaders to attend their meetings on an occasional basis. However, individuals who are not students at the school may not regularly attend or direct, conduct, control, or lead prayers or other religious activities in student-led extracurricular groups.

Student-led groups, whether religious or nonreligious, will not be permitted to meet in MCPS schools if they advocate violence or hate, engage in illegal activity, cause substantial disruption of the school, violate MCPS nondiscrimination policies, or invade the rights of others in the school setting. However, schools may not ban students from forming groups solely because they involve discussion of controversial and complex social and legal issues.

Students may participate in before- or after-school events with religious content on the same terms as they may participate in other non-curriculum-related activities on school premises.

MCPS Use of Facilities Owned by Religious Organizations

Students and their parents/guardians should expect that schools will not use space in facilities owned or operated by religious organizations for school-related activities or functions when a nonreligious alternative venue is viable and reasonably suitable for the activity or function. Schools will not select or reject the use of any private religious facility based on any facet of religious teachings with which any such facility is associated; instead, religion-neutral criteria will be employed to select these facilities, such as proximity to MCPS, suitability of the facility for the intended use, health and safety, comparative expense, and accessibility.

If a school-related activity or function is held in a facility owned or operated by a religious organization, students and their parents/guardians should expect that the school will clearly identify a secular purpose for using the facility and ensure, to the greatest extent possible, that religious symbols, messages, or artifacts are not displayed in the specific rooms utilized for the school-related activities during their use. Additionally, all reasonable steps will be taken to avoid or minimize exposure to conspicuous religious symbols, messages, or artifacts in areas where participants in the school-related activity or function pass through.

Partnerships Between Schools and Faith Communities

MCPS works to maintain and develop partnerships with the faith community, just as it does with businesses and other community and civic groups. Students and schools gain a great deal when every part of a community comes together to support education.

Any faith community partnership program must have a purely secular purpose and neither promote religion nor preclude it. Students will not be selected to participate based 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.

Volunteers from faith communities must recognize that the purpose of any partnership is educational and secular in nature, not religious, and that volunteers must respect the First Amendment rights of students. No volunteers or other participants in any faith community partnership program may proselytize about their faith to students or engage in any religious worship activity while conducting or participating in a school-sponsored activity. Volunteers and other participants in faith community partnership programs must follow the same MCPS rules for distribution of informational materials as apply to other community organizations.

Fostering a Culture of Respect for All

This guide has been developed to assist in fostering a culture of respect among everyone in the MCPS community. With great diversity in our community, there is much that we can learn from each other when there is a culture of respect, openness, and tolerance. Our schools work to create supportive and accepting learning environments and parents/guardians are encouraged to work closely with teachers and administrators to understand their families' needs as it pertains to their beliefs and practices.

As part of our efforts to create positive and respectful schools, students have a right to a safe learning environment, free from bullying, harassment, and intimidation of any sort, including based on the student's actual or perceived religion. Students who are bullied, students who bully, and students who are bystanders to bullying are at risk of a range of negative health, safety, and educational outcomes. MCPS has implemented a systemwide approach designed to prevent bullying, harassment, or intimidation and effectively intervene when it occurs, as well as to deter reprisal and retaliation against individuals who report acts of bullying, harassment, or intimidation. To report any such actions, students or their parents/guardians should work with school administrators to resolve any issues and complete MCPS Form 230-35, *Bullying, Harassment, or Intimidation Reporting Form*, available at www.montgomeryschoolsmd.org/departments/forms/pdf/230-36.pdf

- For more information, see Board of Education Policy JHF and MCPS Regulation JHF-RA, both entitled *Bullying, Harassment, or Intimidation* www.montgomeryschoolsmd.org/departments/policy/pdf/jhf.pdf and www.montgomeryschoolsmd.org/departments/policy/pdf/jhfra.final.pdf



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