



Adopted: August 21, 1996

EMID 6067 Board Policy 609

Revised: May 18, 2005; Feb. 18, 2015

609 RELIGION

I. PURPOSE

The purpose of this policy is to identify the status of religion as it pertains to the programs of EMID.

II. GENERAL STATEMENT OF POLICY

- A. EMID shall neither promote nor disparage any religious belief or nonbelief. Instead, EMID encourages all students and employees to have appreciation for and tolerance of each other's religious and/or spiritual views.
- B. EMID also recognizes that religion has had and is having a significant role in the social, cultural, political, and historical development of civilization.
- C. EMID recognizes that one of its educational objectives is to increase its students' knowledge and appreciation of music, art, drama, and literature which may have had a religious basis or origin as well as a secular importance.
- D. EMID supports the inclusion of religious music, art, drama, and literature in the curriculum and in activities provided it is intrinsic to the learning experience and is presented in an objective manner without sectarian indoctrination.
- E. When addressed, the historical and contemporary values and the origin of various religions, holidays, customs and beliefs must be explained in an unbiased and nonsectarian manner.

III. RESPONSIBILITY

- A. It shall be the responsibility of the EMID administration to ensure that the study of religious materials, customs, beliefs and holidays in EMID integration programs is in keeping with the following guidelines:
 - 1. The proposed activity must have a secular purpose.
 - 2. The primary objective of the activity must be one that neither advances nor inhibits religion.



3. The activity must not foster excessive governmental relationships with religion.
 4. Notwithstanding the foregoing guidelines, reasonable efforts will be made to accommodate any student who wishes to be excused from attendance at an EMID event for the purpose of religious instruction or observance of religious holidays.
- B. The Executive Director is granted authority to develop and present guidelines for the purpose of providing further guidance relative to the teaching of materials related to religion.

Legal References:

U. S. Const., amend. I
Child Evangelism Fellowship v. Elk River Area, Sch. Dist. No. 728, 599 F. Supp. 2d 1136 (D. Minn, 2009)
Child Evangelism Fellowship v. Minneapolis Special Sch. Dist. No. 1, 690 F.3d 996 (8th Cir. 2012)
Doe v. School Dist. Of City of Norfolk, 204 F.3d 605 (8th Cir. 2003)
Minn. Stat. § 120A.22, Subd. 12(3) (Compulsory Instruction)
Minn. Stat. § 120A.35 (Absence From School for Religious Observance)
Minn. Stat. §121A.10 (Moment of Silence)
Lemon v. Kurtzman, 403 U.S.602, 91 S.Ct. 2105, 29 L.Ed.2d 745 (1971)
Florey v. Sioux Falls Sch. Dist. 49-5, 619 F.2d 1311 (8th Cir.) *cert. denied*, 449 U.S. 987, 101 S.Ct. 409, 66 L.Ed.2d 251 (1980)
Roark v. South Iron R-1 Sch. Dist. 573 F.3d 556 (8th Cir. 2009)
Stark v. Independent Sch. Dist. No. 640, 123 F.3d 1068 (8th Cir.) *cert. denied*, 118 S.Ct. 1560, 140 L.Ed.2d 792 (1997)
Santa Fe Independent School District v. Doe, 530 U.S. 290, 120 S.Ct. 2266 (2000)
Tangipahoa Parish Board of Education v. Freiler, 530 U.S. 1251, 120 S.Ct. 2266 (2000)
LeVake v. Independent School District No. 656, 625 N.W.2d 502 (Minn. App. 2001),
Good News Club v. Milford Central School, 533 U.S. 98, 121 S.Ct. 2093, 150 L.Ed.2d 151 (2001)
Wigg v. Sioux Falls School Dist. 382 F.3d 807 (8th Cir. 2004)
Minn. Op. Atty. Gen. 169-J (Feb. 14, 1968)
Minn. Op. Atty. Gen. 169-K (Oct. 21, 1949)
Minn. Op. Atty. Gen. No. 63 (1940)
Minn. Op. Atty. Gen. No. 120 (1924)
Minn. Op. Atty. Gen. No. 121 (1924)

Cross References: MSBA/MASA Model Policy 801 (Equal Access to Facilities of Secondary Schools)