

# San Dieguito Union High School District

## Recognition of Religious Beliefs and Customs

BP 6141.2

### Instruction

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 clearly 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 that a preference be shown for one religious viewpoint over another. Staff members 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, 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 the student's religious belief as long as this does not disrupt the classroom or other school-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. School-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.

Music, art, literature or drama programs having religious themes are permitted as part of the curriculum for school-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 submit a written request to opt their students out of instruction on the basis of their religious beliefs or personal moral convictions as specified in the accompanying administrative regulation. Students whose parents/guardians request an opt out of such instruction may be offered an alternative activity of similar educational value upon the approval of the request. 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.

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Governing Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

| State  | Description   |
|--|---|
| Ed. Code 38130-38139                           | <a href="#">Civic Center Act</a>  |
| Ed. Code 46014                                 | <a href="#">Absences for religious purposes</a>   |
| Ed. Code 51240                                 | <a href="#">Excuse from instruction due to religious beliefs</a>                          |
| Ed. Code 51511                                 | <a href="#">Religious matters properly included in courses of study</a>                   |
| Ed. Code 51930-51939                           | <a href="#">California Healthy Youth Act</a>  |
| Federal  | Description   |
| 20 USC 4071-4074                               | Equal Access Act  |
| 20 USC 6061                                    | <a href="#">School prayer</a>   |
| 20 USC 7904                                    | <a href="#">School prayer</a>   |
| Management Resources                           | Description   |
| California Department of Education Publication | <a href="#">Appendix F history social science framework for California public schools</a> |
| Court Decision                                 | Mahmoud v. Taylor (2025) 606 U.S. ____ (2025 WL 1773627)                                  |
| Court Decision                                 | <a href="#">Florey v. Sioux Falls (1980) 619 F.2d 1311</a>                                |

|  |  |
|--|--|
| Court Decision                           | <a href="#"><u>Fellowship of Christian Athletes v. San Jose Unified School District Board of Education (2023) 82 F.4th 664</u></a>                 |
| Court Decision                           | <a href="#"><u>Kennedy v. Bremerton (2022) 142 S.Ct. 2407</u></a>  |
| Court Decision                           | <a href="#"><u>Cole v. Oroville Union High School District (2000, 9th Cir.) 228 F.3d 1092</u></a>  |
| Court Decision                           | <a href="#"><u>Lassonde v. Pleasanton Unified School District (2003, 9th Cir.) 320 F.3d 979</u></a>  |
| Court Decision                           | <a href="#"><u>Lemon v. Kurtzman (1971) 403 U.S. 602</u></a>   |
| U.S. Department of Education Publication | <a href="#"><u>Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools, May 2023</u></a> |
| Website                                  | <a href="#"><u>CSBA District and County Office of Education Legal Services</u></a>   |
| Website                                  | <a href="#"><u>California Department of Education</u></a>  |
| Website                                  | <a href="#"><u>CSBA</u></a>  |
| Website                                  | <a href="#"><u>U.S. Department of Education</u></a>  |

## Cross References

| Code | Description  |
|------|--|
| 0410 | <a href="#"><u>Nondiscrimination In District Programs And Activities</u></a> |
| 0450 | <a href="#"><u>Comprehensive Safety Plan</u></a>                             |
| 0450 | <a href="#"><u>Comprehensive Safety Plan</u></a>                             |
| 1325 | <a href="#"><u>Advertising And Promotion</u></a>                             |
| 1330 | <a href="#"><u>Use Of School Facilities</u></a>                              |
| 1330 | <a href="#"><u>Use Of School Facilities</u></a>                              |
| 5113 | <a href="#"><u>Absences And Excuses</u></a>                                  |
| 5113 | <a href="#"><u>Absences And Excuses</u></a>                                  |
| 5121 | <a href="#"><u>Grades/Evaluation Of Student Achievement</u></a>              |
| 5121 | <a href="#"><u>Grades/Evaluation Of Student Achievement</u></a>              |

|         |   |
|---------|---|
| 5127    | <a href="#"><u>Graduation Ceremonies And Activities</u></a>   |
| 5132    | <a href="#"><u>Dress And Grooming</u></a>                     |
| 5132    | <a href="#"><u>Dress And Grooming</u></a>                     |
| 5141.31 | <a href="#"><u>Immunizations</u></a>                          |
| 5141.31 | <a href="#"><u>Immunizations</u></a>                          |
| 5145.2  | <a href="#"><u>Freedom Of Speech/Expression</u></a>           |
| 5145.2  | <a href="#"><u>Freedom Of Speech/Expression</u></a>           |
| 6111    | <a href="#"><u>School Calendar</u></a>                        |
| 6115    | <a href="#"><u>Ceremonies And Observances</u></a>             |
| 6115    | <a href="#"><u>Ceremonies And Observances</u></a>             |
| 6142.8  | <a href="#"><u>Comprehensive Health Education</u></a>         |
| 6142.8  | <a href="#"><u>Comprehensive Health Education</u></a>         |
| 6142.93 | <a href="#"><u>Science Instruction</u></a>                    |
| 6142.94 | <a href="#"><u>History-Social Science Instruction</u></a>     |
| 6143    | <a href="#"><u>Courses Of Study</u></a>                       |
| 6143    | <a href="#"><u>Courses Of Study</u></a>                       |
| 6144    | <a href="#"><u>Controversial Issues</u></a>                   |
| 6145.5  | <a href="#"><u>Student Organizations And Equal Access</u></a> |
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| 6145.8  | <a href="#"><u>Assemblies And Special Events</u></a>          |
| 6154    | <a href="#"><u>Homework/Makeup Work</u></a>                   |
| 6161.11 | <a href="#"><u>Supplementary Instructional Materials</u></a>  |
| 6176    | <a href="#"><u>Weekend/Saturday Classes</u></a>               |

# **San Dieguito Union High School District**

## **Recognition Of Religious Beliefs And Customs**

AR 6141.2

### **Instruction**

The Superintendent or designee shall ensure the following for the recognition of religious beliefs and customs in district schools:

1. The approach to religion is academic and not devotional
2. The goal is for student awareness of religion in historical and contemporary societies
3. The students may not be pressed to accept any one religion
4. The school may include the study of religion as part of the history-social science curriculum, but the practice of religions may not be sponsored
5. The students may be exposed to and educated about a diversity of religious views and beliefs, but a particular view or belief may not be imposed, nor may any one religion be promoted or denigrated

Staff shall make every effort to schedule one-time events, such as examinations, school sponsored trips, special laboratories, picture-taking days, and class parties, to minimize conflicts with major religious holidays of all faiths such that no one faith is disproportionately impacted.

### **Programs and Exhibits**

When school programs and exhibits are in any way related to instruction about religion or religious holidays, the following guidelines shall be observed:

1. The principal or designee shall ensure that school-sponsored programs are presented in an objective manner, consistent with Board policy.
2. The principal or designee shall be kept informed of the program's development.
3. Program or exhibit planners shall take into consideration the diverse religious faiths represented in the community, student body and staff.

### **Opt-Outs**

When a parent/guardian submits a written request to opt the parent's/guardian's student out of instruction based on religious beliefs, customs, or practices, or personal moral convictions, the

request shall include a concise description of the topics and/or materials for the opt out request.  
~~the following:~~

- ~~1. The specific instructional material including the type, name, and/or title of the material (e.g., title of book, text, lesson, or unit) for the opt out request~~
- ~~2. How the specific instructional content substantially interferes with the religious upbringing of the student in accordance with sincerely held religious beliefs~~

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**State**

Ed. Code 38130-38139

**Description**

[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

**Description**

Equal Access Act

20 USC 6061

[School prayer](#)

20 USC 7904

[School prayer](#)

**Management Resources**

California Department of Education  
Publication

**Description**

[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](#)

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**Board Adopted: September 19, 2019**

**Revised: August 08, 2024**

**Board Proposed Revised:**



Book: Policy Manual

Section: Section 6000 - Instruction

Title: Parent/Guardian Request for Student Opt-Out of Specific Instructional Content

Code: 6141.2 E1

Status: Active

Adopted: TBD

Last Revised: TBD

### **Parent/Guardian Request for Student Opt-Out of Specific Instructional Content**

This form provides parents/guardians with the option to request that their student be excused from specific instructional content when it may conflict with a parent or family's religious upbringing of their student pursuant to that parent or family's ~~sincerely held~~ religious beliefs ~~or personal moral conviction~~. ~~The request and the district's response are dependent upon the specific religious beliefs and practices asserted, as well as the specific nature of the educational requirement or curricular feature at issue.~~

Each request will be reviewed to determine the appropriate response based on the nature of the request and the instructional context. Submitting this form does not automatically result in a student being excused from the identified content, and alternative arrangements will be considered on a case-by-case basis.

#### **Student Information**

*Student Name:* \_\_\_\_\_ *Grade:* \_\_\_\_\_

*School:* \_\_\_\_\_

**Instructional Content for Opt-Out Request:** Identify as clearly and succinctly as possible the specific instructional concepts and/or materials you are requesting to opt-out. ~~the specific instructional material, including the type, name, and/or title of the material (e.g., title of book, text, lesson, or unit)~~

~~**Explanation of Conflict:** Explain how the specific instructional content substantially interferes with the religious upbringing of your student in accordance with your sincerely held religious beliefs.~~

#### **Acknowledgments**

- I understand that my student will not be subject to disciplinary action, academic penalty, or other sanction as a result of this opt-out request.
- I understand that the school may provide an alternative educational activity during the time my student is excused from the identified instructional content.

I certify that I am an authorized parent or guardian and that I am making this opt out request because of my religious beliefs or personal moral convictions.”

~~I certify that I am an authorized parent or guardian and that I am making this opt out request because the curriculum instruction and materials identified above (check all that apply):~~

- ☐ ~~Substantially interferes with the religious development of my student~~
- ☐ ~~Undermines the religious beliefs and practices I wish to instill in my student~~

Parent/Guardian Name: \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_

Date \_\_\_\_\_

*For School Use*

*Request received [DATE]*

*Request processed [DATE]*

*Request was approved/denied [SELECT, DATE]*

*School Staff Signature* \_\_\_\_\_

*Reason for Denial:*