

Secular Jewish Circle Packet

Separation of Church and State in the Public Schools

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Why We're Doing This

Last year the SJC Social Action Committee decided to focus on the issue of separation of Church and State. The increasing visibility and activities of the Christian Right concerned us as citizens, as Jews, and especially as secular, humanistic Jews. We thought this would be an issue that would be important to our community as a whole.

The First Amendment to the U.S. Constitution states the following: *Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof . . .*

In many ways this amendment is the foundation of our diverse society. Courts have interpreted this amendment to allow each of us the freedom to practice the religion of our choosing and, equally important, the freedom to not practice any religion at all.

The implication is that our schools and all our government entities are (and should be) free from the influence of any religion. To maintain this freedom has been and continues to be a struggle.

Recently, this struggle has taken place in school districts here in Washington and throughout the country. (See Section 2 for examples of things that might be problems)

Additionally, the Discovery Institute, located in Seattle, supports the teaching of evolution AND alternative "theories" to evolution such as "Intelligent Design" in science classes. The recent court case in Dover, Pennsylvania, held that teaching Intelligent Design in public school biology classes violates the first amendment because Intelligent Design is not a science and "cannot uncouple itself from its creationist and thus religious antecedents." The Kansas State Board of Education first voted to include the teaching of Intelligent Design in the school curriculum and then voted to reverse itself.

The Federal Way School District placed a moratorium on the showing of Al Gore's film, *An Inconvenient Truth*. As quoted in the January 11, 2007, *P-I*: "After a parent who supports the teaching of creationism and opposes sex education complained about the film, the Federal Way School Board on Tuesday placed what it labeled a moratorium on showing the film." This decision outraged parents, former graduates, educators, and others, and the Board eventually lifted the moratorium. (*P-I*, 1/24/07)

While we know we can't resolve all of these issues, the concern of the Social Action Committee is to help SJC members become aware of attacks on our public schools and to begin to equip them with tools they can use when they (or their children) see or hear about things in school that may be problems.

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Kinds of Things that Might Happen

There are many ways that the separation of church and state can be violated or eroded in the schools. Legal or not, they may be insensitive enough for you to want them stopped. You may want to learn more and take action in any number of situations, e.g., the following:

- Your child comes home and explains how dinosaurs were put on this earth.
- Your child tells you about a lunchtime student prayer group at school.
- Your child brings home a flyer from school that's an invitation to join a church youth group.
- Your child brings home Easter bunnies on a coloring page.
- All the songs in the winter concert are Christmas songs, including one about "Christ the King."
- Your child doesn't want to say the Pledge of Allegiance because some of its words relate to God, but is required to say it each morning.
- Your child wants to take a Harry Potter book out of the school library, but the library no longer has copies of it.
- Your child's school offers a class in Transcendental Meditation.
- Your student reports that in the comparative religion class, Judaism is portrayed as a faith that was "completed" by Christianity.
- There is a new after-school club at your child's school called The Good News Club, sponsored by the Child Evangelism Fellowship, a national group that seeks to convert young children to fundamentalist Christianity.
- Your child comes home and says that there's going to be an "evolution debate" in biology class next week.

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What to Do

1. If you learn about something from your child that you think may be a problem, get as much information from your child as you can. Make the conversation friendly—not accusatory and not heated.
2. Ask your child about the issue, e.g.:
 - * “What do you know about this?”
 - * “How did you find out about it?”
 - * “What do you think about it?”
 - * “How do you feel about it?”
3. Decide whether to follow up with school adults. If you decide you want to do that:
 - * Identify the most appropriate people to talk with about the issue, e.g., a teacher, the principal, the PTA president, a school board member, and so on. The person should be close to the issue and have authority to do something about it.
 - * Contact the person.
 - * Document everything you do and when you did it.
4. When you talk with the people:
 - * Try to find out what they know about the situation without making any judgments or accusations.
 - * Try to decide whether or not a problem exists, and if it does, how serious it is.
 - * Work toward a positive solution, e.g., by considering alternative ways to meet goals.
 - * Thank the people for talking with you.
5. Decide whether to pursue your inquiry with others, e.g., parents.
6. After you’ve obtained all the information you can, decide what to do:
 - * Drop all further inquiries.
 - * Write a letter expressing your concerns (See sample letters in Section 5).
 - * File a complaint with the school, with the school district, or with the Office of the Superintendent of Public Instruction.
 - * Get help outside the school community, e.g., from an individual such as an attorney or from an organization such as the American Civil Liberties Union or the Anti-Defamation League (see resources in Section 4).

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Resources

- Secular Jewish Circle Social Action Committee, Susan Levy, at socialaction@seccularjewishcircle.org

Organizations that deal with Separation of Church and State Issues; civil liberties and discrimination issues. All of these websites keep current on legal decisions related to First Amendment Religious Freedom issues:

- Americans United for Separation of Church and State, www.au.org
- Anti-Defamation League, www.adl.org
- American Civil Liberties Union, www.aclu.org

Resources that deal with curriculum issues regarding basic science education as well as evolution:

- Washington State Curriculum Standards for science education, www.k12.wa.us/curriculumInstruct/science/pubdocs/ScienceEALR-GLE.pdf
- www.ohioscience.org, good basic evolution information
- www.millerandlevine.com/km/evol, the website of the expert witness in the Dover School Board case

Legal Resources that have information on First Amendment (religious freedom) issues:

- Cornell Law School, www.law.cornell.edu/wex/index.php/First_Amendment
- First Amendment Center, www.firstamendmentcenter.org
- Find Law, <http://public.findlaw.com/civil-rights/more-civil-rights-topics/religion-discrimination-more/>

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Sample Letters

First communication:

Dear Principal _____,

On _____ (date), my daughter/son, _____, brought the enclosed/attached material home from school. S/He said s/he received it _____ (e.g., in a specific classroom, on the playground, in the lunchroom, in the hallway) from _____. I was quite disturbed, since it seems to me to be _____ (e.g., advocating a religion or a religious point of view). I thought that _____ (e.g., religious advocacy) wasn't allowed in our public schools).

Could you please get back to me as soon as possible with any information you may have regarding who is distributing this material and why it's being distributed? I'd also like to know all school policies relating to the distribution of materials—religious or not—in school.

If you do believe that distributing this material is legitimate, could you please explain your reasoning? And if you believe the material shouldn't have been distributed, would you please let me know what you're doing to stop it this time and prevent similar situations from occurring?

Thanks for your prompt attention.

The best way to reach me is _____.

Sincerely,

Second communication:

On _____ (date of first communication), I sent a letter asking you about some material my daughter (son) had received at your school. I indicated that I was disturbed because it appears to me to be a violation of the First Amendment to the U.S. Constitution stipulation requiring the separation of church and state.

I have yet to receive a response.

This kind of material distributed to students who may not share the same views is confusing. They could very well believe that it represents the belief system of the school and school officials. Public school is a place where students are free, by law, from pressure to conform to religious beliefs that aren't shared by them or their families.

I'm sorry that you apparently don't view this issue important enough to respond. As you can see, I have sent copies of this letter to the Superintendent and the School Board. I hope that you'll respond promptly and we can resolve this issue at the school level.

Sincerely,

(At this time, you may want to send copies of everything to the individuals or organizations described earlier.)