

Religious Freedom in Public Schools

Religious freedom in public schools is protected by federal and state law. Under the U.S. Constitution, Titles IV and VI of the Civil Rights Act (42 U.S.C. §§ 2000d, 2000e), and the Tennessee Religious Freedom Restoration Act (Tenn. Code Ann. § 4-1-407) **you have a right to:**

Be safe from religious harassment and discrimination in school.

Public school officials are required by law to maintain a school environment that is free of religious harassment by school officials and other students. In addition, public schools may not discriminate against students based on their faith backgrounds or religious beliefs. Whether your school has violated the law in this area will depend on the circumstances of your particular situation.



This means that:

- School officials cannot disparage your faith by making anti-Muslim remarks.
- School officials must take action to stop repeated religiously-based harassment by other students.
- School officials cannot deny you the same privileges and opportunities provided to students of other faiths.

Exercise and express your faith in school.

Students have broad rights to express their religious beliefs at school. You may, for example, pray individually or in groups and discuss your religious views with your peers during student activity times (like recess or lunch), provided you are not disruptive. You may express your religious beliefs in reports, homework, and artwork, where the beliefs are relevant to the assignment. And you may pass out religious literature to classmates, subject to the same rules that apply to other materials distributed by students. Further, if a school rule substantially burdens your religious exercise, your school must grant you an exemption unless the rule is the least restrictive means of achieving a compelling governmental interest.



This means that:

- Under certain circumstances, school officials might be required to accommodate prayer, provided the prayer is non-disruptive.
- School officials might be required to permit you to wear religious clothing or a religious head covering, such as a hijab, depending on the circumstances of your particular situation.
- School officials must allow you to express your faith, form religious student clubs, and engage in other religious activities to the same extent that students of other faiths may do so.
- School officials might be required to excuse your absences for religious holidays.

Be free from school-sponsored prayer and proselytizing.

Students and families have the right to decide for themselves where and when to pray and which faith, if any, to follow—without direct or indirect pressure from school officials. Thus, school officials may not promote religion to students.



This means that:

- School officials may not incorporate organized prayer into class or school events.
- School officials may not evangelize students, teach religious doctrine as truth, or display religious symbols and messages for non-educational reasons.

Additional Resources

More information on religious freedom can be found at

<http://www.aclu-tn.org/religiousfreedom.htm>



Know Your Rights, A Guide for Public School Students in Tennessee (ACLU-TN students' rights handbook) can be found at <http://www.aclu-tn.org/pdfs/SRHandbook2010.pdf>



“Know Your Rights: Religion in Public Schools” can be found at http://www.aclu-tn.org/pdfs/briefer_religion_in_public_schools.pdf



To contact the ACLU of Tennessee for assistance, please visit

<http://www.aclu-tn.org/gethelp.htm>

