

CENTER FOR CREATIVITY, INNOVATION, AND DISCOVERY

Constitutional and Religious Freedom Policy

Purpose and Philosophy

The Board of Directors of the Center for Creativity, Innovation, and Discovery has established this policy in accordance with Article I, Section 4 of the Utah Constitution and Utah Code §53G-10-202 which promote religious liberty and maintain constitutional freedom in public schools. This policy seeks to promote mutual understanding and respect for the interests and rights of all individuals regarding their beliefs, values, and customs, and seeks to do the following:

- Allows students and employees religious expression and freedom of speech within the parameters of existing state and federal law;
- Fosters knowledge and understanding about, and sensitivity toward, religious differences and the role of religion in a diverse, contemporary society;
- Supports a climate of academic freedom in which religious ideas and organizations can be discussed in an objective way, for their educational value, with emphasis on the impact of religions on history, literature, art, music, morality, and other key social institutions;
- Requires official neutrality on the part of teachers, administrators, other school employees, and volunteers regarding religious activity when acting in their official capacities;
- Promotes constructive dialogue between schools and the larger community regarding religion; and,
- Encourages educators and all members of the school community to engage in persistent efforts to eliminate prejudice, build trust, work toward consensus, and resolve disputes over religious issues in schools promptly, equitably, sensitively, and with civility at the local level.

Religious Liberty

In accordance with Article I, Section 4 of the Utah Constitution, the foundational law protecting religious freedom in Utah, the school ensures the following:

- Rights of conscience shall never be infringed at the school.
- The school will not prohibit or interfere with the free exercise of religion.
- No public money or property shall be appropriated for or applied to any religious worship, exercise or instruction, or for the support of any ecclesiastical establishment.

Constitutional Freedom in Utah Public Schools

In compliance with Utah Code §53G-10-202, the school allows the following

- Instructional activities, performances, or displays which include the examination

of or presentations about religion, political or religious thought or expression, or the influence thereof on music, art, literature, law, politics, history, or any other element of the curriculum;

- The comparative study of religions, which is designed to achieve academic education objectives included within the context of a course or activity and conducted in accordance with applicable rules or policies of the state and the school's Board of Directors.
- The inclusion of any aspect of cultural heritage, political theory, moral theory, or societal value within its public school curricula whether or not it affirms, ignores, or denies religious belief, religious doctrine, a religious sect, or the existence of a spiritual realm or divine being.
- The allowance of the practice of prayer or religious devotionals while not sponsoring such practices or devotionals.
- The allowance of students acting on their own in expressing their personal religious views or beliefs. The school gives students the same right to engage in religious activity and discussion as they have to engage in other comparable activities.

Neutrality of School Officials and Employees

School officials and employees may not use their positions to endorse, promote, or disparage a particular religious, denominational, sectarian, agnostic, or atheistic belief or viewpoint. The school will neither advance nor inhibit any religious practices.

Freedom to Act

While the freedom to believe is absolute, the freedom to act on a belief is not. In order to claim a violation of the Free Exercise protections of the First Amendment and of this policy, a person must show that his or her actions 1). are motivated by a sincere religious belief, and 2). have been substantially burdened by school officials or by the school as an institution.

Religious Expression During Discretionary Time

The school will not deny the free exercises of religious practices or freedom of speech by students during discretionary time unless the conduct or speech unreasonably interferes with the ability of the school to maintain order and discipline, violates school rules, impinges on the rights of others, unreasonably endangers persons or property, creates a coercive atmosphere, or violates concepts of civility or propriety appropriate to the school setting.

Allowed conduct includes but is not limited to:

- Reading scriptures;
- Prayer;

- Discussing religious views (unless such expression constitutes harassment); and,
- The organization of religious clubs, groups, or gatherings before and after school to the same extent that students are permitted to organize other non-curricular student activities. Such groups and clubs must be given the same access to school facilities for assembling as is given to other non-curricular groups, without discrimination because of the religious content of their expressions.

Students' Religious Expression During Instructional Time

Students participating in school-sponsored learning activities shall not be prohibited from expressing personal religious beliefs or be penalized for so doing, unless the expression unreasonably interferes with the ability of the school to maintain order and discipline, violates school rules, impinges on the rights of others, unreasonably endangers persons or property, creates a coercive atmosphere, or violates concepts of civility or propriety appropriate to the school setting.

Student religious conduct or expression may not be prohibited in homework, classroom discussions, presentations, assignments, or school sponsored activities, unless it violates the standards above. Students may also make religious remarks or ask questions about religion in the ordinary course of classroom discussion.

Least Restrictive Means

If an individual can show that his/her actions are motivated by a sincere religious belief and that these have been substantially burdened by the school's administrators, teachers, or staff, or by the school as an institution, the school may have the authority and obligation to regulate the conduct if the school have a compelling interest, and may pursue such interest in the manner least restrictive of the individual's religion.

Because dress is a form of individual expression, any prohibition or regulation of religious clothing or apparel must be consistent with the school dress code, including standards for "free dress days," done in the least restrictive manner possible to accomplish the school's objectives of maintaining a safe and orderly school environment. School officials will also be sensitive and appropriately accommodating toward students who request not to wear certain gym clothes that they regard, on religious grounds, as immodest or offensive.

Employees' Expression of Personal Religious Beliefs

When responding to a student's question about an employee's personal religious beliefs or views, the employee must maintain official neutrality and professionalism. An employee must also take care not to advocate or encourage acceptance of his/her religious beliefs, non-religious beliefs, or perspective.

- Teachers may provide for the observance of a period of silence in the classroom each school day. However, teachers and staff must maintain official neutrality and professionalism by neither encouraging nor discouraging prayer or other religious exercises during the moment of silence.
- Under this policy, teachers and staff may not organize, endorse, or encourage prayer exercises in the classroom. Teachers and staff must supervise during this time.
- All employees of school must maintain strict neutrality and professionalism when acting in their official capacities.
- An employee's rights related to voluntary religious practices and freedom of speech do not include proselytizing of any student regarding atheistic, agnostic, sectarian, religious, or denominational doctrine while the employee is acting in the employee's official capacity; nor may an employee attempt to use his or her position to influence a student regarding the student's religious beliefs or lack thereof.
- If a student asks an employee about that employee's personal religious beliefs, the employee may choose not to respond out of professional respect for the student's freedom of conscience or personal beliefs.
- While acting in an official capacity, an employee may respond in an appropriate and restrained manner to a spontaneous question from a student regarding the employee's personal religious beliefs or perspectives.
- Because of the special position of trust held by teachers and staff, employees may not advocate or encourage acceptance of specific religious beliefs or perspectives, but may, by exercising due caution, explain or define personal religious beliefs or perspectives.
- It is the school's practice to reasonably accommodate an employee's or prospective employee's religious dress, observance, or practice whenever such accommodation can be made without undue hardship on the conduct of the school's operations and business.

Distribution of Religious Materials on School Grounds

Non-school sponsored organizations and non-students may only distribute literature or other materials in schools or on school grounds in accordance with reasonable time, place, and manner restrictions imposed by the school and in accordance with the school's Communication Policy and other board or administrative policies.

Similarly, students may distribute literature unrelated to school curriculum or activities only at reasonable and approved times, places, and manners. Religious tracts, books, or literature may not be singled out for special regulation or prohibition based on content, but are subject to reasonable time, place, and manner, and approval restrictions imposed by the school on other non-school related literature.

Volunteers

The school prohibits discrimination on the basis of religion against any group or individual desiring to volunteer at the school.

- Volunteers must maintain strict neutrality and professionalism regarding religion while performing volunteer work for the school.
- Volunteers are prohibited from engaging in proselytizing activities or recruiting activities of any type on school grounds or in conjunction with any school activity, and must strictly follow the directions given them by school officials.
- Religious apparel is permissible if it is required by a person's religion, is part of the person's ordinary work dress, does not disrupt the school environment, and does not contain a proselytizing message.
- Volunteers, including those from religious organizations serving in the schools and interacting directly with students on a regular basis, shall follow all rules and procedures required of volunteers per board and administrative policies.

Religion in the Curriculum

This policy asserts that religious instruction is the responsibility of parents and religious institutions. However, the school's curriculum includes subjects related to the history of religion, the influence of religion on the history of ideas, and the importance of freedom of conscience that includes ethics and civic values, whether of a religious nature or not.

- The school asserts that this curriculum is a legitimate and appropriate part of a complete academic education.
- The study of religion or freedom of conscience must achieve academic, educational objectives and be presented in a balanced manner within the context of the approved curriculum.
- The school is committed to an approach to religion that is academic, not devotional.
- Students may be exposed to any and all religious views, but they should not be coerced to accept any particular view or belief.
- The objective study of comparative religions is permissible, but no religious tenet, belief, or denomination may be given inappropriate emphasis; nor may any religion be denigrated.
- Teaching about religion and civic and ethical values should emphasize the role of religion and ethics in history and culture, and the importance of religious liberty as a cornerstone of a democratic society.

Religious Privacy

When responding in accordance with federal and state Family Educational Rights and Privacy laws, school officials shall not solicit private information or explanations from students about their personal religious affiliations, beliefs, or practices, without first obtaining proper parental consent.

Religious Music

- Seasonally appropriate and sacred religious music may be performed in schools, if presented in a balanced, prudent, and objective manner.
- Music should be selected on the basis of its musical quality and educational value rather than its religious content.
- Music performances must achieve secular educational objectives and be presented in a balanced manner within the context of the approved curriculum.
- Teachers should use good judgment and be especially sensitive to the feelings of students who might wish not to participate for religious reasons; teachers should explore all reasonable alternatives in resolving a student's objection before offering or granting a waiver of participation.
- No school employee or student may be required to attend or participate in any religious service, whether in an individual capacity or as a member of a performing group, regardless of where or when the service is held. No penalty may be assessed for failure to attend or perform in such an activity.
- Students may voluntarily attend and perform during a religious service as individuals or as members of a group, provided that students or non-school adults make all the arrangements.

Religious Holidays

- Religious and civic holidays including, but not limited to, Easter, Passover, Rosh Hashanah, Yom Kippur, Thanksgiving, Hanukkah, Christmas, Kwanzaa, and Ramadan, offer opportunities to teach about a variety of religious traditions during the school year.
- Activities and discussions related to cultural holidays such as Valentine's Day, St. Patrick's Day, and Halloween should be academic in nature. Because some parents and students may view these holidays as having religious connotations, requests to be excused from school activities associated with these holidays should be routinely granted.
- Class parties associated with seasonal holidays are appropriate insofar as they are consistent with the approved curriculum. However, consistent with the school's goal of maximizing instructional time, such parties must not unduly interfere with regular academic activities.
- The significance of holidays, whether religious or secular, may be explained or discussed in an objective manner as part of regular classroom instruction or as questions from students arise, so as to promote a better understanding among all students.
- The display of religious symbols that are part of religious holidays is permitted as a teaching aid or resource, provided such symbols are displayed as an example of the cultural heritage of the holiday, and are temporary in nature. Such holidays

include, but are not limited to, Christmas, Kwanzaa, Hanukkah, Ramadan, Easter, Passover, Valentine's Day, St. Patrick's Day, Thanksgiving, and Halloween.

- If teachers or staff include any religious symbol as part of a display, the school encourages teachers to include a diversity of religious or cultural symbols as part of the display.

Waivers of Participation

While the School acknowledges its obligation to be sensitive and fair toward the personal rights and beliefs of all individuals, merely exposing students to ideas that may offend their religious beliefs does not amount to a substantial burden on their religious exercise. Furthermore, it is unconstitutional to allow the religion of one person or group to determine the curriculum for all others. Consequently, it is the school's policy to accommodate the legitimate objections of individuals by granting waivers of participation when requested or when no other reasonable alternative is possible.

- A parent or legal guardian of a student may request a waiver of participation from any portion of the curriculum or school activity which the requesting party believes to be an infringement upon a right of conscience or the exercise of religion.
- These infringements include circumstances when participation would be offensive to or substantially burdensome on an individual holding a particular religious belief; when participation would be forbidden by a religious belief or practice; or when participation would create significant discomfort based on an individual's specific religious belief.
- A claimed infringement must rise to a level of belief that the school's requirement violates a superior duty that is more than personal preference.
- A parent, guardian, or student requesting a waiver of participation may also suggest an alternative to the school requirement or activity that requires reasonably equivalent performance by the student.
- In response to a request for a waiver, the school may waive participation by the student in the objectionable curriculum or activity with no penalty; provide a reasonable alternative as suggested by the parent or student; or allow another reasonable alternative developed in consultation with the requesting party that will achieve the objectives of the portion of the curriculum or activity for which waiver is sought.
- The school may, at times, deny the request. A request for waiver shall not be denied unless school officials determine that requiring the participation of the student is the least restrictive means necessary to achieve a compelling school interest.
- In responding to a request for waiver, the school shall not require a student to accept a substandard or educationally deficient alternative.

Review of Curriculum

If any portion of any curriculum or activity is repeatedly alleged to interfere with the exercise of religious freedom of students, the administration and involved faculty will evaluate the referenced curriculum or activity to determine whether the educational objectives of the referenced curriculum could be achieved by less intrusive means.

Adopted: June 26, 2025