

RELIGIOUS FREEDOM DAY

JANUARY 16



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A GUIDE FOR COMMEMORATING RELIGIOUS FREEDOM DAY AT SCHOOL

Each year, since 1993, the President declares January 16th to be Religious Freedom Day, and calls upon Americans to observe this day through appropriate events and activities in homes, schools, and places of worship.

The day is the anniversary of the passage of the Virginia Statute on Religious Freedom in 1786. Thomas Jefferson drafted the legislation and considered it one of his greatest achievements. It stopped the practice of taxing people to pay for the support of the local clergy, and it protected the civil rights of people to express their religious beliefs without suffering discrimination.

The men who drafted the U.S. Constitution leaned heavily on Jefferson's statute in establishing the First Amendment's guarantee of religious freedom. Today, that protection is as important as ever.

When issues of religious expression arise in public schools, educators and parents are justifiably concerned about the balance between free expression of religion and endorsement of a particular religion. This guidebook is intended to help all Americans join the President in celebrating Religious Freedom Day as well as to clarify students' religious liberties. The guidebook explains Religious Freedom Day using past Presidential Proclamations; it includes the *Virginia Statute for Religious Freedom* as well as an easier-to-read paraphrase, and it clarifies students' religious liberties by quoting the

U.S. Department of Education's guidance regarding students' and educators' freedom of religious expression in public schools.

Educators and administrators should not fear that acknowledging Religious Freedom Day means that a school is establishing religion.

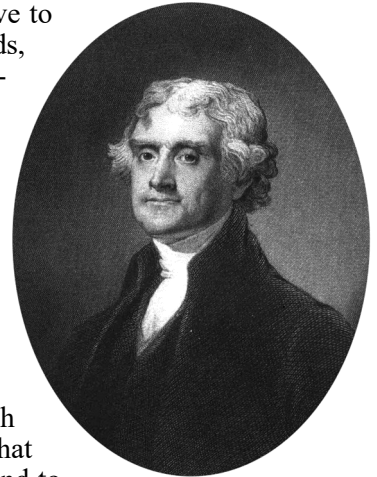
Religious Freedom Day is first and foremost a civics lesson — a time to acknowledge one of our most important civil liberties. Schools that promote students' freedom of religious expression are not promoting religion but are promoting civil liberties. The main message students need to hear is that they should not feel inhibited to express their beliefs at school.



VIRGINIA STATUTE FOR RELIGIOUS FREEDOM, 1786

Religious Freedom Day is the anniversary of this legislation drafted by Thomas Jefferson

Whereas Almighty God hath created the mind free; that all attempts to influence it by temporal punishments or burthens, or by civil incapacitations, tend only to beget habits of hypocrisy and meanness, and are a departure from the plan of the Holy author of our religion, who being Lord both of body and mind, yet chose not to propagate it by coercions on either, as it was in his Almighty power to do; ☒ That the impious presumption of legislators and rulers, civil as well as ecclesiastical, who being themselves but fallible and uninspired men, have assumed dominion over the faith of others, setting up their own opinions and modes of thinking as the only true and infallible, and as such endeavoring to impose them on others, hath established and maintained false religions over the greatest part of the world, and through all time; ☒ That to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves, is sinful and tyrannical; that even the forcing him to support this or that teacher of his own religious persuasion, is depriving him of the comfortable liberty of giving his contributions to the particular pastor, whose morals he would make his pattern, and whose powers he feels most persuasive to righteousness, and is withdrawing from the ministry those temporary rewards, which proceeding from an approbation of their personal conduct, are an additional incitement to earnest and unremitting labors for the instruction of mankind; ☒ That our civil rights have no dependence on our religious opinions, any more than our opinions in physics or geometry; that therefore the proscribing any citizen as unworthy the public confidence by laying upon him an incapacity of being called to offices of trust and emolument, unless he profess or renounce this or that religious opinion, is depriving him injuriously of those privileges and advantages to which in common with his fellow-citizens he has a natural right; that it tends only to corrupt the principles of that religion it is meant to encourage, by bribing with a monopoly of worldly honours and emoluments, those who will externally profess and conform to it; that though indeed these are criminal who do not withstand such temptation, yet neither are those innocent who lay the bait in their way; ☒ That to suffer the civil magistrate to intrude his powers into the field of opinion, and to restrain the profession or propagation of principles on supposition of their ill tendency, is a dangerous fallacy, which at once destroys all religious liberty, because he being of course judge of that tendency will make his opinions the rule of judgment, and approve or condemn the sentiments of others only as they shall square with or differ from his own; ☒ That it is time enough for the rightful purposes of civil government, for its officers to interfere when principles break out into overt acts against peace and good order; ☒ And finally, that truth is great and will prevail if left to herself, that she is the proper and sufficient antagonist to error, and has nothing to fear from the conflict, unless by human interposition disarmed of her natural weapons, free argument and debate, errors ceasing to be dangerous when it is permitted freely to contradict them:



Be it enacted by the General Assembly, That no man shall be compelled to frequent or support any religious worship, place, or ministry whatsoever, nor shall be enforced, restrained, molested, or burthened in his body or goods, nor shall otherwise suffer on account of his religious opinions or belief; but that all men shall be free to profess, and by argument to maintain, their opinion in matters of religion, and that the same shall in no wise diminish enlarge, or affect their civil capacities.

And though we well know that this assembly elected by the people for the ordinary purposes of legislation only, have no power to restrain the acts of succeeding assemblies, constituted with powers equal to our own, and that therefore to declare this act to be irrevocable would be of no effect in law; yet we are free to declare, and do declare, that the rights hereby asserted are of the natural rights of mankind, and that if any act shall be hereafter passed to repeal the present, or to narrow its operation, such act shall be an infringement of natural right.

Th. Jefferson

A MODERN-DAY PARAPHRASE

An easier-to-understand paraphrase of Jefferson's words



God created us to be free in our thinking. He is all-powerful but He chose not to force us to obey Him. Throughout history there have been people who have tried to force others to believe a certain way about God. Often times this has led to people being forced to believe what the ruler believed even if it wasn't really true. We don't want that.

It also isn't right to force people to give money to religions that they don't believe. It is best to let people support the religion they believe is the best one. The government shouldn't even force people to support the religion they do believe is right. Each person should be free to support his religion in the way he thinks is best.

The rights we have, as citizens, shouldn't depend on which religion we follow. The government shouldn't tell people that they cannot hold a public office like mayor, or governor, or President just because of their religious beliefs. If the government did that, it would only cause people to lie about their beliefs. They might say they believe this or that religion just to run for political office. Of course, it would be wrong for people to lie about their religious beliefs, but it would also be wrong for the government to tempt people to lie by saying that only people who believe a certain way can be in politics. The government's job is to help keep a peaceful society, not to tell people what religion to follow.

Truth is a wonderful thing. Truth can defend itself if you just let it be told. People need to be free to talk about what they believe is the truth about God.

Because of all this, we, the leaders of the state of Virginia, have decided the government should not force anybody to follow a religion, nor should the government force anybody to pay money to support a religion. People should decide this for themselves. Also, the government shouldn't hassle people because of the religion they follow. Instead, everybody should be free to follow, and talk about, their religion.

We know that we are elected by the people to make decisions for right now. We know that in the future some group of Virginia's leaders may decide to change this law. But, if they did, we want to say right now that would be wrong, because God created us to be free.

A BRIEF HISTORY

Congress Requests the First Proclamation

[B]e it *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That January 16, 1993, is designated as “Religious Freedom Day,” and the President is authorized and requested to issue a proclamation calling on the people of the United States to join together to celebrate their religious freedom and to observe the day with appropriate ceremonies and activities.

In 1995, and again in 1998, under his directive, the U.S. Department of Education issued guidelines clarifying students’ religious liberties.

“...Schools do more than train children’s minds. They also help to nurture their souls by reinforcing the values they learn at home and in their communities. I believe that one of the best ways we can help out schools to do this is by supporting students’ rights to voluntarily practice their religious beliefs, including prayer in schools.” *President Clinton, 1998*

2002 Proclamation

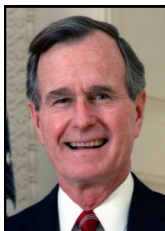
“Religious freedom is a cornerstone of our Republic, a core principle of our Constitution, and a fundamental human right.”

2010 Proclamation

“Faith can bring us closer to one another, and our freedom to practice our faith and follow our conscience is central to our ability to live in harmony.”

2018 Proclamation

“The free exercise of religion is a source of personal and national stability, and its preservation is essential to protecting human dignity. Religious diversity strengthens our communities and promotes tolerance, respect, understanding, and equality.”



1993 Proclamation

President Bush issues the first Religious Freedom Day proclamation.



1994 Proclamation

“Religious freedom helps to give America’s people a character independent of their government, fostering the formation of individual codes of ethics, without which a democracy cannot survive.”

1996 Proclamation

“Let us pledge our support to all who struggle against religious oppression and rededicate ourselves to fostering peace among people with divergent beliefs so that what Americans experience as a ‘natural right’ may be enjoyed by individuals and societies everywhere.”



2005 Proclamation

Our Founding Fathers knew the importance of freedom of religion to a stable and lasting Union.



2013 Proclamation

“As we observe Religious Freedom Day, let us remember the legacy of faith and independence we have inherited, and let us honor it by forever upholding our right to exercise our beliefs free from prejudice or persecution.”



2020 Proclamation

“From its opening pages, the story of America has been rooted in the truth that all men and women are endowed with the right to follow their conscience, worship freely, and live in accordance with their convictions.”



To read more proclamations, visit
www.ReligiousFreedomDay.com

The Religious Freedom of Public School Students and Teachers

The freedom of speech can take different forms. It includes what students say to other people as well as their freedom to speak to God in prayer; it includes what they write in school assignments or the words they give to a friend either by speaking or in writing. The information below comes from the U.S. Department of Education's document *Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools* (Jan. 16, 2020).

STUDENTS

1 You can express your faith in your class work and homework.

"Students may express their beliefs about religion in homework, artwork, and other written and oral assignments free from discrimination based on the religious perspective of their submissions.

"Such home and classroom work should be judged by ordinary academic standards of substance and relevance and against other legitimate pedagogical concerns identified by the school. Thus, if a teacher's assignment involves writing a poem, the work of a student who submits a poem in the form of a prayer (for example, a psalm) should be judged on the basis of academic standards (such as literary quality) and neither penalized nor rewarded on account of its religious perspective."

2 You can pray, read your Bible or other religious texts, and talk about your faith.

"Students may pray when not engaged in school activities or instruction, subject to the same rules designed to prevent material disruption of the educational program that are applied to other privately initiated expressive activities. Among other things, students may read their Bibles, Torahs, Korans, or other scriptures; say grace before meals; and pray or study religious materials with fellow students during recess, the lunch hour, or other non-instructional time to the same extent that they may engage in nonreligious activities.

"[S]tudents may pray with fellow students during the school day on the same terms and conditions that they may engage in other conversation or speech. Students may also speak to, and attempt to persuade, their peers about religious topics just as they do with regard to political topics."

3 You can pass out religious literature.

"Students have a right to distribute religious literature to their schoolmates on the same terms as they are permitted to distribute other literature that is unrelated to school curriculum or activities.

"Schools may impose the same reasonable time, place, and manner or other constitutional restrictions on distribution of religious literature as they do on non-school literature generally, but they may not single out religious literature for special regulation."

4 You can wear clothing with religious messages.

"Schools enjoy substantial discretion in adopting policies relating to student dress and school uniforms. Schools, however, may not single out religious attire in general, or attire of a particular religion, for prohibition or regulation.

"If a school makes exceptions to the dress code for nonreligious reasons, it must also make exceptions for religious reasons, absent a compelling interest.

"Students may display religious messages on items of clothing to the same extent that they are permitted to display other comparable messages. Religious messages may not be singled out for



suppression, but rather are subject to the same rules as generally apply to comparable messages.”

5 You can organize prayer groups and religious clubs, and announce your meetings.

“Students may organize prayer groups, religious clubs, and ‘see you at the pole’ gatherings before school to the same extent that students are permitted to organize other noncurricular student activities groups. Such groups must be given the same access to school facilities for assembling as is given to other noncurricular groups, without discrimination because of the religious perspective of their expression.

“School authorities possess substantial discretion concerning whether to permit the use of school media for student advertising or announcements regarding noncurricular activities. However, where student groups that meet for nonreligious activities are permitted to advertise or announce their meetings—for example, by advertising in a student newspaper, making announcements on a student activities bulletin board or public address system, or handing out leaflets—school authorities may not discriminate against groups who meet to engage in religious expression such as prayer.”

6 Your religious club can require student leaders to adhere to its religious teachings.

“Similar to other student groups such as political student groups, the Equal Access Act permits religious student groups to allow only members of their religion to serve in leadership position if these leadership positions are positions that affect the religious content of the speech at the group’s meetings. For example, a religious student group may require leaders such as the group’s president, vice-president, and music coordinator to be a dedicated member of a particular religion if the leaders’ duties consist of leading prayers, devotions, and safeguarding the spiritual content of the meetings.”

7 You can be excused from school for religious reasons.

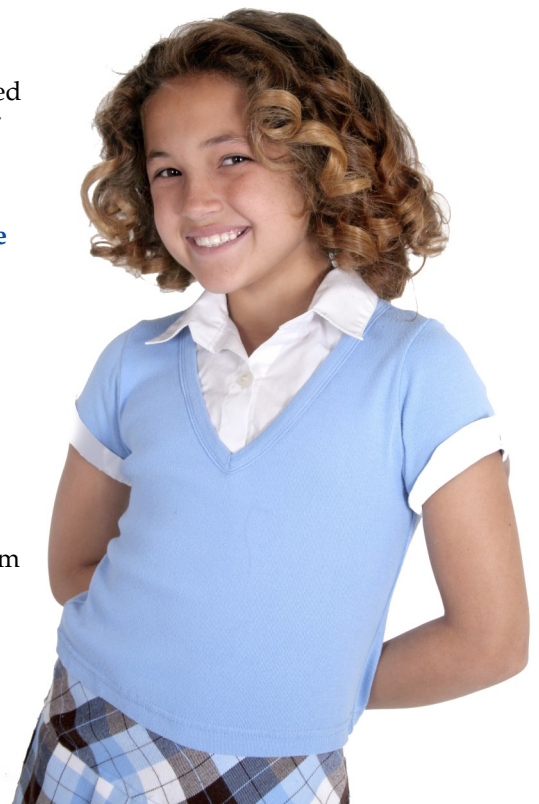
“Where school officials have a practice of excusing students from class on the basis of parents’ requests for accommodation of nonreligious needs, religiously motivated requests for excusal may not be accorded less favorable treatment.

“In addition, in some circumstances, based on Federal or State constitutional law or pursuant to State statutes, schools may be required to make accommodations that relieve substantial burdens on students’ religious exercise.”

8 You may be able to attend off-site religious instruction and have your religious exercise accommodated during the school day.

“Schools have the discretion to dismiss students to off-premises religious instruction, provided that schools do not encourage or discourage participation in such instruction or penalize students for attending or not attending.

“Similarly, schools may excuse students from class to remove a significant burden on their religious exercise, including prayer, where doing so would not impose material burdens on other students. For example, it would be lawful for schools to excuse Muslim students from class to enable them to fulfill their religious obligations to pray during Ramadan.”



9 You can express your faith at school events and graduations.

“Where student speakers [at student assemblies and noncurricular activities such as sporting events] are selected on the basis of genuinely content-neutral, evenhanded criteria and retain primary control over the content of their expression, that expression is not attributable to the school and therefore may not be restricted because of its religious (or anti-religious) content, and may include prayer.

“Where students or other private graduation speakers are selected on the basis of genuinely content-neutral, evenhanded criteria and retain primary control over the content of their expression, however, that expression is not attributable to the school and therefore may not be restricted because of its religious (or anti-religious) content and may include prayer.

“To avoid any mistaken perception that a school endorses student speech or other private speech that is not in fact attributable to the school, school officials may make appropriate, neutral disclaimers to clarify that such speech (whether religious or nonreligious) is the speaker’s and not the school’s speech.”

EDUCATORS

1 You can pray at school.

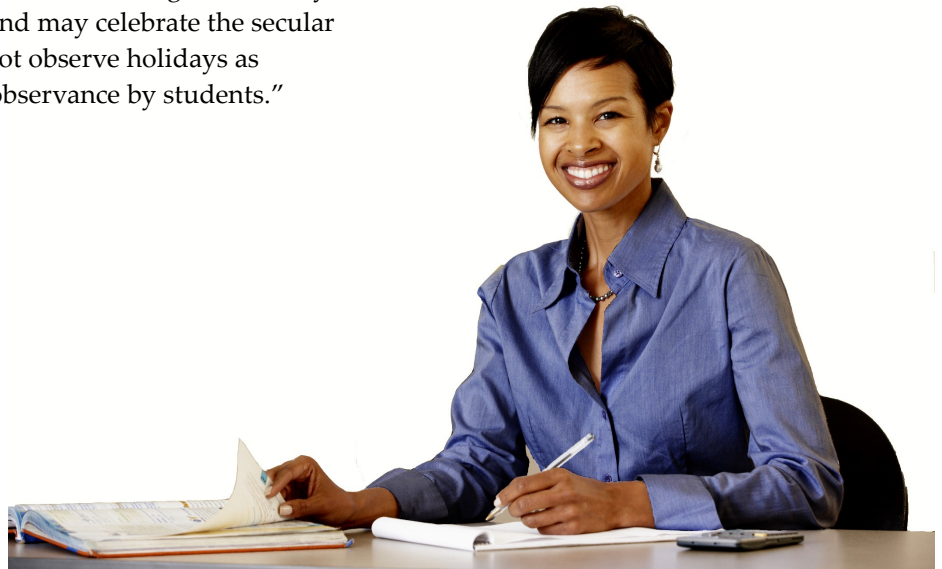
“When acting in their official capacities as representatives of the State, teachers, school administrators, and other school employees are prohibited by the First Amendment from encouraging or discouraging prayer, and from actively participating in such activity with students.

“Teachers, however, may take part in religious activities where the overall context makes clear that they are not participating in their official capacities. Teachers also may take part in religious activities such as prayer even during their workday at a time when it is permissible to engage in other private conduct such as making a personal telephone call. Before school or during lunch, for example, teachers may meet with other teachers for prayer or Bible study to the same extent that they may engage in other conversation or nonreligious activities. Similarly, teachers may participate in their personal capacities in privately sponsored baccalaureate ceremonies or similar events.”

2 You can teach about religion.

“Public schools may not provide religious instruction, but they may teach about religion. For example, philosophical questions concerning religion, the history of religion, comparative religion, the Bible (or other religious teachings) as literature, and the role of religion in the history of the United States and other countries all are permissible public school subjects. Similarly, it is permissible to consider religious influences on philosophy, art, music, literature, and social studies.

“Although public schools may teach about religious holidays, including their religious aspects, and may celebrate the secular aspects of holidays, schools may not observe holidays as religious events or promote such observance by students.”



Ideas for the Classroom

Religious Freedom Day is an opportunity for a civics lesson. One of the best ways to commemorate the day is to tell students about the religious freedom they have in their classrooms and schools. To avoid the potential problem of any particular religious group feeling left out, keep the focus on the issue of civil liberty for all instead of highlighting various religious groups.

Religious Freedom Day occurs very close to Martin Luther King, Jr. Day. Thematically, these two special days can be tied together by explaining to students the importance of Reverend King's freedom of religious expression in his civil rights activity.

Here are ideas teachers can use to recognize Religious Freedom Day:

1. Read the most recent Presidential Proclamation. The proclamation is on the White House web site at www.whitehouse.gov . Previous Presidential Proclamations are available by visiting www.ReligiousFreedomDay.com.
2. Have students discuss and write about "Why religious freedom is important to a healthy society."
3. Distribute copies of the U.S. Department of Education's guidance on students' religious liberties to students and discuss it in class. Teachers can also write a letter to parents and attach the guidance. The letter can introduce Religious Freedom Day and convey the message that, "my classroom is a safe place for your child to express your family's religious beliefs."
4. Talk about countries where freedom of religion is not allowed. For research on this, visit www.state.gov/international-religious-freedom-reports.
5. Distribute and discuss the Virginia Statute for Religious Freedom drafted by Thomas Jefferson. Since the 18th-century writing style of the statute is difficult to read the paraphrased version may be a better option.
6. Spread the word about Religious Freedom Day to your colleagues and friends.



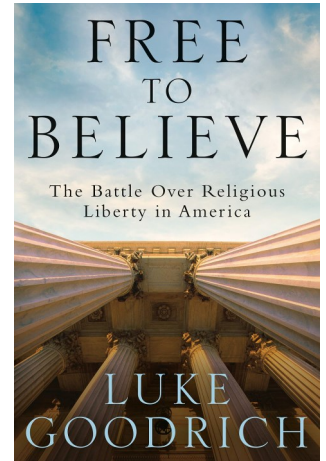
For more ideas on teaching about religious freedom students have in public schools, visit:

www.GoGateways.org/freetospeak

Religious Freedom Defined

In his book, *Free to Believe*, Luke Goodrich, a leading religious freedom attorney, offers this straight-forward definition of religious freedom:

Religious freedom means the government, within reasonable limits, leaves religion alone as much as possible – to make room for people to exercise their religion as freely as possible. (p.38)



Three Reason Religious Freedom is Important for EVERYONE

Goodrich explains three reasons religious freedom is important for everyone – even those who are not religious:

1. **Religious freedom benefits society.** It promotes good works, protects the right of dissent, and reduces social tension.
2. **Religious freedom protects our other rights.** It establishes limits on what government can do, which is the foundation of all other rights.
3. **Religious freedom is a fundamental human right.** Freedom of conscience is rooted in human nature and, like other human rights, is worth protecting for its own sake. (p.38)

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