

FRESNO COUNTY SUPERINTENDENT OF SCHOOLS
FRESNO COUNTY BOARD OF EDUCATION

Instruction**RECOGNITION OF RELIGIOUS BELIEFS AND CUSTOMS**

The County Superintendent and County Board recognize 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 County Superintendent and County Board expect 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 forbidden in public schools. Instruction about religion shall not promote or denigrate the beliefs or customs of any particular religion or sect, show a preference for one religious viewpoint over another, or interfere with the religious development of any student in whatever tradition the student embraces. Additionally, instruction about religion shall treat all religions and religious conviction, including nonbelief, with fairness and respect.

County Superintendent 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, staff 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 so 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 public schools. 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.

**FRESNO COUNTY SUPERINTENDENT OF SCHOOLS
FRESNO COUNTY BOARD OF EDUCATION**

County Superintendent/County Board schools shall not prohibit religious activities if the same or similar non-religious activities are permitted.

When required by law, parents/guardians shall be notified that they may, via written request, opt their students out of instruction on the basis of their religious beliefs as specified in the accompanying administrative regulation. Students whose parents/guardians opt them out of such instruction may be offered an alternative activity of similar educational value. 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.

Adopted: 10/20/2011

Amended: 11/19/2020, 11/21/2024, 03/19/2026

Legal ReferenceEducation Code

38130-38139 Civic Center Act

51240 Excuse from instruction due to religious beliefs

46014 Absences for religious purposes

51511 Religious matters properly included in courses of study

51930-51939 California Healthy Youth Act

United States Code, Title 20

4071-4074 Equal Access Act

6061 School prayer

7904 School prayer

Court Decisions

Fellowship of Christian Athletes v. San Jose Unified School District Board of Education (2023)
82 F.4th 664

Kennedy v. Bremerton (2022) 142 S.Ct. 2407

Lassonde v. Pleasanton Unified School District, (2003, 9th Cir.) 320 F.3d 979

Cole v. Oroville Union High School District, (2000, 9th Cir.) 228 F.3d 1092

Florey v. Sioux Falls (1980) 619 F.2d 1311

Lemon v. Kurtzman, (1971) 403 U.S. 602

Mahmoud v. Taylor (2025) 606 U.S. ____ (2025 WL 1773627)

Management ResourcesCalifornia Department of Education Publications

Appendix F history social science framework for California public schools

U.S. Department of Education Publications

Guidance on Constitutionally Protected Prayer and Religious Expression in Public Elementary and Secondary Schools, May 2023