

Secular Program

A district may instruct students in the study of comparative religion or the history of religion and its relationship to the advancement of civilization. The study of the Bible or of religion for its literary and historic qualities, when presented objectively as part of a secular program of education, is consistent with the First Amendment. School Dist. of Abington v. Schempp, 374 U.S. 203 (1963)

Academic Freedom

A district shall not require teaching and learning to be tailored to the principles or prohibitions of any religious sect or dogma. A district shall not adopt programs or practices that aid or oppose any religion. Epperson v. Arkansas, 393 U.S. 97 (1968) (holding unconstitutional a prohibition against teaching evolution); Edwards v. Aguillard, 482 U.S. 578 (1987) (holding unconstitutional a requirement that creationism be taught with evolution)

Religious Exercises

A district shall not prescribe a religious exercise as part of the curricular activities of students even if the religious exercise is denominationally neutral or its observance on the part of the students is voluntary. School Dist. of Abington v. Schempp, 374 U.S. 203 (1963) (holding unconstitutional a requirement of daily Bible readings and recitation of the Lord's Prayer); Engel v. Vitale, 370 U.S. 421 (1962) (holding unconstitutional required recitation of state-adopted prayer)

[For information on student expression of religious viewpoints in class assignments, see FNA]

Elective Courses

In accordance with Education Code 28.011 and 19 Administrative Code 74.36, a district may offer to students in grade 6 or above, and grant elective credit for:

1. An elective course on the Hebrew Scriptures (Old Testament) and its impact and an elective course on the New Testament and its impact; or
2. An elective course that combines the courses described above.

If, for a particular semester, fewer than 15 students at a school district campus register to enroll in a course required by this section, the district is not required to offer the course at that campus for that semester.

A board may offer an elective course based on the books of a religion other than Christianity. In determining whether to offer such a course, the board may consider various factors, including student and parent demand for such a course and the impact such books have had on history and culture.

A district may offer a course, other than the course authorized by Education Code 28.011, in the academic study of the Hebrew Scriptures, the New Testament, or both for local credit or for state elective credit towards high school graduation.

[See DMA for the requirements for a teacher of an elective Bible course.]

Education Code 28.011; 19 TAC 74.36; Att'y Gen. Op. GA-657 (2008)