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Protecting Religious Desegregation in Public Schools

*Adapted from an article written by the Anti-Defamation League of Washington, D.C.
for the Center for Education Equity. Edited by Phoebe Schlanger and Susan Shaffer, MAEC*

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EXPLORING EQUITY ISSUES:

Protecting Religious Desegregation in Public Schools

The First Amendment to the United States Constitution establishes the right to the free exercise of religion. Federal laws, including Title IV of the Civil Rights Acts of 1964, prohibit discrimination in educational institutions. Yet students of all ages and grade levels experience discrimination on the basis of religion.

Students who experience bullying and harassment based on their religion may disengage from educational opportunities, have poor academic performance, and ultimately fail to reach their full potential (Wolfpert, 2010).

These consequences affect our schools and our communities. Without an understanding of how religion intersects with gender, ethnicity, and national origin, educators do not have the essential information to implement effective solutions to complex educational challenges.

BULLYING BY STUDENTS

Bullying remains a problem in our nation's schools. Almost one-third of all

students ages 12 to 18 say they are bullied. More than 16% of bullying incidents target students because of their religious identity [ADL, 2016]. Looking at individual religious populations, those students experience high incidents of religious bullying: approximately one in three Hindu students [The Sikh Coalition, 2014], two in three Sikh students [Hindu American Foundation, 2016], and more than one in two Muslim students [Tucker, 2015]. These include verbal, physical, and cyber assaults.

Sikh children have been called “Bin Laden” or “terrorist.” They have been told to “go back to their country.” [The Sikh Coalition, 2014]. Classmates make fun of their turbans and even try to remove them forcibly. A seventh grader in Vandalia, Ohio, threatened to shoot a Muslim boy on the bus ride home from school, calling him a “towel head,” a “terrorist,” and “the son of ISIS.” [Rizga, 2016] A sixth grader in the Bronx who wears a hijab was reportedly

punched by three boys who called her “ISIS.” [Rizga, 2016] One Sikh student received prank calls from her peers calling her names and she received text messages calling her a “bindi-ass-bitch.” A Muslim student in New Jersey who wears a hijab had her photograph taken at school by classmates which was then posted on social media with the word “ISIS” across it [Ahussain, 2016]. Bullying does not only include peer-to-peer harassment, but does include student-to-teacher as well. A Jewish public school teacher’s students etched swastikas and hate messages such as “Die Jews,” “Kill Owen,” “KKK,” and “White Power” in and around his classroom on multiple occasions and then placed a hangman’s noose on his classroom door (DOJ Case, Owen & United States v. L’Anse Area Schools, 2000).

DISCRIMINATION BY TEACHERS

Teachers and school administrators also participate in religious discrimination. One in five Muslim students experienced discrimination by a school staff member. [Tucker, 2015] One in four Hindu students reported being singled out by a teacher when the section on Hinduism was discussed. [Hindu American Foundation, 2016] In one survey, 27% of students who wear a hijab reported being discriminated by their teacher.

[Tucker, 2015] More than three in five Hindu students reported that their schools focused on caste and Hinduism and one in eight students said their teachers made sarcastic comments about Hinduism in front of the whole class [Hindu American Foundation, 2016]. A Georgia teacher asked a student wearing a headscarf if she was carrying a bomb [Ahussain, 2016]. In a case that received national attention, a 14-year-old Muslim student in Texas was arrested after he brought a clock to school [Walsh, 2015]. One teacher told a Muslim student that he was “not American enough to understand.” [Tucker, 2015] One teacher in Texas distributed an 8-page pamphlet that alluded to Islam being a violent religion that preaches an “ideology of war.” [Murphy, 2015]

Beyond the hateful speech they experience, reports suggest that students wearing the hijab are more likely to be placed in lower academic levels than those who do not [ODIHR, 2011]. In addition, a teacher’s actions or inactions could unintentionally foster a classroom environment where bullying is perceived as acceptable by not addressing it or by not challenging stereotypes about students of a particular religious background. [USDOJ, 2016]

WHAT CAN SCHOOLS DO?

Review and Revise School Policies

School policies must provide reasonable religious accommodations, such as excusal from school for religious holidays, religious clothing exceptions to dress codes, and accommodation for prayer during the day. Understandably, this raises complex issues when these accommodations conflict with school curriculum. A student may need to opt out of a course or part of a course because of religious objections. A school may need to provide single-sex swimming classes and allow students to wear long pants during Physical Education classes. [ODIHR, 2011]

Review and Adapt Curricula

School administrators and teachers must know the difference between teaching religion and teaching about religion [ADL, 2012]. Because this contentious issue has legal repercussions, teachers and educators often avoid topics of religion, religious diversity, and pluralism in the classroom. When religion does enter the curriculum, problems arise when teachers only discuss the major religions. Teachers should avoid cursory discussions that subtly denigrate the validity of minority religious beliefs held by some individuals, regardless of whether adherents to minority beliefs

are represented in the class.

Conversely, teachers should not single out students to explain their religious (or cultural) traditions. The student may feel uncomfortable and may not have enough information to be accurate. Moreover, by asking a student to be a spokesperson for his or her religion, the teacher sends a signal that the religion is too “exotic” for the teacher to understand. Finally, teachers should appreciate that discussion of religion in the classroom may alienate those students who are being raised with no religious faith.

Review Textbooks

School administrators must examine the textbooks they use. For example, some (such those from Houghton Mifflin Harcourt, Pearson, and McGraw-Hill) contain information on Sikhs that is inaccurate and inflammatory, conflating Sikhism with other religious traditions and extraneous reference to “Sikh terrorists.” [The Sikh Coalition, 2014]

Educate Parents

Parents and students need education about the range of Federal protections they have against discrimination. Many parents, students, and teachers are not fully aware of their rights to be educated in an environment free from religion-based discrimination and harassment.

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English Learner students and their families may need extra help because language barriers may exacerbate this problem.

towards a vision of a pluralistic America that is open and welcoming to all groups, including religious and non-religious minorities.

Educators must find a way to support religious freedom in public schools that neither defines nor confines young people. When navigating the complex issue of religious freedom, teachers and school administrators must balance the constitutional mandates of separation of church and state, the right to freely exercise religion, and the right to freedom of speech. They must consider needs and rights of both the religious and the non-religious, and strive

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