

# The Benefits of Implementing Reflection Rooms in Public Schools

Leen Nachawati

## INTRODUCTION

Why do we have to go to school? What makes education so important that the federal government needs to implement educational programs and schools? The obvious answer is receiving that education itself, but is there any other purpose, specifically, for public schools? Public schools are home to nearly 90% of K-12 students until they attain adulthood.<sup>1</sup> With the vast majority of American children attending public school, it is important that they provide something more than information that can be obtained through books. Just as schools should provide students an abundance of knowledge, it should provide them with experiences. These are the experiences that allow students to grow and become citizens with positive contributions to society.

In speaking about society, society spans much further than the school premises. Logistically, it follows that the experiences students receive should involve exploring issues that have relevancy outside of school as well. The purpose of school is not to shelter students, but equip them. While we educate students about democracy and their responsibility as citizens, it is important to teach them to respect the legal rights of others.<sup>2</sup> This tolerance of fellow citizens that may be diverse through their backgrounds, religions, and experiences only comes with exposure to such diversity as students grow.

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<sup>1</sup> Jack Jennings, *Proportion of U.S. Students in Private Schools is 10 Percent and Declining*, HUFFINGTON POST (last updated May 28, 2013), [http://www.huffingtonpost.com/jack-jennings/proportion-of-us-students\\_b\\_2950948.html](http://www.huffingtonpost.com/jack-jennings/proportion-of-us-students_b_2950948.html).

<sup>2</sup> *Exploring the Purpose of Public Education*, EDUCATIONUPDATE (June 2004), <http://www.ascd.org/publications/newsletters/education-update/jun04/vol46/num04/Exploring-the-Purpose-of-Public-Education.aspx>.

Growth is accomplished in many ways, and for many, it is spiritual growth. This can come through religion or other beliefs. This article not only proposes the implementation of reflection rooms in public schools, but goes further to lay out how such an implementation will further the purpose of public education. Part I highlights the importance of reflection rooms and their benefits. Part II focuses on the legal implications that come with such an implementation. Finally, part III proposes a specific format for the implementation, as well as an analysis of potential problems.

### I. BENEFITS OF REFLECTION ROOMS IN PUBLIC SCHOOLS

The purpose of implementing reflection rooms in public schools is two-fold: to create a safe and accepting learning environment for students, and to instill values of tolerance and open-mindedness. For many students, prayer and reflection is part of their daily schedule. For some, the prayer follows a schedule, for others it is not. For example, practicing Muslims pray five times a day, with one or two of those prayers falling within the school day—the noon and afternoon prayers.<sup>3</sup> Often, the period for the prayer overlaps the duration of a class. Regardless of the specific religion or belief being followed, if a student wants to pray to fulfill religious obligations or to reflect, he or she may feel discouraged because of two factors: the need to obtain permission and explain to the teacher, and the lack of private space to pray.

By creating a reflection room, students know that they are welcome to use the room comfortably and without judgment. Rather than requiring students to explain to each teacher why they would like to step out, schools would be taking affirmative steps in notifying students that their beliefs and practices are well accepted in the school

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<sup>3</sup> *Why do Islamic prayer times change from day to day?*, ABOUT RELIGION (last accessed May 7, 2015), [http://islam.about.com/od/prayer/f/prayer\\_times.htm](http://islam.about.com/od/prayer/f/prayer_times.htm).

environment. It takes away something that might be a stressor for many students, and instead allows them to focus on what they are in school to do: to learn. The stress relief comes from both having the ability to participate in religious or spiritual beliefs, as well as not having any obstacles to do so.

On the other hand, a reflection room also benefits the teachers and students who are not directly using the room because of the room's purpose and goals. A policy implementing the rooms creates awareness for different spiritual practices, making both students and teachers open-minded and understanding of why someone may step out of the classroom for a few minutes everyday. It allows them to have first-hand exposure to different practices that they may be unaware of otherwise. At the same time, this is not one that would make students feel obligated to participate, because the use of the room occurs outside of the classroom and on an individual basis.

While these are the main benefits of a reflection room, there are various other positives that will come out of such an implementation. A reflection room serves as an alternative to traditional school breaks. For example, students who partake in fasting, something practiced by many religions including Judaism, Islam, and Hinduism, will be able to enjoy the reflection room rather than sitting in the cafeteria while other students eat around them. Another benefit is creating a safe space to bring students of similar beliefs together. While schools find it easy to state that diversity is a goal, a reflection room is an affirmative step towards that goal.

## II. LEGAL IMPLICATIONS

As with any proposal involving the federal government and education, there may be legal implications with the implementation of reflection rooms in public schools. The

First Amendment of the United States Constitution provides two provisions relating to religion: the Establishment Clause and the Free Exercise Clause.<sup>4</sup> The Establishment Clause states “Congress shall make no law respecting an establishment of religion,” and the Free Exercise Clause continues with “...or prohibiting the free exercise thereof.”<sup>5</sup> While the two relate to religion, the purpose of these two clauses is quite different. Because of the Free Exercise Clause, the right of individuals to pray within public schools is well protected,<sup>6</sup> so allowing the students to pray is not an issue that can be legally argued. The Supreme Court has repeatedly held that the First Amendment requires public school officials to be neutral in how they treat religion, meaning they cannot favor a religion nor show hostility against one.<sup>7</sup> But the Court has drawn a line between the protected private speech endorsing religion, and the government speech endorsing religion.<sup>8</sup> The discussion here falls to what establishment by the federal government looks like, and whether creating a reflection room in public schools implies an establishment of religion by the schools.

Historically, establishment meant prohibiting state-sponsored churches like the Church of England.<sup>9</sup> Today, it can be said that at a minimum, the Establishment Clause was meant to prohibit the federal government from declaring or financially supporting a

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<sup>4</sup> *First Amendment and Religion*, UNITED STATES COURTS (last visited May 2, 2015), <http://www.uscourts.gov/educational-resources/educational-activities/first-amendment-and-religion>

<sup>5</sup> U.S. Const. amend. I.

<sup>6</sup> *Guidance on Constitutionally Protected Prayer in Elementary and Secondary Schools*, U.S. DEPARTMENT OF EDUCATION (last visited May 15, 2015), [http://www2.ed.gov/policy/gen/guid/religionandschools/prayer\\_guidance.html](http://www2.ed.gov/policy/gen/guid/religionandschools/prayer_guidance.html).

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> *Supra*, note 4.

national religion.<sup>10</sup> For the purposes of our discussion, it is fundamental to examine the development of the law to fully understand the legality of the current proposal.

The question of prayer in school first fell into the Supreme Court's docket in *Engel v. Vitale* of 1962, where the issue was a short, voluntary prayer for recitation at the start of each school day.<sup>11</sup> The prayer, which read "Almighty God, we acknowledge our dependence upon Thee, and beg Thy blessings upon us, our teachers, and our country," was nondenominational in nature.<sup>12</sup> However, the Supreme Court found that neither the nondenominational prayer nor the voluntary character was enough to make the act of the school constitutional.<sup>13</sup> That same year, the Supreme Court decided *Abington School District v. Schempp*, holding mandatory bible reading and recitation of the Lord's Prayer in public schools at the beginning of the school day a violation of the First Amendment. While mandatory, the school allowed students to be excused from the practice with a written note from their parents.<sup>14</sup> Potential excusal from the activity did not prevent the school's violation of the Establishment clause and was found irrelevant.<sup>15</sup> As compared to reflection rooms, both of these activities require in-class participation. Both activities also create an environment where students believe that participation is expected of them, but that in some cases exceptions will be made. The difference between allowing students to opt out of an activity and reflection rooms is that reflection rooms are essentially an "opt-in" activity. It is in no way mandatory or pushed for. Students will

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<sup>10</sup> *Introduction to the Establishment Clause*, UNIVERSITY OF MISSOURI-KANSAS CITY (last accessed May 2, 2015), <http://law2.umkc.edu/faculty/projects/ftrials/conlaw/estabinto.htm>.

<sup>11</sup> *Engel v. Vitale*, 370 U.S. 421 (1962).

<sup>12</sup> *Id.*

<sup>13</sup> *Id.*

<sup>14</sup> *Abington School District v. Schempp*, 374 U.S. 203 (1963).

<sup>15</sup> *Id.*

not feel that by not using the reflection room, they are going against the norm or what everyone else is doing. This lack of pressure on students to participate creates a vast contrast between these Supreme Court cases and this proposal.

Years later, a clear test was created with *Lemon v. Kurtzman*, where the Supreme Court created a three-part test set for what constitutes an establishment of religion.<sup>16</sup> Under the *Lemon* test, the government can assist religion only if the primary purpose of the assistance is secular, the assistance does not promote or inhibit religion, and there is no excessive entanglement between church and state.<sup>17</sup> Years later, a case appeared before the court challenging a state law authorizing teachers to conduct regular religious prayer services and activities inside classroom and during the school day.<sup>18</sup> The Supreme Court applied the first prong of the *Lemon* test, asking whether the state's actual purpose was to either endorse or disapprove of a religion.<sup>19</sup> This state law surpassed a small deviation from absolute neutrality of religion and was instead an affirmative endorsement of religion, thereby violating the Establishment Clause.<sup>20</sup> Going further than outright endorsement of religion, public schools may not decide that school-sponsored events should include a prayer by implementing policies like football game speakers policies that result in favoring religious expression.<sup>21</sup> Again, these activities are like pushed on students who are taking part of either mandatory school activities, or school activities that are optional but desired by students. The activities require the student body as a whole to take part in activities that make many uncomfortable.

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<sup>16</sup> *Lemon v. Kurtzman*, 403 U.S. 602 (1971).

<sup>17</sup> *Id.*

<sup>18</sup> *Wallace v. Jaffree*, 472 U.S. 38 (1985).

<sup>19</sup> *Id.*

<sup>20</sup> *Id.*

<sup>21</sup> *Supra*, note 6.

However, individual students are not required to “shed their constitutional rights...at the schoolhouse gate.”<sup>22</sup> There is nothing in the constitution prohibiting a student from voluntarily praying before, during, or after the school day on school grounds.<sup>23</sup> Furthermore, remarks by students are not attributable to the state, which would create a restriction with religious content.<sup>24</sup> But what effect is there when the school creates a safe space for such prayer? Understanding the development of the law and the *Lemon* test helps in this analysis.

Applying the *lemon* test to the implementation of reflection rooms in public schools, it is clear that this practice would pass the test. First, a statute creating reflection rooms in public schools does have a secular legislative purpose: to create a safe, comfortable, and welcoming environment for students of different faiths to partake in their spiritual practices. This might involve religious students or students of other beliefs. Second, the effect of the reflection room does not advance or inhibit a particular religion or religion as a general concept. The effect is to take students, regardless of what beliefs they identify with, and allow them to practice while on school grounds in a non-disruptive manner. Some may argue that this room will prove useful for a handful of students where prayer is obligated, like Muslim students. However, even if the room is being used by a majority of Muslim students, the school is in no way encouraging all students to practice Islam. Who uses the room the most is irrelevant; the school is neutral as to all religions and beliefs. In fact, the room is a private space where students are free to keep their practices private; the school is not required and does not need to know what

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<sup>22</sup> *Id.*

<sup>23</sup> *Id.*

<sup>24</sup> *Id.*

religion or belief is being practiced because it is completely irrelevant to the room's purpose. Lastly, the statute does not foster an excessive government entanglement with religion. Again, the reflection room does not need to be for those following a particular religion, and can be simply used as a place of reflection. Rather than religion, the involvement of the federal government instead pertains to its want of student wellness.

### III. ANALYSIS & PROPOSAL

In order for the reflection rooms to fulfill the aforementioned benefits, certain steps should be followed to avoid mishaps. First and foremost, there may be some push-back from schools claiming that creating a reflection room asks too much of the school itself. However, the creation of the room does not need to burden the school, in fact, quite the opposite. Schools only need to find an accessible empty space that is unused. Within the room, schools should not supply any religious materials to avoid any accusation of supporting or endorsing certain religions over others. These kinds of challenges can come from having an abundance of Bibles, for example, but no Torahs. Instead, the school need only ensure a clean room with bookshelves for students to bring in their own materials. Whether that includes rosary beads or a prayer rug, it is up to the discretion of the individual student, while the school shows utmost neutrality towards all beliefs.

It should be noted that this room is for both those who follow a particular religion and those following a completely different belief system. This is not a prayer room, although it may be used as such. It is simply a safe space created for students to allow them to maintain their spirituality on school grounds. Furthermore, it is important to highlight that the use of the reflection room is optional to all students and staff. It is not

encouraged, forced on students, or favored. It is simply a tool provided by a neutral school system that aims to provide comfort for its students.

Along with this comfort comes the concern of abuse of the reflection rooms. The rooms have a potential of being abused by both staff and students. First, if the room is not being used often, some staff may find it to be a good space for student timeouts. This is especially true for younger children and special needs students. It may result in leaving the child without supervision and leaving them for an extended period of time. On the other hand, students may attempt to abuse the reflection room by using it as a means to waste time. Students who may not actually want to pray or reflect may nonetheless lie and say that they do in order to get out of the classroom. This type of abuse is similar to just cutting class or taking too long when a student steps out to use the bathroom. Either way, these two kinds of abuses can be avoided with the right procedure.

First, the reflection room should be located near the school office, if not inside the office. This allows supervision of who is going in and out, as well as how long students are inside the room. As school staff become familiar with the faces going in and out of the room, students will think twice about going into the room many times per day, or spending too much time inside. It will also stop any teacher from thinking of using the room for inappropriate purposes like timeouts. A teacher will find no acceptable excuse to put a child in the room and then leave them there.

Lastly, in order to maintain organization, there should be passes in every classroom that the student can grab on his or her way out. Much like a bathroom pass, this pass functions as a notice to teachers, hall monitors, and faculty working near the room that the student has been excused from class for a short time period, anywhere

between five and ten minutes, to pray or reflect. Teachers can maintain their own classroom policies for when it is acceptable to leave the classroom to go to the reflection room. This will avoid disruptiveness, and allow the benefit from class while still being able to practice their beliefs. For example, if a teacher has an test planned for the class, the teacher can make a note to the students she knows will step out so they know to leave before the test starts or after it concludes. Giving teachers reasonable discretion will make them more willing to participate and more accepting and tolerant of the students' beliefs.

#### CONCLUSION

While it may be easy for schools to include a clause in their mission statements regarding their commitment to diversity, actions speak louder than words. A reflection room goes a long to support such ideals, and benefits all parties involved. It creates a safe and comfortable environment for students to practice their beliefs, and a tolerant and open-minded school environment. In an age of standardized testing and meeting quotas, creating reflection rooms sends a message to students that schools care about them are individuals rather than numbers.