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EXPRESSION OF STUDENTS' RELIGIOUS IDENTITY IN PUBLIC SCHOOLS IN POLAND AND THE U.S.: BETWEEN LEGAL PROTECTION AND EDUCATIONAL POLICY*

Introduction: This article conducts a comparative analysis of legal frameworks that govern expression of students' religious identity in public schools in Poland and the United States. Anchored in constitutional jurisprudence, statutory provisions, and administrative regulations, the study examines three analytically distinct dimensions of religious identity – intellectual, public, and private practice – through the lens of educational law.

Research Aim: The research aim is to examine how constitutional principles, statutory provisions, and judicial interpretations in Poland and the U.S. define boundaries of the expression of students' religious identity in schools in three selected psychosociological dimensions: intellectual dimension, public practice, and private practice. Examination of the Polish context will facilitate identification of current challenges to students' freedom to express their religious identity at Polish public schools. The U.S. context will be utilized to formulate recommendations for Polish educational policymakers.

Evidence-based Facts: Poland's model, characterized by cooperative church-state relations and constitutionally embedded religious instruction, is contrasted with the American paradigm of strict separation under the First Amendment. The analysis highlights recent regulatory shifts in Poland that have attempted to marginalize religious education, prompting constitutional scrutiny and invalidation by the Constitutional Tribunal. In the U.S., evolving judicial interpretations

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– from *Engel v. Vitale* to *Kennedy v. Bremerton* – illustrate the tension between institutional neutrality and individual religious liberty.

Summary: The findings underscore the need for legally coherent and procedurally sound mechanisms that balance pluralism, state neutrality, and protection of religious identity in Polish educational contexts. The article concludes with normative recommendations for policy refinement and calls for interdisciplinary empirical research to assess lived experiences of students navigating religious expression in public schools.

Keywords: religious identity, religious expression, educational policy, religious instruction, student rights, freedom of religion

INTRODUCTION

Religious identity is a complex and multidisciplinary concept that has attracted scholarly attention across fields such as psychology, sociology, political science, philosophy, and theology. Despite its significance, no single, unified theory has been established. Its inherently pluralistic nature has led to diverse interpretations and frameworks. The *Encyclopedia of Identity* defines religious identity as “how a person or group understands, experiences, shapes, and is shaped by the psychological, social, political, and devotional facets of religious belonging or affiliation” (Jackson & Hogg, 2010, pp. 632–636).

Psychological research underscores the central role of religious identity in shaping an individual’s overall sense of self. For people of faith, religion offers a framework for addressing fundamental questions about meaning, purpose, and human relationship with the transcendent (Leite et al., 2023, p. 108). Erikson’s (1950) theory of psychosocial development highlights religion as a key influence during adolescence – a critical period for identity formation. At this stage, religion can offer a stable worldview that helps young individuals navigate existential questions and avoid identity confusion. As such, religious belief systems often serve as ideological foundation for constructing a coherent and enduring sense of self (Jackson & Hogg, 2010).

Social and psychological dimensions of religiosity converge in the Five-Dimensional Model of Religiosity introduced by Stark and Glock (1970) and later developed by Huber and Huber (2012), which includes:

Intellectual Dimension – Knowledge of religious concepts and ability to articulate views on transcendence and religiosity.

Ideological Dimension – Beliefs about existence and nature of a transcendent reality and its relationship to humanity.

Public Practice – Participation in communal religious activities and adherence to shared norms.

Private Practice – Individual devotion and personal engagement with the transcendent.

Religious Experience – Emotional and experiential connection with ultimate reality and fellow believers.

In order to translate the psycho-sociological understanding of religious identity into a legal analysis, one must examine how each of its five dimensions interacts with constitutional and educational frameworks. From a legal perspective, dimensions of religious identity can be understood as distinct areas where constitutional protections and educational policies are either affirmed, limited, or contested. Each dimension serves as a measure of how much freedom students enjoy in public schools under American and Polish law.

The Religious Experience dimension requires particular caution when transposed into a legal framework. Unlike the other dimensions, which can be meaningfully assessed through curricular structures, permissible forms of expression, or institutional practices, religious experience refers to deeply personal, emotional, and spiritual encounters that cannot be cultivated, measured, or endorsed by public authorities. Consequently, this dimension remains only indirectly relevant to legal analysis: public schools may create conditions that allow students to experience or express their faith individually or voluntarily, but they cannot serve as institutional sites for shared or communal religious experiences. For this reason, the religious experience dimension is not included in the comparative legal analysis that follows.

In pluralistic and democratic societies, governments should safeguard religious identities of all individuals and communities. Concurrently, they should create appropriate conditions that enable expression, preservation, and development of religious identity. What remains the central point of debate is how – and to what extent – religious freedom should be respected and accommodated within the public sphere (Durham et al., 2008; Martínez-Torrón, 2012).

A public school is a particular arena for such protection; it plays a crucial role in shaping and sustaining this identity (Durham & Scharffs, 2019; Temperman, 2010). Therefore, it is justified to examine how, within what legal limits, and by means of which instruments religious identity of students is protected, promoted, and at times also challenged in a public school context. A comparative legal analysis of Poland and the U.S. – the latter being the most religiously pluralistic country (Evans et al., 2025) – provides valuable insights for both development of legal standards of protection and understanding practical implications of safeguarding religious identity in educational settings.

Expression of religious identity in Polish public education is framed by constitutional principles governing church-state relations. Article 25 of the Constitution guarantees equal status of all religious communities, worldview impartiality of public authorities, mutual independence and autonomy of the state and religious groups, combined with their duty to cooperate for the common good, and consensual regulation of mutual relations through agreements and statutes. Together with the Concordat and statutes on particular denominations, these

rules shape a cooperative model that influences both organization of religious education and scope of religious expression in schools. Limits of pupils' religious freedom in practice are defined primarily by Article 53(2), which protects the freedom to profess or accept a religion and to manifest it individually or collectively, publicly or privately, through worship, prayer, participation in rites, or the practice and teaching of religion.

In the U.S., the constitutional framework is rooted in the First Amendment to the Constitution according to which "Congress shall make no law respecting the establishment of religion or prohibiting the free exercise thereof" (U.S. Bill of Rights, 1791). These provisions have generated a vast body of litigation, particularly in the sphere of public education, where questions of religious neutrality and individual freedom repeatedly come into conflict. Unlike the Polish model, which is based on cooperation between the state and religious communities, the American approach rests on a stricter separation of church and state, obliging public school officials to respect students' religious identity without institutional endorsement and without manifesting any hostility to religion.

RESEARCH PROBLEM AND AIM

Given the formative nature of adolescence, expression of religious identity in public schools warrants careful examination. The paper offers an overview of how religious identity emerges in differing societies as it explores legal frameworks that regulate freedom of religion in public education in this respect in both Nations. More specifically, it examines how constitutional principles, statutory provisions, and judicial interpretations in Poland and the U.S. define the boundaries of expression of students' religious identities in schools. The deliberation is restricted to the four dimensions most clearly defined in Polish jurisprudence and educational policy: intellectual dimension, ideological dimension, public practice, and private practice.

The following guiding legal questions outline the areas in which these legal systems will be compared, providing a structured lens through which to assess the degree of freedom students have to express their religious identity at school:

1. Intellectual Dimension: To what extent are schools permitted or required to provide religious instruction and how far can they restrict or mandate such knowledge?
2. Ideological Dimension – To what extent do school officials permit expression of students' beliefs about existence and nature of a transcendent reality and its relationship to humanity?
3. Public Practice: To what degree may students engage in collective religious practices at school and what limits does the law impose on state support or endorsement of such practices?

4. Private Practice: How far do students retain the right to practice personal forms of devotion during a school day and under what conditions can schools regulate or accommodate such acts?

METHODOLOGY

The study employs comparative legal analysis as its primary research method. It systematically examines and contrasts legal frameworks, constitutional principles, statutory provisions, and judicial interpretations that regulate expression of students' religious identity in public schools in Poland and the U.S. The analysis draws on primary legal sources, specifically constitutions, statutes, and judicial orders as well as relevant secondary literature in law, sociology, and education. Research methodology is qualitative in nature, focusing on interpretation and application of legal norms rather than on empirical data collection. Hence, no human participants were involved; the study is based entirely on documentary and doctrinal analysis.

As modern societal trends increasingly challenge religious expression, this inquiry contributes to broader discussions on legal safeguards for religious identity in the Polish educational contexts and informs its policy development. A comparative analysis of Polish and American educational systems can illuminate how students' religious expression in a Polish school setting can be better accommodated and their religious identity protected. The U.S. model is used as a point of reference to identify guidelines that can inform constructive solutions to current challenges, because it is much better developed in terms of judicial and legislative history with regard to dealing with religious plurality in its increasingly multicultural society. In fact, Christians now represent 62% of the American population, down from 78% in 2007, while 29% have no religious affiliation, and 7% belong to other faith traditions (Smith et al., 2025).

Against this background, the remainder of this article is divided into three parts, each discussing the selected dimensions of religious identity. Legal provisions for student expression of religious identity in Polish public schools are presented, followed by a discussion on corresponding provisions in the American system that can facilitate navigating respective challenges in each dimension.

EVIDENCE-BASED FACTS

Intellectual and Ideological Dimensions: The Right to Religious Instruction and Instruction about Religion, and The State-Church Relations in Public Schools

In Poland, religious instruction in public schools operates within constitutional safeguards. Article 53 protects parents' right to provide their children with a moral

and religious upbringing and permits teaching a state-recognized religion, provided others' freedom of conscience is respected. Under Article 12(1) of the Act on the Education System (Journal of Laws 2022, item 2,230), religious instruction is offered on a voluntary, opt-in basis – by parents in preschools and primary schools, and by parents or students in secondary schools, with the possibility of withdrawal at any time; adults decide independently. Article 12(2) requires that organization of religious education be determined in agreement with the Catholic Church, the Polish Autocephalous Orthodox Church, and other recognized communities. These rules are further specified in the Regulation of the Minister of National Education of April 14th, 1992 on the Conditions and Manner of Organizing Religious Education in Public Preschools and Schools (Journal of Laws 2020, item 983), which also provides for ethics classes on analogous terms (except for preschools, where ethics is not taught).

Currently, students may:

- attend both religion and ethics classes and receive separate grades;
- attend only one of these classes; or
- opt out of both.

Schools must organize religious instruction if at least seven students in a class request it. With fewer students, classes are held in inter-class or inter-group form. If a given faith cannot be taught at school, local authorities may arrange off-site instruction in agreement with the religious organization requesting such instruction. Between March 2024 and January 2025, the Minister of National Education issued three regulations that reshaped religious instruction and dismantled a long-standing settlement. The Regulation of March 22nd, 2024, amending the Regulation on the Assessment, Classification and Promotion of Pupils (Journal of Laws 2024, item 438), removed religion and ethics grades from annual and final averages, despite these having previously formed part of the grading system.

The Regulation of July 26th, 2024, amending the Regulation on the Conditions and Manner of Organizing Religious Education (Journal of Laws 2024, item 1,158), allowed larger, mixed groups across classes and grades, contrary to pedagogical principles and issued in breach of Article 12(2) of the Act of September 7th, 1991 on the Education System. In judgment U 10/24 of 27 November 2024, the Constitutional Tribunal declared this regulation unconstitutional.

Despite these controversies, the Minister adopted another act: the Regulation of January 17th, 2025 (Journal of Laws 2025, item 66), introducing the most significant changes – only one hour of religion or ethics per week, scheduled exclusively at the beginning or end of the school day. Again, no agreement with churches or religious associations was reached. The Constitutional Tribunal responded with two further rulings: in judgment U 11/24 of May 22nd, 2025, it annulled exclusion of religion grades from averages; and in judgment U 2/25 of July 3rd, 2025, it struck down the one-hour limit. Under Article 190(1) of the Constitution, these rulings

are final and universally binding, restoring prior regulations. However, due to the ongoing dispute over the legal status of the Constitutional Tribunal's current composition, the Ministry continues to enforce the one-hour limit, which in practice reinforces the trend toward marginalizing religion in public education.

The trend appears to be reminiscent of the shift towards total separation of church and state and an unsuccessful attempt at eradicating religious content from American public education. Numerous legal conflicts present in the USA since the times of colonialism and formation of independent state structures prompted the Founders to adopt the model of separation between Church and State (Dreisbach, 2002). However, they were aware that it was impossible to separate the spheres of spirit and body, which are by their nature inseparable, or to remove religion from the public sphere. Secular state schools have repeatedly tried to arrange cooperation between secular and religious institutions in a friendly, but neutral way so as not to be accused of supporting religion (Witte et al., 2022).

The main purpose of the ban on teaching religion in public schools was to educate students in an atmosphere that is free from religious influences. This type of cohesion in a school community, lack of censorship and independence from pressure exercised by some churches and religious associations, was achieved by leaving faith in the private sphere of each citizen. This approach is also reflected in the broader constitutional framework governing church–state relations in the United States.

On its face, the First Amendment contains two complementary provisions governing church-state relations: the Establishment Clause, which prohibits Congress from adopting statutes that establish religion; and the Free Exercise Clause, which protects the right to practice one's faith. Although the text originally bound only the federal legislature, the Supreme Court extended the Free Exercise Clause to the states in the 1940 *Cantwell v. Connecticut* decision, holding that this protection is incorporated through the Fourteenth Amendment. The *Cantwell* Court unanimously invalidated convictions of a Jehovah's Witnesses member and his sons for violating a statute against soliciting funds for religious, charitable, or philanthropic purposes unapproved in advance by state officials. The Justices struck the law down because it granted public officials unfettered discretion to limit the plaintiffs' peaceful expression of their religious beliefs. Thus, people possess equivalent rights when pursuing legal action against federal and state authorities regarding religious matters.

It was not until 1947 that the Supreme Court finally addressed religion and public education, based on the substance of a First Amendment claim, in *Everson v. Board of Education*. The Justices upheld a New Jersey law that allowed local officials to provide transportation for students to and from their religious schools. In its decision, the Court held that the Establishment Clause is fully applicable to the states through the Fourteenth Amendment, thereby marking the first explicit

incorporation of this clause and setting the foundation for modern church-state jurisprudence in the context of public education.

A year later, in 1948, in *McCollum v. Board of Education*, the Supreme Court stated that legal regulations allowing religious lessons in school buildings were unconstitutional. Public schools had to limit or stop supporting organization of religion classes on school premises. In return, the so-called released time program was developed, providing time off from classes, during which students could attend religious classes or spiritual exercises in their own churches or religious associations.

In 1952, in *Zorach v. Clauson*, the Court upheld the released time program in New York, which allowed students to leave their public schools to go to faith-based schools to receive religious instruction. The Court found that this did not violate the Establishment Clause because while the government must remain neutral when it comes to competition between religious groups, it cannot forbid students from going elsewhere to receive religious instruction. Thus, the released time program for organizing religious education outside the school premises is still in force in many American public schools.

Public Practice: The Right to Engage in Religious Practices Collectively

While the Polish Constitution explicitly regulates the teaching of religion, other forms of religious presence in school life – such as participation in liturgical events or displaying religious symbols – remain equally as significant for understanding the legal and practical framework of religious expression in public education. This model reflects Poland's continuing religious homogeneity, with almost 85 percent of the population identified as Roman Catholic (U.S. Department of State, 2023 Report on International Religious Freedom: Poland). The Act of May 17th, 1989 on the Guarantees of Freedom of Conscience and Religion includes an open-ended catalogue of individual rights connected to exercising the freedom of conscience and religion.

The Regulation of the Minister of National Education of April 14th, 1992 on the organization of religious instruction in public preschools and schools (Journal of Laws 2020, item 983) addresses one significant form of collective religious practice: organization of three-day Lenten retreats, if these are customary for given denominations (§10). During these retreats, school officials retain their legal obligations to provide care and educational supervision. There is no legal prohibition against organizing such retreats – including practices such as confession – on school premises, if doing so is motivated by considerations of student safety and remains within the scope of constitutionally protected religious freedom.

Looking at the American approach toward collective religious expression of students, it should be pointed out that it is possible to organize meetings of religious nature by using school's facilities outside school hours. The only condition is that they be open to the public and not sponsored by the school. For example, in

2001's *Good News Club v. Milford Central School*, the Supreme Court decided that student clubs with religious viewpoints cannot be treated differently than other, secular, student associations.

The First Amendment also prohibits state authorities from regulating freedom of speech in a way that favors certain views and thoughts at the expense of others, which would be the case if religious views were excluded from the remaining set of possible beliefs. There is also the inevitable risk of control and interpretation of the philosophical and religious assumptions presented by students while evaluating religious speech. These actions would constitute violation of the freedom of expression and would potentially strengthen an attitude of prejudice or hostility towards religion, which undermines the requirement to respect the principle of neutrality included in the Establishment Clause. Therefore, it seems more beneficial to guarantee everyone (believers and non-believers alike) a free exchange of views and thoughts. Such student religious groups as Bible study groups may therefore use school premises on the same terms as other student-led organizations.

Private Practice: The Right to Engage in Religious Practices on the Example of Voluntary student's prayer

In Poland, §12 of the 1992 Regulation on the Conditions and Methods of Organizing Religious Instruction allows prayers before and after classes, provided they reflect students' shared intention and are conducted tactfully. As the Constitutional Tribunal held in its judgment of April 20th, 1993 (U 12/92), the Regulation neither mandates nor prohibits religious symbols or prayer in schools and does not require students to reveal their beliefs; participation is voluntary and falls within the scope of religious freedom. The Regulation does not indicate any specific tradition, so pupils of all faiths may pray. This is balanced by Article 53(6) of the Constitution, which prohibits compelling anyone to participate – or not participate – in religious practices, meaning that prayer may also occur at other times if conducted with respect for others. In its 2013 judgment (II CSK 1/13), the Supreme Court added that non-believers may not be subjected to religious practices against their will but cannot expect to be insulated from all religious presence in public life; in schools, voluntary prayer must therefore be enabled without infringing others' rights or marginalizing those who pray.

The American model can be described as *benevolent neutrality* towards religions or beliefs professed in schools. This approach allows students to perform religious activities on school premises, provided they do not put pressure peers or force them to participate. Under the Establishment Clause, these activities cannot be initiated by teachers.

When referring to the presence of prayer in schools, one should take into account the *Engel v. Vitale* decision issued in 1962 over constitutionality of reciting a short prayer in public school initiated by a teacher at the beginning of the day, the content

of which was composed by state officials. The Court decided that the use of school system to facilitate recitation of an official prayer violated the Establishment Clause. In the Court's view, the recitation of a prayer composed by state authorities resulted in excessive entanglement in confessional sphere, which could lead to various disputes and divisions among pupils. The Court feared that in schools, there is risk of peer pressure being exerted on students who would participate in prayer against their will. The Court did suggest that teaching about religion can be appropriate in such classes as history and literature. This Supreme Court adhered to the principle in the *School District of Abington Township v. Schempp* and *Murray v. Curlett* (1963), cases from Pennsylvania and Maryland, one of the most criticized judgments in the history of American judiciary (Green, 2012, p. 225-258). Creating a measure to evaluate constitutionality of prayer and Bible reading in public schools, the Abington Court declared that "[t]he test may be stated as follows: what are the purpose and the primary effect of the [legislative] enactment? . . . [T]o withstand the structures of the Establishment Clause there must be a secular legislative purpose and a primary effect that neither advances nor inhibits religion." (p. 222).

The context in which prayer on school premises is permissible expanded recently in 2022's *Kennedy v. Bremerton School District* case. The Supreme Court upheld the right of a public high school football coach to pray after games. The Court explained that because the coach did not say the prayer as part of his official duties and it did not matter that he was still perceived as a coach for the entire time of his prayer. As a result, the Court viewed that coach's prayer as private speech protected by the First Amendment.

In sum, Table 1 below provides a systematic comparison of how the four dimensions of religious identity are shaped by respective legal frameworks, institutional practices, and educational cultures of Poland and the United States, highlighting the distinct ways in which each system regulates and accommodates religious presence in public schools.

Table 1
Religious Identity Dimensions in Polish and U.S. Public Schools: A Comparative Framework

Dimension	Poland	United States
Intellectual Dimension	Public schools offer doctrinal religious instruction; intellectual engagement occurs through denominational teaching by teachers appointed by religious authorities.	Public schools cannot offer religious instruction; intellectual engagement occurs through neutral religion-related electives, extracurriculars, or family/community settings.
Ideological Dimension	Denominational teaching may reinforce the majority religious worldview; minority and non-religious positions are recognized but less integrated.	Schools must remain strictly neutral; students' ideological formation occurs outside school in families, congregations, or community settings.

Public Practice	Communal religious practices may occur in public schools when linked to voluntary religious instruction or parallel activities (e.g., school Masses, retreats).	Schools may not organize or endorse communal religious practices; any activity must be student-initiated and student-led, with no institutional support or pressure.
Private Practice	Students may engage in private religious acts (symbols, silent prayer), though confessional instruction can blur the line between private and public practice; private expression is accommodated.	Students have strong protection for private religious expression (symbols, silent prayer); the private sphere is the primary venue for religious engagement in schools.

Author's own study.

CONCLUSIONS

Comparing the dimensions of religious identity in both systems, it is evident that significant discrepancies exist. The Polish confessional model facilitates acquisition of detailed in-depth knowledge in one's religion from fellow believers and teachers, both educated and experienced in their tradition (Willems, 2015, p. 28). Instruction is thus supposed to reinforce one's knowledge of religious concepts and the ability to articulate views on transcendence and religiosity. Relevant experiences of students with the same religious tradition may enhance identity formation even further. Learning about other religious traditions or non-religion is peripheral. On the other hand, the American model of teaching about religion aims to increase pupils' understanding of different religions in history and society. Unlike the confessional model, this approach promotes more inclusiveness. As such, its objective is to instill tolerance and sensitivity toward people of different faiths and philosophies. Thus, in its assumptions, this model strives to advance the exercise of the human right of the freedom of religious belief by demonstrating respect for human dignity and sensitivity to the deeply held convictions of others.

Critics of the U.S. approach argue that due to time constraints, it offers superficial knowledge (Willems, 2015, p. 28). Combined with the absence of instruction in students' own religion, it may potentially erode students' intellectual dimension of religious identity. All methods that would relate the material to students' own beliefs and with developing their religious identity are identified as a breach of the neutrality principle. Religious education is seen as a conduit of citizenship education, stressing the rights and responsibilities of citizenship in a pluralistic democracy rather than the context for sharing personal views.

As Jackson (2015, p. 12) maintains, though, research-based data proves that studies of religious diversity do not adversely affect students' own religious commitments, but can foster democratic values of respectful coexistence. For this to happen, *inclusive religious education* must allow for personal engagement of pupils

and teachers with the religions studied, as well as space for open classroom dialogue about them. Students engaging in intercultural dialogue should be provided an opportunity to speak from a variety of standpoints, including religious and non-religious (Jackson, 2018, p. 86), as well as meeting and engaging with members of religious communities (Jackson, 2018, p. 87).

Expression of students' religious identity in public schools remains a complex and evolving issue in both the U.S. and Poland. Each country's legal and cultural context shapes unique challenges – ranging from the need to balance neutrality and freedom in the U.S., to ensuring inclusivity and voluntariness in Poland's predominantly confessional system. Despite these differences, both systems share a common goal: to protect individual rights, while fostering respectful and inclusive educational environments.

In sum, perhaps the greatest takeaway for Poland is to follow the lead of the U.S. As stated in the Engel case, it can be done by integrating instruction about religion into curricula in such classes as history and literature to expose children to beliefs different from their own. Protections should also be in place to protect the human rights of students who are members of minority religions in order to promote inter-religious dialogue in a free and open democratic society.

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EKSPRESJA RELIGIJNEJ TOŻSAMOŚCI UCZNIÓW W SZKOŁACH PUBLICZNYCH W POLSCE I STANACH ZJEDNOCZONYCH: MIĘDZY OCHRONĄ PRAWNĄ A POLITYKĄ OŚWIATOWĄ

Wprowadzenie: Artykuł przeprowadza analizę porównawczą ram prawnych regulujących wyrażanie tożsamości religijnej uczniów w szkołach państwowych w Polsce i Stanach Zjednoczonych. Opierając się na orzecznictwie konstytucyjnym, przepisach ustawowych oraz regulacjach administracyjnych, badanie analizuje trzy odrębne aspekty tożsamości religijnej - intelektualny, publiczny i indywidualną praktykę - z perspektywy prawa oświatowego.

Cel badań: Celem badań jest stwierdzenie, w jaki sposób zasady konstytucyjne, przepisy ustawowe oraz interpretacje sądowe w Polsce i USA definiują granice wyrażania religijnej tożsa-

mości uczniów w szkołach w trzech wybranych wymiarach psychospołecznych: w wymiarze intelektualnym, w praktykach publicznych oraz indywidualnej praktyce. Analiza kontekstu polskiego umożliwi identyfikację obecnych wyzwań związanych z prawem uczniów do wyrażania swojej tożsamości religijnej w polskich szkołach publicznych. Kontekst amerykański zostanie wykorzystany do sformułowania rekomendacji dla polskich decydentów edukacyjnych.

Stan wiedzy: Model Polski, charakteryzujący się współpracą między Kościołem a państwem oraz konstytucyjnie zagwarantowaną nauką religii, jest zestawiany z amerykańskim paradygmatem ścisłego rozdziału między państwem a Kościołem zgodnie z Pierwszą Poprawką do Konstytucji. Analiza podkreśla ostatnie zmiany regulacyjne w Polsce, które próbują marginalizować nauczanie religii, wywołując kontrolę konstytucyjną i unieważnienie przez Trybunał Konstytucyjny. W Stanach Zjednoczonych ewolucje w interpretacjach sądowych – od sprawy Engel przeciwko Vitale do Kennedy przeciwko Bremerton – ilustrują napięcie między neutralnością instytucjonalną a indywidualną wolnością religijną.

Podsumowanie: Wyniki podkreślają potrzebę prawnie spójnych i proceduralnie prawidłowych mechanizmów, które równoważą pluralizm, neutralność państwa oraz ochronę tożsamości religijnej w polskim kontekście edukacyjnym. Artykuł kończy się normatywnymi rekomendacjami dotyczącymi doskonalenia polityki oraz wzywa do interdyscyplinarnych badań empirycznych mających na celu ocenę doświadczeń uczniów w zakresie wyrażania religii w polskich szkołach publicznych.

Słowa kluczowe: tożsamość religijna, wyrażanie religijności, polityka edukacyjna, nauczanie religii, prawa uczniów, wolność religii