

Religious Symbols in Holiday Displays in VA Facilities

- 1. REASON FOR ISSUE.** To update the Department of Veterans Affairs (VA) policy for including religious symbols in holiday displays at VA facilities.
- 2. SUMMARY OF CONTENTS/MAJOR CHANGES.** This directive sets forth policies, roles, and responsibilities for including religious symbols in holiday displays at VA facilities.
- 3. RESPONSIBLE OFFICE.** Office of the Director, National Chaplain Center (111C), Veterans Health Administration (10)
- 4. RELATED HANDBOOK.** None.
- 5. RESCISSION.** VA Directive 0022, dated February 26, 2009.

CERTIFIED BY:

/s/
LaVerne H. Council
Assistant Secretary for
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**BY DIRECTION OF THE SECRETARY
OF VETERANS AFFAIRS:**

/s/
Robert A. McDonald
Secretary of Veterans Affairs

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1. PURPOSE. This directive revises Department of Veterans Affairs (VA) policy and procedures for including religious symbols in holiday displays at VA facilities. This policy ensures that VA will comply with both the Free Exercise Clause and the Establishment Clause of the First Amendment to the U.S. Constitution.

2. POLICY. VA recognizes the cultural and spiritual significance of religious symbols in holiday celebrations. Religious symbols may be included in a holiday display in public areas of VA facilities (see subsection a. below), if the display does not favor one religion over another and conveys a primarily secular message. This policy does not govern displays for religious services in VA chapels. It also does not apply to displays in employees' workspaces that are not generally accessible to the public.

a. Public areas of VA facilities include: lobbies, public entrances, security desks, information desks, grounds, nursing stations, and other places where the general public may see a display.

b. By placing diverse holiday symbols together in public areas, VA maintains inclusivity and demonstrates that it gives no preference to one holiday above another. Prominently displaying a sign such as "Happy Holidays" assists in complying with this policy.

c. The top official at each VA facility is encouraged to form a local committee representing diverse faith traditions to implement holiday displays in a manner consistent with this policy. For Veterans Health Administration (VHA) facilities, these committees must include chaplains. The committees are encouraged to seek individual input from representatives of community stakeholders, such as Veterans Service Organizations (VSO).

d. If a question or concern arises at any VA facility from either an internal or external source, the Director of the Chaplain Service at the National Chaplain Center (NCC) and Office of General Counsel (OGC) must be consulted. This will ensure the following occurs:

(1) All facilities obtain advice from the same sources to ensure consistency.

(2) All VA facilities are guided by the top subject matter experts in VA, who are familiar with the advice given to other facilities.

(3) National offices are made aware of questions and concerns that may receive national attention.

VA facilities are also encouraged to seek advice from the Office of Diversity and Inclusion (ODI) on related diversity and inclusion issues.

3. RESPONSIBILITIES.

a. **Under Secretaries, Assistant Secretaries, and Other Key Officials.** Under Secretaries, Assistant Secretaries, and Other Key Officials will:

(1) Ensure that holiday displays within their immediate offices and facilities are in accordance with this policy; and

(2) In consultation with the NCC, implement the policy set forth in this directive by developing consistent internal policy and procedures.

b. **Office of General Counsel.** Office of General Counsel will advise VA officials and managers, upon request, about the interpretation of and applicability of court decisions and legal issues pertaining to placement of religious symbols in public areas of VA facilities.

c. **Office of Diversity and Inclusion.** Office of Diversity and Inclusion will provide guidance to VA officials and managers, upon request, about relevant diversity and inclusion issues

d. **Office of the Director, National Chaplain Center, Veterans Health Administration.** Office of the Director, Chaplain Service will:

(1) Advise VA officials and managers, upon request, about the religious significance of particular symbols and practices of various faith groups; and

(2) Review and update this directive every 5 years.

d. **Directors of VA Medical Centers, Regional Offices, Cemeteries, and other Free-Standing Facilities**

(1) Directors of VA facilities must ensure that holiday displays under their supervision comply with this policy.

4. REFERENCES.

(1) Free Exercise Clause and Establishment Clause of the U.S. Constitution (https://www.law.cornell.edu/wex/free_exercise_clause).

(2) Guidance on Religious Exercise and Expression in VA Facilities and Property Under the Charge and Control of VA (<http://www.diversity.va.gov/policy/files/reli-exp-memo.pdf>).

(3) White House Guidelines on Religious Exercise and Religious Expression in the Federal Workplace (<http://clinton2.nara.gov/WH/New/html/19970819-3275.html>).

(4) VHA Directive 1111.02 “Spiritual and Pastoral Care in the Veterans Health Administration”

<http://www1.va.gov/vhapublications/publications.cfm?pub=1&order=asc&orderby=pubNumber>.

5. DEFINITIONS.

a. **Religion.** Religion is defined in VHA Directive 1111 as follows: “*Refers to all types of worship, sacrament, ceremonies, prayer, meditation, traditional observances, etc., by which individuals carry out their religious beliefs or through which they maintain or enhance their relationship with the focus of their religion.*” In accordance with Title VI of the Civil Rights Act of 1964, as amended, religion includes traditional, organized religions and religious beliefs that are new, uncommon, not part of a formal church or sect, or only held by a small number of people.

b. **Secular.** Denotes attitudes, activities, or other things that are not pertaining to or connected with religion.

c. **VA Facility.** Any facility, or part thereof, that is under the jurisdiction or control of the Secretary for the provision of health care, benefits, and memorial services. This term includes but is not limited to medical centers, nursing homes, domiciliaries, outpatient clinics, Vet Centers, regional offices, cemeteries, auxiliary structures, garages and parking areas, and recreation facilities.