

MOON AREA SCHOOL DISTRICT

SECTION: PROGRAMS

TITLE: EXEMPTION FROM
INSTRUCTION

ADOPTED: January 23, 1996

REVISED:

105.2. EXEMPTION FROM INSTRUCTION	
1. Purpose	This policy is to comply with the requirement of the State Board of Education that school districts adopt policies that assure parents/guardians the right to have their children excused from specific instruction which conflicts with their religious beliefs.
2. Authority Title 22 Sec. 4.4	State Board regulations stipulate that school districts shall adopt policies to assure that parents/guardians have the right to have their children excused from specific instruction which conflicts with their religious beliefs, upon receipt by the school district of a written request from the parents.
RFRA of 1993	Pursuant to the Religious Freedom Restoration Act, as adopted by the United States Congress, a school district cannot substantially burden a person's exercise of religion even if the burden results from a rule of general applicability.
Title 22 Sec. 4.4	Regardless of religious beliefs, the State Board of Education requires that parents have the right to have their children excused from state assessments undertaken pursuant to the state assessment system upon receipt by the school district of a written request from the parents.
3. Definition	As used in this policy, the phrase specific instruction means delivery of identifiable elements of academic or vocational content by the teacher to a student.
4. Guidelines	The rights granted by this policy are granted to parents/guardians of students enrolled in this district where the students are under the age of eighteen (18) and to the students themselves when the student is eighteen (18) or over, unless the student is incapable of making the decision due to a disability.

The district shall excuse any student from specific instruction as defined in this policy upon satisfaction of and subject to the following conditions:

1. To assist the school district in ensuring that the student is excused from the correct specific instruction, the request must be made in writing and must detail the "specific instruction" from which the student is to be excused. If the request does not adequately describe the specific instruction the parent/guardian seeks to have the child excused from, the parent/guardian shall be asked to resubmit their request with the necessary specificity. The school administrator, however, cannot formulate an amended request for the parent/guardian.
2. The written request must contain a statement that (1) the "specific instruction" conflicts with the religious beliefs of the student or the parents/guardians, and (2) why the "specific instruction" would conflict with the religious belief. A religious belief need not be part of the dogma or tenets of a particular religious organization. The school district further recognizes that the First Amendment and RFRA require that a student be excused from the specific instruction if it substantially burdens a student's free exercise of religion.
3. The written request to be excused shall be sent by the qualifying parent/guardian or student to the building principal, classroom teacher if then known, Director of Curriculum, and the Superintendent. A copy shall be retained by the school district in the student's permanent school records, an additional copy shall be kept by the school principal, and a third copy shall be submitted to the teacher from whose instruction the student is to be excused. The school administrator shall confirm that the teacher has received a copy of the written request. A student's substitute teacher is likewise to be informed of the written request.
4. It shall not be the responsibility of the school district, its teachers, or any of its officials or employees to ensure that the student exercises his/her right to be excused from the specific instruction. School employees are specifically prohibited from initiating or encouraging any student to leave class in accordance with a parental request. To do so may be construed as encouraging religious activity which is not permitted by a teacher in the public school setting.
5. It is the responsibility of the student or parent/guardian to periodically inquire of the classroom teacher as to when it is anticipated the "specific instruction" will be presented. It is recognized that a "specific instruction" may be of such a nature that it cannot be anticipated because it could arise in the classroom on any given day.

<p>Title 22 Sec. 4.4</p>	<ol style="list-style-type: none">6. It is the responsibility of the student to request permission to leave class when the "specific instruction" objected to is being presented or is about to be presented. When the student seeks to be excused, the teacher is to excuse the child if the teacher has a copy of the written request or if upon checking with the principal, the principal has a copy of the written request.7. During the time the student is excused, the student shall be required to undertake replacement educational activities which are reasonably related to the course material. Replacement educational activity shall be consistent with the goals set for the course and shall not require the provision of any extra resources by the school district.8. The building principal shall determine where the student shall report during the time the student is excused.9. An excused student, as a result of exercising the within right, shall not suffer any grade reduction whatsoever. Such an excused student shall receive credit for satisfactorily completed replacement educational activity. <p><u>State Assessments</u></p> <p>The district shall excuse any student from state assessments promulgated by the State Board of Education, upon receipt by the school district of a written request from the parents/guardians of the students. The right is granted to parents/guardians of students enrolled in the district where the student is under the age of eighteen (18), and to the student when the student is eighteen (18) or over, unless the student is incapable of making a decision due to a disability.</p>
------------------------------	---