TRIO Wolf Creek Distance Learning Charter School #4095

503.1 RELIGIOUS ACCOMMODATIONS POLICY REQUIRED FOR MINNESOTA CHARTER SCHOOLS

It shall be the policy of the Board of TRIO Wolf Creek Distance Learning Charter School #4095 to provide equal treatment of and access to all religions; to safeguard the protections afforded to individuals under the Free Exercise Clause of the United States Constitution, Art. I sec. 16 of the Minnesota Constitution, the Minnesota Human Rights Act (Minn. Stat. §363A et. seq.) and case law, statutes, rules and regulations applicable to the free exercise of religion ("free exercise rights"). It shall also be the policy of the Board of TRIO Wolf Creek Distance Learning Charter School #4095, to ensure that all of the activities of the school are religiously neutral in that they neither foster religion nor preclude it. In order to safeguard the religious rights of individuals and to ensure that the school is not engaged in an unlawful establishment of religion, the Board adopts the following policy regarding religious accommodation.

I. ACCOMMODATION OF FREE EXERCISE OF RELIGION

The Charter School board is committed to legal accommodation of a student's right to free exercise of religion. In determining whether to accommodate a request regarding a student's free exercise rights, school officials should determine whether the policy, rule, regulation or other issue being questioned by the student "substantially burdens" a student's free exercise of religion and whether the school has a "compelling interest" in adhering to the particular policy, rule, regulation or other matter at issue. Because these are legal terms, questions regarding their application should be made in consultation with legal counsel.

II. SCHOOL OFFICIAL NEUTRALITY

When functioning as a teacher or administrator, school officials may not encourage or discourage student religious or anti-religious activity and may not engage in religious activities with students at the school. Charter school officials may take part in private religious activity during the school day if the activity is in conformance with rules and regulations generally applicable to use of private time, or before or after school during non-instructional time.

III. TEACHING AND HOMEWORK: NEUTRALITY POLICY

A. Teaching:
Students may be taught *about* religion, but school teachers may not "teach religion" in the sense that the teacher is engaging in preaching or proselytizing activity.

B. Student assignments and religion:

1. Written reports, homework and artwork: Students may express their religious beliefs in the form of reports, homework and artwork if the assigning teacher (and administrator if there is a question about the matter) determines that the work is "appropriate" to the subject matter. In making judgments about the appropriateness of a student's work, teachers will be guided by the following:

    - Relevance of the religious expression to the topic and assignment;
    - Pedagogical concerns such as (in the case of written work) quality of grammar, the substance of the presentation, and adherence to the assignment.

    Assuming that the work is relevant and meets pedagogical concerns, teachers at the charter school may not reject or sanction a student's work simply because it includes a religious symbol or addresses religious themes; similarly, teachers may not require students to modify, include or excise religious views in submitted work.

2. Oral presentations: Teachers at the charter school must ensure that oral presentations made by students on religious subjects do not subject other students to unwelcome religious persuasion, coercion or proselytizing.

IV. STUDENT RELIGIOUS ACTIVITIES

The students of Wolf Creek charter school have the right to engage in religious activities during the school day so long as those activities do not interfere with the rights of others and so long as students conform to the rules that normally apply to any given setting.

A. Student prayer and religious discussion during the school day:

Students have the right to pray individually or to pray in groups and/or engage in religious discussions during the school day when they are not engaged in school activities and instruction, subject to the same rules of order as apply to other student speech. Prayer or other religious discussion shall not interfere with the rights of others.

B. Student participation in before/after school events with religious content:

Students may participate in religious activities before or after school on the same terms as apply to participation in non-curriculum activities on the school premises.

C. Student-led prayers at graduation or other ceremonies:

The Board shall consider a request for student-led prayers at graduation or other ceremonies on a case by case basis in consultation with legal counsel. School officials may not in any way organize a religious ceremony that is sponsored by the school.

D. Non-coercion:

A student's right to engage in voluntary prayer or religious discussion or activity does not include the right to coerce others into participating and does not include the right to have a captive audience listen to the prayer or discussion or to engage in the religious activity.

E. Religious harassment and/or discrimination prohibited:
School officials shall ensure that students are not discriminated against in violation of the Board's policy on Religious Harassment.

V. STUDENT DRESS

The Board of the charter school has adopted a general dress code for its students. Individual students may be exempt from these dress code rules if the administration determines that an accommodation is necessary to protect the student's free exercise rights. The dress code policy shall not be implemented in a way that restricts opportunities to participate in school activities. The dress code policy is not intended to, and shall not be implemented in a way that promotes a particular religion or particular religious customs.

VI. HOLIDAYS

Teachers at Wolf Creek Charter School may teach about religious holidays, and may celebrate the non-religious aspects of a religious holiday. Neither teachers nor school officials, however, shall observe the holidays as religious events. School officials should typically excuse students who do not wish to participate in holiday events.

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VII. RELEASE TIME FOR RELIGIOUS INSTRUCTION

In accordance with Minn. Stat. §124E.06, subd. 3(b) as it incorporates Minn. Stat. §120A.22, it is the policy of the Board of the charter school to provide release time for religious instruction. The period approved for such release time shall not exceed in the aggregate three hours in any week.

In order to receive approval for such release time, a parent, guardian, or other person having control of a child, who wishes the child be released to receive religious instruction, may apply to the charter school director to have the child excused from attendance for such instruction. The religious instruction must be conducted and maintained by some church, or association of churches or any Sunday school association incorporated under the laws of this state, or any auxiliary thereof.

The school providing religious instruction must be conducted and maintained in a place other than a public school building, and it must not, in whole or in part, be conducted and maintained at public expense. A student, however, may be absent from school on such days as the student attends upon instruction according to the ordinances of some church.

School officials shall neither encourage nor discourage students from utilizing the provisions of this release time policy.

School officials shall not allow religious instruction by outsiders on school premises during the day.

Legal References: Minn. Stat. § 124E.06
Minn. Stat § 120A.22

Cross References: Policy 503 Attendance
Policy 504 Dress Code