

I. Policy Statement

The Board of Education recognizes the diversity of religious traditions represented among the staff and students of the Howard County Public School System and the value such diversity adds to the educational program. The Board respects the religious practices of students and staff and is committed to providing reasonable accommodations for religious obligations.

II. Purpose

The purpose of this policy is to set forth legal and policy provisions concerning the exercise and expression of religion by students and staff in the Howard County Public Schools.

III. Definitions

- A. Lawful Absence – An absence for any portion of the day as defined in COMAR 13A.08.01.03 and in accordance with the provisions in Policy 9010, Attendance.
- B. Parent – Any one of the following, recognized as the adult(s) legally responsible for the student:
 - 1. Biological parent – A natural parent whose parental rights have not been terminated
 - 2. Adoptive parent – A person who has legally adopted the student and whose parental rights have not been terminated
 - 3. Custodian – A person or an agency appointed by the court as the legal custodian of the student and granted parental rights and privileges
 - 4. Guardian – A person who has been placed by the court in charge of the affairs of the student and granted parental rights and privileges
 - 5. Caregiver – An adult resident of Howard County who exercises care, custody or control over the student, but who is neither the biological parent nor legal guardian
 - 6. Foster parent – An adult approved to care for a child who has been placed in their home by a State agency or a licensed child placement agency as provided by section 5-507 of the Family Law Article.

- C. Religion – A recognized system of belief or worship encompassing the nature of a deity and/or reality and the relationship of human beings to that deity and/or reality.
- D. Religious Holiday – Significant traditional and customary day of religious observance, excluding regular weekly prayer, services, or practices.
- E. Religious Obligation – Traditional and customary practice required of adherents to a religion.

IV. Standards

- A. Students' absence for observation of a religious holiday is considered lawful subject to the provisions of Policy 9010, Attendance.
- B. Students with a documented religious obligation that cannot be fulfilled except during the school day may receive a reasonable accommodation to meet that obligation.
- C. The essential curriculum cannot be waived for religious reasons except as provided in Maryland law and regulation.
- D. Pursuant to the federal Equal Access Act, students in secondary schools may form religious clubs. Student-initiated religious clubs may not be sponsored by schools but must be afforded the same treatment as other extra-curricular student groups that meet during non-instructional time.
- E. When students are not engaged in instruction or school-related activities, they may voluntarily pray individually or in groups and discuss their religious views, as long as such behavior is not disruptive or coercive.
- F. Within the provisions of Policy 9210, Dress Code, students may wear attire as an expression of their religious practice.
- G. School officials may not mandate or organize prayer at graduation, nor organize religious baccalaureate ceremonies. If a school generally opens its facilities to private groups, it must make its facilities available on the same terms to organizers of privately sponsored religious baccalaureate services. A school may not extend preferential treatment to baccalaureate ceremonies and must disclaim official endorsement of such ceremonies.
- H. Regular morning exercises at schools will not include a moment of silence. On an individual school basis, a principal may include a moment of silence of approximately one minute as an appropriate response to special circumstances

affecting the school community. During this minute of silence, a student or teacher may silently meditate, pray, or read scripture.

- I. Staff absence due to observance of a religious holiday or fulfillment of a documented religious obligation when schools and/or offices are open must follow procedures in Policy 7110, Annual Leave for Administrative Personnel, and the appropriate negotiated agreement.
- J. As government employees, employees of the Howard County Public School System are subject to the Establishment Clause of the First Amendment and thus required to be neutral concerning religion whether carrying out their duties or exercising their rights related to voluntary religious practices and freedom of speech.
- K. The contents of this policy will be communicated annually to all students, parents, staff, and the community.

V. Compliance

- A. The Superintendent/designee is responsible for the dissemination of the standards in this policy to all students, staff, and parents.
- B. The Superintendent's designee is responsible for determining whether a system of belief or worship is recognized as a religion for the purposes of this policy.

VI. Delegation of Authority

The Superintendent is authorized to develop procedures for the implementation of this policy.

VII. References

- A. Legal

United States Constitution as Amended, First Amendment
Equal Access Act, (20 U.S.C. § 4071-74)
United States Internal Revenue Code (26 USC Section 501(c) (3))
The Annotated Code of Maryland, Education Article, Section 7-103 (Holidays)
The Annotated Code of Maryland, Education Article, Section 7-104 (Opening Activities)
COMAR 13A.01.04.03, School Safety
COMAR 13A.04.18.03, Program in Comprehensive Health Education: Implementation
COMAR 13A.04.18.04, HIV/AIDS Prevention Education

COMAR 13A.08.01.03, Lawful Absence
COMAR 13A.08.01.04, Unlawful Absence
COMAR 13A.08.01.05, Student Attendance Policy
COMAR 13A.08.01.09, Student Organizations

B. Other Board Policies

Policy 7110 Annual Leave for Administrative Personnel
Policy 8010 Grading and Reporting: Pre-kindergarten Through Grade 8
Policy 8020 Grading and Reporting: High School
Policy 8050 Teaching of Controversial Issues
Policy 8070 Religion and Religious Materials
Policy 9000 Enrollment, Residency, Student Assignment, and Admission to
Prekindergarten and Kindergarten
Policy 9010 Attendance
Policy 9020 Students' Rights and Responsibilities
Policy 9210 Dress Code

ADOPTED: July 10, 1970

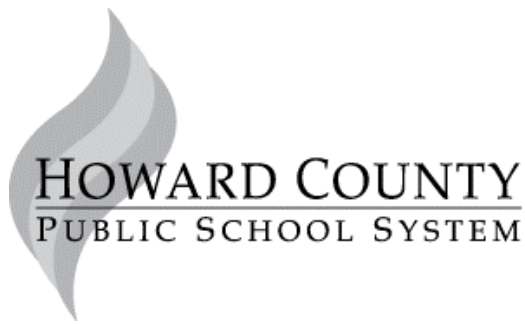
AMENDED: September 13, 1990

December 13, 1990

August 24, 1995

September 20, 2007

EFFECTIVE: January 22, 2008



POLICY 3000-PR
IMPLEMENTATION PROCEDURES
RELIGIOUS OBSERVANCES

Effective: January 22, 2008

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- I. The HCPSS will communicate the contents of the policy annually in the Calendar Handbook and post current guidelines and procedures on the school system's website.
 - II. In accordance with Standard A of this policy and Policy 9010, student absence for observance of a religious holiday is considered lawful. Students must comply with the provisions of Policies 9010, Attendance; 8010, Grading and Reporting: Pre-kindergarten Through Grade 8; and 8020, Grading and Reporting: High School in order to return to their classes and make up any work missed during their absence.
 - III. In accordance with Standard B of this policy, students may request an accommodation to meet a religious obligation that cannot be fulfilled except during the school day. The following procedure will be followed:
 - A. A written request to the principal/designee documenting the need for such accommodation must be made by the parent(s). Whenever possible, this request should be made at the beginning of the school year.
 - B. The principal/designee will forward such requests to the Office of Equity Assurance (OEA). The OEA will review the request; consult with parents, staff, and others as needed; and make a determination regarding accommodations.
 - C. If the approved reasonable accommodation includes excusal from class or school, the absence will be a legal absence for purposes of attendance and making up missed work.
 - IV. In accordance with Standard C of this policy, the essential curriculum cannot be waived for religious reasons except as provided in Maryland law and regulation.
 - A. Students may be excused from the instructional unit on HIV/AIDS prevention upon a written request from their parents. For those students excused from the unit, the local school shall provide other worthwhile learning activities in another health-related area. When practical, curricular materials may be made available by the school system for home instruction use by parents/guardians of students excused from HIV/AIDS prevention instruction in the school (COMAR 13A.04.18.04). In the HCPSS, permission is required prior to student participation in the unit.
 - B. As provided in COMAR 13A.04.18.03, the HCPSS provides elective units in health education entitled Family Life and Human Sexuality for fifth, sixth,

seventh, and eighth graders. Due to the sensitive nature of this instruction and as directed under the COMAR provision, written parental permission is required prior to student participation in the unit.

- V. Student-initiated religious clubs are considered non school-sponsored clubs. In order to conduct meetings on school property during non-instructional hours, such clubs must first apply for and obtain approval from the principal/designee and have a staff member in attendance in a supervisory, but non-participatory, capacity.
- VI. Students may wear attire as an expression of their religious practice in accordance with the provisions of Policy 9210, Dress Code. Reasonable accommodations should be made for students who request not to wear certain clothes for religious reasons (e.g., gym clothes).

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