

Section 7 - Students

Attendance

Policy 7:80

Release Time for Religious Instruction/Observance

A student shall be released from school, as an excused absence, to observe a religious holiday or for religious instruction. The student's parent/guardian must give written notice to the Building Principal at least 5 calendar days before the student's anticipated absence(s). This notice shall satisfy the District's requirement for a written excuse when the student returns to school.

The Superintendent shall develop and distribute to teachers appropriate procedures regarding student absences for religious reasons and include a list of religious holidays on which a student shall be excused from school attendance, how teachers are notified of a student's impending absence, and the State law requirement that teachers provide the student with an equivalent opportunity to make up any examination, study, or work requirement.

LEGAL REF.:

Religious Freedom Restoration Act, 775 ILCS 35/5. 105 ILCS 5/26-1 and 5/26-2b.

CROSS REF.:

7:70 (Attendance and Truancy)

ADOPTED:

APRIL 25, 2011

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105 ILCS 5/26-1 and 5/26-2b.

CROSS REF.: 7:70 (Attendance and Truancy)

The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.

¹ State and federal laws control this policy's content. 105 ILCS 5/26-1(5) requires school boards to adopt a policy on student absences for religious holidays. See also 105 ILCS 5/26-2b. 105 ILCS 5/26-1(4) allows a child over 12 and less than 14 years of age to be absent from school while in attendance at confirmation classes. The sample policy does not contain these age or specific religious rite limitations in order to be consistent with First Amendment jurisprudence. According to the United States Supreme Court, a release time policy does not violate the Establishment Clause; it only accommodates a program of outside religious instruction. *Zorach v. Clauson*, 72 S.Ct. 679 (1952).

² Five days is the most prior notice that can be required. 105 ILCS 5/26-1(5).

³ 105 ILCS 5/26-2b.