

Religious Accommodation Policy

Adopted: January 24, 2012

Reviewed October 28, 2014; July 18, 2017; October 27, 2020



POLICY STATEMENT

1
2
3 It shall be the policy of the Board of Minnesota Online High School to provide equal treatment
4 of and access to all religions; to safeguard the protections afforded to individuals under the Free
5 Exercise Clause of the United States Constitution, Art. I sec. 16 of the Minnesota Constitution,
6 the Minnesota Human Rights Act (Minn. Stat. §363A et. seq.) and case law, statutes, rules and
7 regulations applicable to the free exercise of religion (“free exercise rights”). It shall also be the
8 policy of the Board of Minnesota Online High School to ensure that all of the activities of the
9 school are religiously neutral in that they neither foster religion nor preclude it. In order to
10 safeguard the religious rights of individuals and to ensure that the school is not engaged in an
11 unlawful establishment of religion, the Board of Minnesota Online High School adopts the
12 following policy regarding religious accommodation.
13

POLICY TERMS

1. Accommodation of Free Exercise of Religion

14
15
16
17
18 The Board of Minnesota Online High School is committed to legal accommodation of a
19 student’s right to free exercise of religion. In determining whether to accommodate a request
20 regarding a student’s free exercise rights, school officials should determine whether the
21 policy, rule, regulation or other issue being questioned by the student “substantially burdens”
22 a student's free exercise of religion and whether the school has a “compelling interest” in
23 adhering to the particular policy, rule, regulation or other matter at issue. Because these are
24 legal terms, questions regarding their application should be made in consultation with legal
25 counsel.
26

2. School Official Neutrality

27
28
29 When functioning as a teacher or administrator, school officials may not encourage or
30 discourage student religious or anti-religious activity and may not engage in religious
31 activities with students at the school. School officials may take part in private religious
32 activity during the school day if the activity is in conformance with rules and regulations
33 generally applicable to use of private time, or before or after school core hours and during
34 non-instructional time.

35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83

3. Teaching and Homework: Neutrality Policy

A. Teaching

Students may be taught *about* religion, but the school’s teachers may not “teach religion” in the sense that the teacher is engaging in preaching or proselytizing activity.

B. Student assignments and religion

i. 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 adherence to the assignment, the substance of the presentation, and quality of grammar.

Assuming that the work is relevant and meets pedagogical concerns, teachers at Minnesota Online High 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.

ii. Oral presentations

Teachers at Minnesota Online High School must ensure that oral presentations made by students on religious subjects are appropriate to the subject matter as described above and do not subject other students to unwelcome religious persuasion, coercion or proselytizing.

4. Student Religious Activities

The students of Minnesota Online High School 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.

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

85
86 Students may participate in religious activities before or after school on the same terms as
87 apply to participation in non-curriculum activities on the school premises.

88
89 C. Student-led prayers at graduation or other ceremonies

90
91 The Board shall consider a request for student-led prayers at graduation or other
92 ceremonies on a case by case basis in consultation with legal counsel. School officials
93 may not in any way organize a religious ceremony that is sponsored by the school.

94
95 D. Non-coercion

96
97 A student's right to engage in voluntary prayer or religious discussion or activity does
98 not include the right to coerce others into participating and does not include the right to
99 have a captive audience listen to the prayer or discussion or to engage in the religious
100 activity.

101
102 E. Religious harassment and/or discrimination prohibited

103
104 School officials shall ensure that students are not discriminated against in violation of the
105 Board's policy on Religious Harassment.

106
107
108 **5. Student Dress**

109
110 The Board of Minnesota Online High School charter school may adopt student dress code
111 policies. Once adopted, individual students may be exempted from these dress code rules if
112 the administration determines that an accommodation is necessary to protect the student's
113 free exercise rights. The dress code policy shall not be implemented in a way that restricts
114 opportunities to participate in school activities. The dress code policy shall not be worded or
115 implemented in a way that promotes a particular religion or particular religious customs.

116
117 **6. Holidays**

118
119 Teachers at Minnesota Online High School charter school may teach about religious holidays
120 however no aspect of a religious holiday should be celebrated. Neither teachers nor school
121 officials, however, shall observe these holidays as religious events.

122
123 **7. Release Time for Religious Instruction**

124
125 In accordance with Minn. Stat. §124D.10 subd. 8(d) as it incorporates Minn. Stat. §120A.22
126 subd. 12(c), it is the policy of the Board of Minnesota Online High School to provide release
127 time for religious instruction. The period approved for such release time shall not exceed in
128 the aggregate three hours in any week.

129
130 In order to receive approval for such release time, a parent, guardian, or other person having
131 control of a child, who wishes the child be released to receive religious instruction, may

132 apply to a truant officer or the school's executive director (and principal if applicable) to
133 have the child excused from attendance for such instruction.

134
135 The school providing religious instruction must be conducted and maintained in a place other
136 than a public school building, and it must not, in whole or in part, be conducted and
137 maintained at public expense. A student, however, may be absent from school on such days
138 as the student attends upon instruction according to the ordinances of some religious
139 organization.

140
141 School officials shall neither encourage nor discourage students from utilizing the provisions
142 of this release time policy.

143
144 School officials shall not allow religious instruction by outsiders on school premises during
145 the day.