

## Code No. 604.5 RELIGIOUS-BASED EXCLUSION FROM A SCHOOL PROGRAM

Parents who wish to have their child excluded from a school program because of religious beliefs must inform the superintendent. The board authorizes the administration to allow the exclusion if it is not disruptive to the education program and it does not infringe on a compelling state or educational interest. Further, the exclusion must not interfere with other school district operations. Students who are allowed to be excluded from a program or activity which violates their religious beliefs shall be required to do an alternate supervised activity or study.

In notifying the superintendent, the parents shall abide by the following:

- The notice shall be in writing;
- The objection shall be based on religious beliefs;
- The objection shall state which activities or studies violate their religious beliefs;
- The objection shall state why these activities or studies violate their religious beliefs; and
- The objection shall state a proposed alternate activity or study.

The superintendent shall have discretion to make this determination. The factors the superintendent shall consider when a student requests to be excluded from a program or activity because of religious beliefs include, but are not limited to, staff available to supervise a student who wishes to be excluded, space to house the student while the student is excluded, available superintendent-approved alternative course of study or activity while the student is excluded, number of students who wish to be excluded, whether allowing the exclusion places the school in a position of supporting a particular religion, and whether the program or activity is required for promotion to the next grade level or for graduation.

Legal Reference:

[U.S. Const. amend. I.](#)

[Lee v. Weisman](#), 112 S.Ct. 2649 (1992).

[Lemon v. Kurtzman](#), 403 U.S. 602 (1971).

*Graham v. Central Community School District of Decatur County*, 608 F.Supp. 531 (S.D. Iowa 1985).

[Iowa Code §§ 256.11\(6\); 279.8](#) (2005).

Cross Reference:

603 Instructional Curriculum

[606.4](#) School Ceremonies and Observances

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