



Regulation of the Chancellor

Category: **STUDENTS**

Number: **A-630**

Subject: **RELIGIOUS ACCOMMODATION OF STUDENTS**

Page: 1 of 1
Issued: 02/19/03

SUMMARY OF CHANGES

This regulation supersedes A-630 – dated 10/01/79.

It sets forth the procedures governing the release of students for religious education. It also sets forth guidelines and procedures for schools to follow in handling requests for accommodation of religious observances and practices.

Changes:

- The title of the resolution has been changed.
- The regulation has been reformatted and clarified.

New Provisions:

- A section that deals with requests for accommodation of religious observances and practices.
- A section on recordkeeping.



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ABSTRACT

This Regulation sets forth the rules, regulations and procedures governing the release of students for religious education and the provision of reasonable accommodations for religious observances and practices. It supersedes Regulation A-630 dated October 1, 1979, and all district policies and procedures. All building administrators and staff should familiarize themselves with this Regulation.

I. INTRODUCTION

Students may not be discriminated against on the basis of their religion and schools must make reasonable accommodations for students to be able to exercise their religious rights. At the same time, schools must be mindful of the constitutional prohibition against government endorsement of or unnecessary entanglement with religious activities. This Regulation sets forth guidelines for schools to follow in addressing requests for accommodation of students' religious education, observances and practices. These rules apply to all students and religious practices equally.

I.A. Religious Instruction

The absence of a pupil from school during school hours to attend a program of religious instruction/education outside the school building and grounds will be excused upon the written request of the parent in accordance with the procedures set forth below.

1. Each parent requesting release time for the purpose of religious instruction must submit a written authorization for release of their child from school. Such authorization must designate the location at which the instruction will be provided. The program of religious instruction must be maintained and operated by or under the control of a duly constituted religious body.
2. A copy of the student's registration in the religious instruction program must be submitted to the school and kept on file.
3. Upon submission of a written request and the appropriate registration document, as described in 1 and 2 above, a student shall be released for the last hour of the instructional day on Wednesdays, to participate in a program of religious instruction.



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4. The principal shall institute a system for reminding pupils and teachers that release time dismissal is approaching. Such dismissal shall take place in accordance with regularly established school policies. School officials must make every effort to ensure prompt dismissal.
5. Children who attend release time programs for religious instruction may participate in after school programs and may not be unreasonably excluded by reason of late arrival from their religious instruction programs.
6. Students may not be penalized academically for attendance at release time instruction.
7. Principals must plan carefully for those pupils who do not participate in the release time program, and must ensure that educationally significant programs are provided for them.
8. When school sessions are abbreviated resulting in the early dismissal of students, it is the sole responsibility of parents to advise participating religious instruction programs, so that alternate arrangements can be made.
9. School officials are not responsible for ensuring the attendance of students at the release time programs. Public school personnel shall not respond to inquiries regarding the absence of students from religious instruction, and shall make available no information regarding the student, except as permitted by Chancellor's Regulation A-820.
10. Parents are responsible for notifying school personnel when they withdraw their children from release time programs.
11. Solicitation of students for participation in release time programs for religious instruction shall not take place on or near school facilities. Furthermore, no announcements of any kind regarding release time programs will be made in school.



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I.B. Religious Observances and Practices

1. Requests for accommodation of religious observances and practices must be submitted in writing to the appropriate school personnel. Such requests should be submitted well enough in advance to allow the school to make appropriate arrangements and scheduling adjustments, where reasonable.
2. Each request for an accommodation must be assessed individually by the school and handled in a sensitive manner. School personnel shall make a good faith effort to accommodate such requests, with due consideration given to the law, the responsibility and policies of the Department of Education, and the educational program of the school and of the individual student. Parents have a correlative duty to cooperate in reaching an accommodation.
3. Where reasonable and educationally feasible, individual student schedules shall be adjusted to allow time off for religious observance outside the school building and grounds. Factors to be considered include but are not limited to:
 - (1) the amount of time being requested;
 - (2) the duration of the accommodation being requested;
 - (3) the impact on the individual student's schedule, e.g. what classes will be missed;
 - (4) whether the missed class time can be made up; and/or
 - (5) whether an accommodation would result in the student receiving less than the required amount of instruction.
4. Students who wish to pray on school property may do so individually provided they are not disruptive or interfere with the orderly operation of the school program. To avoid the appearance of support of any particular religion or other entanglement, schools may not set aside rooms or designate special areas for student prayer. It is also improper for school officials to organize, promote, lead, or otherwise participate in such prayer.
Note: High school students do have the right to form religious clubs and meet and pray during non-instructional time in accordance with the Equal Access Act, Chancellor's Regulation A-601, and individual school procedures.



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5. Students who fast should be allowed to sit separately in the cafeteria if they so desire.
6. Students who are absent for religious observance on days on which tests are administered by outside testing organizations should be informed of the alternate dates offered by the testing organizations for religious observers.

I.C. Record Keeping

1. Attendance reports of pupils enrolled in release time programs must be filed with the school at the end of each semester.
2. Schools must ensure that accurate records are maintained concerning accommodations made for religious observance. These records should include requests for accommodation, efforts made to accommodate, and reasons for granting or denying accommodation.
3. Appropriate attendance records shall also be maintained. Students who observe the religious holy days recognized by the New York State Commissioner of Education, or other holy days not recognized on the calendar distributed annually, may be excused based on a parent's request in writing prior to the date of observance. Teachers must mark the student absent and the appropriate reason code should be entered on the ATS system in accordance with Chancellor's Regulation A-210.

II. INQUIRIES

Inquiries pertaining to these regulations should be addressed to:

Telephone:
212-374-5462

**Office of Community School
District Affairs**
52 Chambers Street – Room 415
NY, NY 10007

Fax:
212-374-5568