

1 **REGULATIONS FOR ADDRESSING REQUESTS FOR RELIGIOUS EXEMPTION TO**
2 **COMPULSORY ATTENDANCE**
3

4 Code of Virginia Section § 22.1-254 on compulsory attendance, reflected in Alexandria City
5 School Board (Board) Policy JEG, states that a school board shall excuse from attendance at
6 school: “Any pupil who, together with his parents, by reason of bona fide religious training or
7 belief is conscientiously opposed to attendance at school. For the purposes of this subdivision,
8 bona fide religious training or belief does not include essentially political, sociological or
9 philosophical views or a merely personal moral code.”

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11 Home instruction (homeschooling) of students must occur in accordance with Policy LBD - Home
12 Instruction. Home instruction does not require a religious exemption to compulsory attendance.
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14 Whenever there is a written request for religious exemption in lieu of compulsory school
15 attendance requirements, the following procedures are followed to establish if the request is due
16 to a bona fide religious training or belief that warrants an exception to compulsory attendance as
17 established in the Code of Virginia:
18

- 19 1. Parents or guardians must submit a written request for exemption to the Clerk of the School
20 Board (“the Clerk”) stating the reasons which indicate the parents and the child are
21 conscientiously opposed to school attendance, which must include the name, age, address
22 and phone number/email for the student and his or her parents, as well as the residential
23 address of the student if different from his or her parents. The parents or guardians shall
24 also submit with the written request a detailed letter from a friend or relative along with a
25 letter from a member of a faith or religion, including pastors, deacons or others
26 knowledgeable in the faith system, demonstrating the sincerity of the parents’ and child’s
27 beliefs and length of time the parents and child have held these beliefs. The exemption may
28 only be requested for children of compulsory school age.
29
- 30 2. The Clerk shall add the religious exemption request to the agenda of the next available
31 Board meeting. The parents or legal guardians should be notified of the Board meeting
32 date, location, and time. They shall also be informed if the Board may wish to meet with
33 them and the child prior to rendering a decision for the purpose of determining whether the
34 conscientious opposition to attendance at school is based on religious principles and
35 whether the belief is bona fide.
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- 37 3. Upon the Board reaching a decision that the request qualifies as a bona fide religious
38 exemption under the Code of Virginia, the Clerk or designee of the Board shall send the
39 parent/legal guardian a letter stating the Board’s decision.
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- 41 4. In the event that the parent refuses to abide by the Board’s decision, the case will follow
42 the normal procedures for addressing compulsory school attendance issues.
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44 Once granted, the exemption applies for future years for that child only. Parents or guardians must
45 complete the religious exemption procedure for each child of school age.

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Established: June 11, 2015

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-254.
Va. Op. Att’y Gen. 1988

Cross Ref.: JEG Exclusions and Exemptions from School Attendance

DRAFT

REGULATIONS ~~PROTOCOL~~ FOR ADDRESSING REQUESTS FOR RELIGIOUS EXEMPTION ~~TO COMPULSORY ATTENDANCE~~

Commented [1]: This is an ACPS document

Code of Virginia Section § 22.1-254 on compulsory attendance, reflected in Alexandria City School Board (Board) Policy JEG, states that a school board shall excuse from attendance at school: “Any pupil who, together with his parents, by reason of bona fide religious training or belief is conscientiously opposed to attendance at school. For the purposes of this subdivision, bona fide religious training or belief does not include essentially political, sociological or philosophical views or a merely personal moral code.”

Home instruction (homeschooling) of students must occur in accordance with Policy LBD - Home Instruction. Home instruction does not require a religious exemption to compulsory attendance.

Whenever there is a written request for religious exemption in lieu of compulsory school attendance requirements, the following procedures ~~are should be followed to establish if the request is due to a bona fide religious training or belief that warrants an exception to compulsory attendance as established in the Code of Virginia:~~

1. Parents or guardians must submit a written request for exemption to the Clerk of the School Board (“the Clerk”) stating the reasons which indicate the parents and the child are conscientiously opposed to school attendance, which must include the name, age, address and phone number/email for the student and his or her parents, as well as the residential address of the student if different from his or her parents. The parents or guardians shall also submit with the written request a detailed letter from a friend or relative along with a letter from a member of a faith or religion, including pastors, deacons or others knowledgeable in the faith system, demonstrating the sincerity of the parents’ and child’s beliefs and length of time the parents and child have held these beliefs. The exemption may only be requested for children of compulsory school age.
2. The Clerk shall add the religious exemption request to the agenda of the next available ~~School~~ Board meeting. The parents or legal guardians should be notified of the ~~School~~ Board meeting date, location, and time. They shall also be informed if the Board may wish to meet with them and the child prior to rendering a decision for the purpose of determining whether the conscientious opposition to attendance at school is based on religious principles and whether the belief is bona fide.
3. Upon the Board reaching a decision that the request qualifies as a bona fide religious exemption under the Code of Virginia, the Clerk or designee of the Board shall send the parent/legal guardian a letter stating the Board’s decision.
4. In the event that the parent refuses to abide by the Board’s decision, the case will follow the normal procedures for addressing compulsory school attendance issues.

Once granted, the exemption applies for future years for that child only. Parents or guardians must complete the religious exemption procedure for each child of school age.

Commented [2]: @matt.smith@acps.k12.va.us I tweaked this in accordance with my discussion with HEAV based on my review of the Code and the means to verify bona fide nature of religious beliefs. Thanks

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47 1) Within two days of receipt of such a request, the Superintendent shall appoints a designee to
48 coordinate the process of gathering information for consideration by the Superintendent and
49 School Board. This person will also serves as the point of contact to the parent or guardian.
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51 2) Within five days of appointment, the designee shall acknowledges, by phone or in writing,
52 confirmation of receipt of the request for religious exemption to the parents/ or legal guardians.
53 The acknowledgment includes the request for an appointment with the parent or guardian to
54 discuss the request, validate information in the letter, and obtain specific information using the
55 interview form that will guide decision-making by the School Board.
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57 3) At that time, the designee shall schedules an appointment in person with the parent or guardian
58 to discuss the request, validate information in the letter, and obtain specific information using the
59 interview form that will guide decision-making by the School Board. During the appointment,
60 tThe designee shall interviews the parents or guardians to gather evidence if the request is due to
61 a bona fide religious training or belief. The designee also interviews the and impacted
62 child/children over 12 years old. If the parent/legal guardians refuses to allow the child/ren to be
63 interviewed, the refusal and reason for refusal should be documented for the record and shared
64 with the Superintendent and School Board.
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66 4) Upon completion of the interview, the designee shall reviews the findings with the
67 Superintendent to evaluate if the requested exemption is due to a bona fide religious training or
68 belief of Schools. After the evaluation, tThe Superintendent shall contacts the Clerk of the School
69 Board (Clerk) to add the religious exemption request to the agenda of the next available School
70 Board meeting. The parents/ or legal guardians should beare notified of the School Board meeting
71 date, location, and time. They should are also be told that the School Board may want to meet
72 with them and the child/ren prior to rendering a decision.
73

74 5) The School Board shall receives copies of all correspondence and interview results including a
75 recommendation from the Superintendent prior to the scheduled School Board meeting. This item
76 shall beis placed as a Consent item with the understanding that the Board may exercise its right to
77 meet with the parents or/legal guardians in a Closed Session.
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79 6) Upon the Board reaching a decision that the requested qualifies as afor the bona fide religious
80 exemption under the Code of Virginia and is consistent with the opinions of the Virginia Attorney
81 General, the Clerk or designee of the Board shall sends the parent or /legal guardian a letter stating
82 the Board's decision. The Board is not required to justify its reason for approval or
83 disapproval as part of its correspondence to the parent.
84

85 7) In the event that the parent refuses to abide by the School Board's decision, the case will follow
86 the normal procedures for addressing compulsory school attendance issues.

Commented [3]: Revised based on public feedback.

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88 Established: June 11, 2015
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91 Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-254.

Va. Op. Att’y Gen. 1988

Cross Ref.: JEG Exclusions and Exemptions from School Attendance, Alexandria City Public Schools Religious Exemption Interview F

Commented [MS4]: Form removed as the new process does not require an interview.

Section 22.1-254(B). Religious Exemption. The Code of Virginia provides that the School Board:

"Shall excuse from attendance at school any pupil who, together with his parents, by bona fide religious training or belief is conscientiously opposed to attendance at school." For purposes of this subdivision, bona fide religious training or belief does not include essentially political, sociological or philosophical views or a merely personal moral co.

Name of Designee: _____ Date of Interview: _____

Name(s) of Parent or Guardian: _____

Name(s) of Child(ren): _____ Birthdate: _____

_____ Birthdate: _____

Address: _____

Phone: home (____) _____ cell (____) _____

Parent Questions:

1) Please identify the local church or organization, if any, which embodies the religious training or beliefs that you hold:

_____ Name: _____

_____ Address: _____

_____ Phone Number: _____

Contact Person: _____

135 2. Are you a member of that church or organization? ___yes ___no If yes, length of affiliation
136 with that organization or adherence to the beliefs? ___years ___months

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139 3. Have your children ever attended any public, private, or religiously affiliated school? If so,
140 when?

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143 4. Explain how your request for religious exemption is grounded in a bona fide religious belief?

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147 5. Are there specific courses or opportunities, either academic or extra-curricular, associated
148 with the Alexandria City Public Schools that conflict with your religious beliefs or training? If so,
149 explain.

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152 6. Do you, yourself, intend to educate your children in the event a religious exemption is
153 granted?

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156 7. What is the source or sources of the curriculum which will be provided to your children, if
157 any, in the event the religious exemption is granted?

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160 8. Should your request for religious exemption be denied and your children compelled to
161 attend public school, what religious ramifications do you foresee?

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164 **Child Interview Questions (Attach additional sheet for more than one child)**

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166 1) Do you participate in religious teachings? ___yes ___no If so, where?

167 _____
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171 2) Do you think that attending public school is against your religious belief? ___yes ___no?
172 Why?

173
174
175 *****

176 Interviewer's Recommendation: _____ Support Approval
177 _____ Cannot Support Approval (Explain Why?)

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