

Students

Release Time for Religious Instruction/Observance ¹

A student shall be released from school, as an excused absence, because of religious reasons, including to observe a religious holiday, for religious instruction, or because the student's religion forbids secular activity on a particular day(s) or time of day. The student's parent/guardian must give written notice to the Building Principal at least five calendar days before the student's anticipated absence(s). ²

The Superintendent or designee shall develop and distribute to teachers appropriate procedures regarding student absences for religious reasons, including 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. ³

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

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), ~~amended by P.A. 102-406~~, requires school boards to adopt a policy on student absences for religious holidays. See also 105 ILCS 5/26-2b, ~~amended by P.A. 102-406~~. 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 U. S. Supreme Court, a release time policy does not violate the Establishment Clause; it only accommodates a program of outside religious instruction. *Zorach v. Clauson*, 343 U.S. 306 (1952).

² Five days is the most prior notice that can be required. 105 ILCS 5/26-1(5). ~~See also 775 ILCS 35/25. A board that wishes to require fewer days' notice may modify the number of days.~~ Schools cannot require students who are excused for religious reasons to submit a written excuse after returning to school. 105 ILCS 5/26-1, ~~amended by P.A. 102-406~~.

³ 105 ILCS 5/26-1b and 26-2b, ~~amended by P.A. 102-406~~.