

## CHAPTER 5.00 – STUDENTS

### Release Time for Religious Instruction or Holiday

5.041

1. Religious Instruction. A student with a notarized written request from the student's parent or guardian may request permission to be excused from attendance in school to participate in religious instruction. Absence shall be limited to not more than one class period each school day, but not to exceed five hours per week. Instruction shall be given at the student's place of worship or at any other place away from school property designated by the religious group, church or denomination. The notarized statement must be submitted and approved each semester by the principal of the student's school.
2. Conditions of Approval. A principal shall grant permission for such absences provided the following conditions are met:
  - a. The student is in compliance with the Student Progression Plan, including but not limited to, minimum grades for promotion or graduation and sufficient enrollment in required courses;
  - b. Transportation to and from religious instruction is the sole responsibility of the religious institution or parent or guardian of the student. With the parent's or guardian's permission, a student with a valid driver's license may drive himself or herself.
  - c. The parent or guardian of the student agrees in writing to release and indemnify the School Board and its agents and employees from and against any claim for injury and/or death occurring while the student is absent from school in order to attend religious instruction including travel to and from such instruction.
  - d. The religious institution maintains weekly attendance records and makes them available to the school attended by each student.
3. Termination of Approval. With prior notice to the parent or guardian, a principal may terminate an individual student's permission to participate in such religious instruction for failure to meet the requirements of paragraph 2 above. The notification shall be given in writing, and the parent or guardian shall be given an opportunity to be heard by the principal.
4. Termination of Approval – Non-attendance. Without prior notice to the parent or guardian, a principal may terminate an individual student's permission to participate in such religious instruction due to the student's non-attendance at such instruction. The notification shall be given in writing, and the parent or guardian may request an opportunity to be heard by the principal.
5. Religious Holidays. Absences from school for observance of a religious holiday or because the tenets of a student's religion forbid secular activity during a school day or portion thereof shall be excused subject to compliance with Rule 5.042.

## CHAPTER 5.00 – STUDENTS

6. List of Religious Holidays. The Superintendent or the Superintendent’s designee shall be responsible for maintaining a list of religious holidays covered by this rule. The Superintendent or the designee may consult with religious institutions and leaders in the community for this purpose.
7. Notice. A student’s parent or guardian shall give the school written notice of intended absence at least four school days prior to the intended absence. If the principal determines that the intended absence does not meet the requirements of this rule, the principal shall notify the student’s parent or guardian at least two days prior to the intended absence.
8. Make-up Work. A student who is absent from school under this rule shall be given a reasonable opportunity to make up any examinations, study or work assignments missed while absent. The expectation is that such work will be made up within five school days or less after the absence.
9. Opportunity to Be Heard. A parent or guardian who disagrees with a school’s decision not to excuse a requested absence on a day not named on the list of religious holidays shall have the right to appeal that decision to the principal.
10. Adult Students. The opportunities and responsibilities granted to a parent or guardian of a student may be exercised by an adult student on the student’s own behalf and without the consent of the adult student’s parent or guardian.
11. Delegation of Authority. The Superintendent is authorized to adopt procedures and guidelines to interpret and implement this rule.

**STATUTORY AUTHORITY:** 1001.41; 1003.21, F.S.

**LAWS IMPLEMENTED:** 1003.21, F.S.

**STATE BOARD OF EDUCATION RULE:** 6A-1.09514

**HISTORY:** Adopted: 08/14/07  
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