

MARIA MONTESSORI ACADEMY
Policy: Religion and Education Policy
Adopted: August 9, 2010



PURPOSE

It is the policy of Maria Montessori Academy (the "School") to recognize, protect, and accommodate the rights of religious practice and expression guaranteed by state and federal laws and by the constitutions of Utah and the United States.

The purpose of this policy is to help School personnel protect and accommodate individual rights of conscience in the School.

POLICY

The School's Board of Directors expects School personnel to foster mutual understanding and respect for all individuals and beliefs. Study about religion is an important part of a complete education and is necessary to achieving an understanding of history, societies, and cultures throughout the world. School curricula – including activities, discussions, assignments, displays, and performances – may refer to religious thought and expression, provided such references are designed to achieve specific educational objectives.

School personnel should neither promote nor disparage any religious, agnostic or atheistic belief or religion in general. Teaching about religion should be objective, thus avoiding any implication that religious doctrines have the endorsement of school authority. School personnel should recognize that religious holidays are observed in various ways, or not observed at all, based upon the influence of ethnic tradition, family style, or religious conviction.

Students may request to be excused or refrain from participating, in activities, discussions, and assignments that they feel would violate their rights of conscience or religious freedom. Such requests must be made in a timely manner to the appropriate authorities. The parent(s) or legal guardian(s) of a minor student may also make a request for excusal on that student's behalf. If focused on a specific activity, discussion, or assignment, and in accordance with Utah Code, State Board of Education Rules, and School Procedures, such requests will be granted routinely and without penalty.

Signature:

Linda Martinez
Linda Martinez, Board Vice-Chair

8/9/2010
Date

Administrative Procedures for the School's Religion and Education Policy

Procedures for Implementation

1. At least once a year, the Director will review with teachers, the School community council (SCC) members, and staff, the School's Religion and Education Policy (the "Policy"), the associated procedures, and related statutes and regulations. This review will stress the Board's expectation that School personnel will recognize, protect, and accommodate religious freedom and individual rights of conscience in the operation of the School, while fostering mutual understanding and respect for all individuals and beliefs.

2. The Board encourages teachers and employees at the School to discuss, equitably and with civility, and, if possible, resolve with students, parents, and guardians, any concerns regarding curricular content, activities, or student participation.

3. Students, parents, and legal guardians will be notified annually of their rights under the Policy, state law, and state administrative rules. The notice will contain at least the following information:

a. A copy of the Policy, rules, and related statutes and regulations regarding religion in the curriculum will be available upon request in the school office;

b. A secondary school student, or parent or legal guardian of any student, may make a complaint to the Director that a portion of the curriculum, a School activity, or the conduct of a School employee violates state or federal law insofar as it "promotes or disparages a particular religious, denominational, sectarian, agnostic, or atheistic belief or viewpoint." See Utah Code §53A-13-101.1(4);

c. A secondary school student, or parent or legal guardian of any student, may make a request to the Director for a waiver of participation in any portion of the curriculum or a School activity, which the student, parent, or legal guardian believes is an infringement of the student's right of conscience or the exercise of religious freedom in any of the following ways:

i. It requires the affirmation or denial of a religious belief or practice, or right of conscience.

ii. It requires participation in a practice forbidden by a religious belief or practice, or right of conscience.

iii. It bars participation in a practice required by a religious belief or practice, or right of conscience.

d. According to Utah State Administrative Rules (R277-105-5.B), a claimed infringement, justifying waiver of participation, "

4. The Director will discuss annually with the SCC any requests for accommodation, or complaints about religion in the curriculum, made within the last year. In discussing these matters with the SCC, the Director will take care to protect the privacy rights of those who made complaints or requests.

Requests for Waiver of Participation

A secondary student, or parent or legal guardian of any student, may request to be excused or refrain from participating in activities, discussions, and assignments they feel would violate their rights of conscience or religious freedom. In general, and within the bounds of law, such requests will be granted routinely and without penalty.

Any student, parent, or legal guardian who desires a waiver of participation or substitution of another activity as provided in Utah State Board Administrative Rules (R277-105-5) will put that request in writing and direct it to the Director.

Once a student, parent, or legal guardian has requested a waiver of participation, the student will not be compelled to participate in any curriculum or activity pending resolution of the request, unless the Director has determined that requiring the participation of that particular student in that particular activity is the least restrictive means necessary to achieve a specifically identified educational objective in furtherance of a compelling governmental interest. (R277-105-5.F)

The Director, student, the student's parent or legal guardian, and the teacher or employee responsible for the program in question will meet to discuss the request. The Director will arrive at a decision, swiftly and in a manner consistent with state law, whether to waive participation, alter the curriculum or activity, substitute another activity, or require the student's participation. The Director will encourage the student and student's parent or guardian to suggest a reasonable alternative. In making a decision, the Director will give proper consideration to any suggestions made by the student and the student's parent or guardian.

The Director will keep a written record of every request for a waiver of participation or substitution of activity based on religious freedom or right of conscience and any decisions made regarding each request.

Complaints Alleging Violation of Law

Any student, parent, or legal guardian may register a complaint with the Director that a particular curriculum or activity violates state or federal law insofar as it "promotes or disparages a particular religious, denominational, sectarian, agnostic, or atheistic belief or viewpoint."

If a complaint is made by a minor student, the Director will give written notice to the student's parent or legal guardian by letter addressed to the parent or legal guardian's last known address.

The Director, student, the student's parent or legal guardian, and the teacher or employee responsible for the program in question will meet to discuss the complaint, and the Director will arrive at a decision, consistent with state and federal law, whether to alter the curriculum or activity, substitute another activity, or deny that the curriculum or activity is in violation of law. The Director will give a written decision as soon as practical under the circumstances.

The Director will keep a written record of every complaint and any decisions made regarding each complaint. The Director will submit his or her written record of each complaint to the Board President.

The Board President will personally, or by a committee of his or her choosing, evaluate the curriculum or activity in question. If the Board President is concerned that any curriculum or activity may violate state or federal law, he or she may determine whether the educational objectives could be achieved by less restrictive means and may request that the Director alter or substitute another curriculum or activity.

Appeals Process

A student, parent, or legal guardian who is dissatisfied with a Director's decision regarding either requests for waiver of participation or complaints about curricula and activities perceived to be in violation of law, may appeal that decision within ten (10) school days to the Board President.

The Board President will review the complaint of the student, parent, or legal guardian and the decision of the Director and may modify the Director's decision.

At the sole discretion of the Board President, a committee of his or her choosing may be formed to review the complaint and the decision of the Director. If the Board President decides to form a committee to consider the appeal, the student and student's parent or guardian will be notified.

The Board President will keep a written record of every appeal and any decisions made regarding each appeal.

The decision of the Board President will be final.