

The United States Constitution and North Carolina Constitution protect the right of an individual to subscribe to any religious beliefs or to no religious beliefs at all. It is the policy of the Watauga County Board of Education (the “board”) to comply with federal and state law regarding religion and religious expression in the schools. The board will neither advance nor inhibit any religion or religious belief, viewpoint, expression, or practice. It is also the policy of the board to support, within the framework of the United States Constitution and the North Carolina Constitution, the free, private exercise of individual religious beliefs by students and school employees. The board will not prevent, or otherwise deny participation in, constitutionally protected prayer in the system’s schools, consistent with guidance issued by the U.S. Department of Education and applicable judicial decisions interpreting the religion clauses of the First Amendment of the U.S. Constitution. This policy supersedes any other board policy that is inconsistent with it.

The board also recognizes the importance of the religious heritage of the United States of America and North Carolina and respects the diverse religious beliefs of members of the school community. School employees are expected to show respect for the beliefs of all students and employees. Also, school programs and activities should be designed to foster understanding, appreciation, and respect for the diverse beliefs of the school system’s students and employees.

In order to ensure that the school system upholds constitutional standards within the religiously neutral role assigned to public schools, school employees should request approval from the school principal before planning a school-sponsored instructional activity, observance, program, or other event that will include religious content or could be construed as a religious ceremony or celebration. As necessary, the principal shall confer with the superintendent or designee to determine whether the proposed activity is consistent with constitutional requirements. The superintendent or designee shall consult the board attorney whenever prudent to do so to determine the applicable legal standards and/or the constitutionality of the proposed activity.

If the proposed activity is inconsistent with such standards, it will not be permitted.

The basic guidelines for religion in the schools are as follows:

1. Students and school personnel shall not be encouraged, pressured, or compelled to disclose their religious beliefs or lack of belief.
2. Students are permitted to voluntarily do any of the following:
 - a. express and share religious viewpoints to the same extent and under the same circumstances as viewpoints on nonreligious topics or subjects
 - b. pray, either silently or audibly and alone or with other students, to the same extent and under the same circumstances permitted for nonreligious matters
 - c. possess or distribute religious literature to the same extent and under the same

circumstances permitted for extracurricular literature on nonreligious topics or subjects (see Board policy 2.04.70, or policy 5210 when adopted)

- d. organize prayer groups, religious clubs, or other religious gatherings before, during, and after school to the same extent and under the same conditions as for other extracurricular student activities and groups. The board may disclaim school sponsorship of religious groups and events in a manner that neither favors nor disfavors the religious nature of such groups and events
 - e. wear clothes or jewelry that include religious symbols or statements, so long as the student remains in full compliance with the dress code
 - f. express beliefs about religion in homework, artwork, and other written or oral assignments free from discrimination based on the religious content of the submission. Students shall not be penalized or rewarded based on the religious content of the student's work.
3. The student activities permitted under item 2 above do not allow
 - a. infringement on the rights of the school to maintain order and discipline, prevent disruption of the educational process, and determine educational curriculum and assignments
 - b. harassment or coercion of other persons to participate in the activity, or other infringement on the rights of other persons
 4. School personnel may participate in religious activities initiated by students at reasonable times before or after the instructional day so long as such activities are voluntary for all parties and do not conflict with the responsibilities or assignments of such personnel.
 5. School employees supervising extracurricular activities, including coaches, may be present while a student or group of students exercises their right to voluntary prayer and shall not be disrespectful of the student exercise of such rights.
 6. Community use of school buildings and facilities is allowed for religious purposes on the same basis as any comparable nonreligious use.

Students or their parents or guardians who believe that student religious rights have been violated may file a grievance pursuant to Policy 4010 Student and Parent Grievance Procedure.

Legal References: U.S. Const. amend. I; Equal Access Act, 20 U.S.C. 4071-4074; N.C. Const. art. I, § 14; G.S. 115C-36, -47, -407.30 through -407.33

Cross References: Board Attorney (policy 2610), Goals and Objectives of the Educational Program (policy 3000), Curriculum Development (policy 3100), Religious-Based Exemptions

from School Programs (policy 3510), Student and Parent Grievance Procedure (4010),
Distribution and Display of Non-School Material (policy 5210)

Adopted: August 3, 2015