

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 board's policy 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 superintendent, in consultation with the board attorney, shall develop administrative regulations designed to comply with the requirements of the United States Constitution and court decisions interpreting the Constitution. The regulations also shall address pertinent statutes enacted by the North Carolina General Assembly.

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), Distribution and Display of Non-School Material (policy 5210)

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