

6A-1.09514 Excused Absences for Religious Instruction or Holiday.

(1) Release time during the school day to participate in religious instruction. Each school district must adopt a policy ~~which chooses~~ to permit release time during the school day for students to participate in religious instruction ~~shall adopt rules~~ to implement Section 1003.21(2)(b), F.S. The school district's policy must ~~rules shall~~ include, but ~~is~~ ~~are~~ not limited to, the following:

(a) No change.

(b) Provisions establishing the school district's requirements for the acceptance by the religious institution or parents of responsibility for any liability involving students on release time. Such requirements shall, at as ~~as~~ a minimum, require the religious institution or parents to indemnify the school district and hold it harmless with respect to any liability arising from conduct which does not occur on property under the control or supervision of the school district, and to maintain adequate insurance for that purpose.

(c) Provisions which assure that decisions on requests for release time properly take into account the district's pupil progression plan as stated in Section 1003.21(1)(b), F.S., and that the principal, or his or her designee, must work with parents and guardians to review a student's schedule to ensure that absences for religious instruction do not take place during instruction in core-curricula courses as defined in Section 1003.01(5), F.S.

(d) Provisions specifying the procedures and time limits for students to make up any examination, study, or assignment which has been missed due to an excused absence pursuant to the district's policy under this subsection.

(e) ~~(d)~~ No change.

(2) Each school district shall adopt a policy ~~rules~~ to implement Section 1003.21(2)(b), F.S., for students in grades K through 12 providing. ~~The district's rules shall provide~~ that 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 such policy ~~rules~~. The district's policy ~~rules~~ shall include, but ~~is~~ ~~are~~ not limited to:

(a) Provisions for establishing and modifying a list of religious holidays which shall be included in the policy ~~rules~~. School districts may consult with religious institutions and leaders in the community for this purpose.

(b) Provisions specifying ~~for~~ the procedures and time limits for students to make up any examination, study, or assignment which has been missed due to an excused absence pursuant to the district's policy under this subsection. ~~to be observed by students, teachers, and administrators in making available to each student so excused an~~

~~opportunity to make up any examination, study, or work assignment which has been missed~~

(c) Provisions for the procedures and time limits for a student's parent or guardian to give prior notice of a student's intended absence ~~applicable to the giving of prior notice of a student's intended absence by the student's parent or guardian.~~

(d) No change.

(3) Each school district which operates one or more technical college, career center, or charter technical college ~~must postsecondary vocational education school~~ shall adopt a policy, including a grievance procedure, as prescribed in Section 1001.64(8)(g), F.S., which shall be applicable to the students of the technical college or career center. ~~postsecondary vocational education school.~~ The policy shall separately specify the reasonable accommodations for religious observation, practice and belief of individual students made in regard to admissions, class attendance and the scheduling of examinations and work assignments, provided that:

(a) The school district shall not be obligated to make accommodations which impair or impede its compliance with other statutes and rules of the State Board of Education, or which adversely affect the quality of ~~the~~ instruction ~~at a postsecondary vocational education school.~~

(b) through (c) No change.

(4) ~~For purposes of this rule, a school district may accept as prima facie proof that a student is a member of, or practices and observes the tenets of, a religious group, church or denomination, a notarized statement to that effect from an adult student or from the parent or guardian of a minor student.~~

Rulemaking Authority 1000.05(6), 1001.02(1), (2)(n), 1003.21(2)(b), ~~1001.64~~ FS. Law Implemented 1000.05(2), 1001.64, 1003.21, 1003.436, 1006.53 ~~1006.33~~ FS. History—New 10-17-89, Amended 5-3-10.