

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

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

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

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

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

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

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39 Cross References: Board Attorney (policy 2610), Goals and Objectives of the Educational
40 Program (policy 3000), Curriculum Development (policy 3100), Religious-Based Exemptions
41 from School Programs (policy 3510), Distribution and Display of Non-School Material (policy
42 5210)

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44 Adopted: