STUDENTS

Religious Exemptions

Under §22.1-254 B.1 of the Virginia Code, the School Board shall excuse from attendance at school “any pupil who, together with his parents, by reason of bona fide religious training, or belief is conscientiously opposed to attendance at school. Bona fide religious training or belief does not include essentially political, sociological, or philosophical views, or a merely personal moral code.” This regulation sets forth the process for parents to present their applications for religious exemption to the School Board.

I. Definitions. As used in this regulation, the following defined terms have the meanings given in this section:

A. “Counsel” means an attorney licensed to practice law in the Commonwealth of Virginia.

B. “Good cause” means a substantial excuse; in relation to failure to attend a hearing, it means a showing that conditions would have prevented attendance by a reasonable person, as determined by the party charged to make the decision or recommendation.

C. “Parent” means a natural parent, a parent by adoption, or a guardian. “Parents” mean all parents or guardians who have legal custody of the children, unless (i) the parent not joining in the application has abandoned the family, or (ii) a court order awards sole authority to make educational decisions to the applying parent, or (iii) similar conditions exist which justify ignoring the wishes of the parent who did not join in the application.

II. Parental application. To apply for a religious exemption, a parent of the student(s) must submit a written application to the Director of Student Services.

A. A complete application contains all of the following information:

1. The name, address, and phone number of the parent or parents making the application.
2. The name(s) and age(s) of the student(s) to whom the application applies, and the applicant’s relationship to them.

3. The names and ages of any other children of the applicant who are subject to mandatory attendance but who are not part of the application for religious exemption, and a statement explaining why they are not part of the application.

4. A statement which includes why the parent is applying for the student’s exemption from school.

5. A statement of the student’s religious training and beliefs. If any student for whom the parent seeks a religious exemption is 14 years or older, the affected student shall provide a written statement describing the training the student has received and discussing the beliefs the student holds which are incompatible with school attendance and support the request for religious exemption.

6. A statement indicating who educates the student. For all non-parent educators, this statement must include the subjects taught, number of instructional hours per day, or number of instructional days per week, and how each educator was selected.

7. If the child has been the subject of a religious exemption application elsewhere in the United States or the Department of Defense Dependent Schools, the date and location of that application and its outcome. All documentation regarding that application must be attached; if no documentation exists, the application must state the process by which the application was handled.

8. If both parents do not or cannot join in the application, an explanation of the reason why the other parent has not signed the application.

B. A parent may apply for a religious exemption only once in an academic year (July 1-June 30).

III. Optional additional information. Parents are encouraged but not required to submit any or all of the following information in support of their application:
A. The names and ages of any children not yet of school age whom the parent wishes to have included in the application.

B. A statement of how long the parent has held the beliefs or training which support the application for religious exemption, and how the parent acquired these beliefs or training.

C. Letters of support and affidavits of religious leaders regarding the application. These letters and affidavits shall refer to the parent’s grounds for the application, indicate how the writer knows the parent, and state how long the writer has known the parent.

D. Documents from the parent’s faith community which support or require exemption from attendance at school.

E. The curriculum the parent has selected for the student.

IV. Staff action. Upon receipt of a complete application, the Director of Student Services shall verify that the information submitted in response to subdivisions II. A. 1., 2., and 3. is correct. If such information is correct and if the application is complete, the Director of Student Services shall forward the application to the Division Counsel for review.

A. If the applicant has not applied for a religious exemption before in Prince William County, the Director of Student Services shall issue a 60-day stay of any truancy enforcement. The Director of Student Services may extend this stay for up to an additional 60 days if the School Board has not acted on the application due to no fault of the applicant.

B. If the Division Counsel finds, in consultation with the Director of Student Services, that the student and the student’s parents have produced evidence that they are conscientiously opposed to attendance at school by reason of bona fide religious training or belief, the Division Counsel shall submit a recommendation to the Superintendent that the School Board approve the application as to that student. This recommendation shall be accompanied by the application and may be accompanied by any related documents relevant to the decision.

C. If the Division Counsel finds the application raises questions as to whether a religious exemption ought to be granted as to any student covered by
the application, he or she shall schedule a hearing with the applicant and the Director of Student Services to address these questions.

1. At the hearing, the applicant shall have the right to be represented by counsel at the applicant’s expense, and the applicant shall be notified of this right in advance of the hearing.

2. The applicant may submit additional written material at or before the hearing.

3. The Division Counsel shall conduct the hearing and may continue or reschedule it for good cause.

4. If the applicant fails to attend the scheduled hearing without good cause, the Division Counsel shall recommend denial of the application on that basis.

5. After the hearing, the Division Counsel shall submit a recommendation to the Superintendent, in consultation with the Director of Student Services, either to approve or to reject the application. This recommendation shall be accompanied by the application and may be accompanied by any related documents relevant to the decision.

D. The applicant may withdraw the application by oral or written request, which shall dissolve the Director of Student Services’ stay of truancy enforcement and halt further staff processing of the application.

V. School Board action. Upon receipt of the Division Counsel’s recommendation, the Superintendent shall present it to the School Board for action.

A. The School Board may require the applicant to appear for a hearing before the School Board or a committee of the School Board, at which the applicant has the right to be represented by counsel at the applicant's expense. The School Board shall determine whether such hearing shall be conducted by the entire Board or a committee thereof.

B. If the School Board finds that the student and parents conscientiously object to attendance at school on the basis of a bona fide religious training or belief, it shall exempt the student from school attendance.
C. The School Board shall reject the application:

1. If the School Board finds that the student and parents do not satisfy the statutory requirements for religious exemption; or

2. If the applicant failed to attend the hearing without good cause and there was no further hearing before the School Board; or

3. If the applicant fails to attend the scheduled hearing before the School Board without good cause.

D. If the School Board requires further information to make a finding, it may defer its decision and require that the applicant provide further information.

E. The School Board’s exemption is valid within Prince William County Public Schools unless and until revoked.

F. The School Board may revoke a religious exemption upon discovery of information that would have justified denial of the application.

The Associate Superintendent for Student Learning and Accountability (or designee) is responsible for implementing and monitoring this regulation.

This regulation and related policy shall be reviewed at least every five years and revised as needed.