



Book	Policy Manual
Section	Volume 15 Number 2 Update-Ready for the Board
Title	Revised Policy - Vol. 15, No. 2 - August 2023 - RELIGIOUS/PATRIOTIC CEREMONIES AND OBSERVANCES
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### Revised Policy - Vol. 15, No. 2 - August 2023

#### 8800 - RELIGIOUS/PATRIOTIC CEREMONIES AND OBSERVANCES

Decisions of the United States Supreme Court have made it clear that it is not the province of a public school to advance or inhibit religious beliefs or practices. Under the First and Fourteenth Amendments to the Constitution, this remains the inviolate province of the individual and the church of his/her choice. The rights of any minority, no matter how small, must be protected. No matter how well intended, either official or unofficial sponsorship of religiously-oriented activities by the school are offensive to some and tend to supplant activities which that should be the exclusive province of individual religious groups, churches, private organizations, or the family.

District staff members shall not use prayer, religious reading, or religious symbols as a devotional exercise or in an act of worship or celebration, in a school setting. The District shall not act as a disseminating agent for any person or outside agency for any religious or anti-religious document, book, or article. Distribution of such materials on District property by any party shall be in accordance with Policy 7510 and AG 7510A – Use of District Facilities and Policy 9700 – and AG 9700 – Relations with Special Interest Groups.

The Board acknowledges that it is prohibited from adopting any policy or rule respecting or promoting an establishment of religion or prohibiting any student from the free, individual, and voluntary exercise or expression of the student's religious beliefs.

Any student enrolled in the District may choose to engage in religious expression before, during, or after school hours in the same manner and to the same extent that a student is permitted to engage in secular activities or expression. However, no student ~~will~~ **shall** be required to participate in any religious expression or activities.

~~Observance~~ **The district shall not require observance** of religious holidays through devotional exercises or acts of worship ~~is also prohibited~~. Acknowledgment of, explanation of, and teaching about religious holidays of various religions is encouraged. Celebration activities involving nonreligious decorations and use of secular works is permitted, but it is the responsibility of all faculty members to ensure that such activities are strictly voluntary, do not place an atmosphere of social compulsion or ostracism on minority groups or individuals, and do not interfere with the regular school program.

**The district shall not substantially burden a person's exercise of religion unless applying the burden to that person's exercise of religion in a particular situation is essential to further a compelling governmental interest and is the least restrictive means of furthering that compelling governmental interest. Furthermore, the district shall not treat religious conduct more restrictively than any conduct of reasonably comparable risk; nor shall it treat religious conduct more restrictively than comparable conduct because of alleged economic need or benefit.**

~~[ ] The Board shall not conduct or sanction a baccalaureate service in conjunction with graduation ceremonies.~~

~~[ ] The Board shall not include religious invocations, benedictions, or formal prayer at any school sponsored event.~~

The flag of the United States, four by six feet, of regulation bunting shall be raised above each school and/or at other appropriate places during all school sessions, weather permitting. The flag shall be raised before the opening of school and taken down at its close every day unless the flag is lighted. Any United States flag of flag or the State of West Virginia purchased out of the District Board building fund or with State funds must be manufactured in the United States. The teacher, custodian or other person in charge of the building during the session is responsible for this flag being displayed at the school.

**[CHOOSE OPTION 1 OR 2]**

**x ] [OPTION 1]**

Professional staff members are authorized to lead students in the Pledge of Allegiance at an appropriate time each school day. However, no student shall be compelled/required to participate in the recitation of the Pledge. Additionally, the Board prohibits the intimidation of any student by other students or staff for the purposes of coercing participation. The Superintendent shall develop administrative guidelines which ensure that any staff member who conducts this activity does it at an appropriate time, in an appropriate manner, and with due regard to the need to protect the rights and the privacy of a nonparticipating student.

**~~[ ] [OPTION 2]~~**

~~Professional staff members are not authorized to lead students in the Pledge of Allegiance during the school day.~~

**~~[END OF OPTIONS]~~**

~~The national motto, "In God We Trust," as an important part of our country's history and heritage, will shall be prominently displayed at each school and at other Board-owned facilities. Any costs associated with establishing and maintaining such displays shall be paid for by private donations and/or gifts, grants and bequests received by the Board.~~

~~Further, the POW-MIA flag, as a symbol of citizen concern for military personnel taken as prisoners of war (POW) or listed as missing in action (MIA), will shall be displayed at each school and at other Board-owned facilities. The POW-MIA flag shall be raised, weather permitting, before the opening of school and taken down at its close every day unless the flag is lighted. Any costs associated with the display of the POW-MIA flag shall be paid for by private donations and/or gifts, grants and bequests received by the Board.~~

20 U.S.C. 4071 et seq.  
 Gregoire vs. Centennial School District, 907 F.2d 1366, (3rd Cir.1990)  
 Lee vs. Weisman, 505 U.S. 577 (1992)  
 WV Code 1-6-1  
 WV Code 5-6-17  
 WV Code 18-5-24  
 WV Code 18-5-15b  
 WV Code 18-33-1 et seq.  
**WV Code 35-1A-1**

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Legal	20 U.S.C. 4071 et seq.
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	WV Code 35-1A-1