

# **SDUHSD Board Meeting September 11, 2025**

## **Agenda Item 10A - Recognition of Religious Beliefs and Customs**

### **Trustee Michael Allman**

Ed Code 51240 states as follows:

#### **51240.**

(a) If any part of a school's instruction in health conflicts with the religious training and beliefs of a parent or guardian of a pupil, the pupil, upon written request of the parent or guardian, shall be excused from the part of the instruction that conflicts with the religious training and beliefs.

(b) For purposes of this section, "religious training and beliefs" includes personal moral convictions.

The legislature added the definition in (b) to avoid discriminating against people who don't follow an organized religion but who nonetheless wanted to opt-out of certain lessons.

Our proposed policy/regulation/opt-out forms do not properly recognize this part of California law.

#### **BP 6141.2 Recognition of Religious Beliefs and Customs**

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Proposed changes are marked below:

When required by law, the district shall notify parents/guardians that they may submit a written request to opt their students out of instruction on the basis of their religious beliefs **or personal moral convictions** as specified in the accompanying administrative regulation. Students whose parents/guardians request an opt out of such instruction may be offered an alternative activity of similar educational value upon the approval of the request. Additionally, a student shall not be subject to disciplinary action, academic penalty, or other sanction on the grounds that the student was opted out of such instruction.

#### **AR 6141.2 – Recognition of Religious Beliefs and Customs**

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The Redline addition offered is as follows:

**Opt-Outs** When a parent/guardian submits a written request to opt the parent's/guardian's student out of instruction based on religious beliefs, customs, or practices, the request shall include the following:

1. The specific instructional material including the type, name, and/or title of the material (e.g., title of book, text, lesson, or unit) for the opt out request

2. How the specific instructional content substantially interferes with the religious upbringing of the student in accordance with sincerely held religious beliefs

Requiring a parent to specify the specific instructional material including the type, name, and/or title of the material is overly burdensome and intrusive for the parent. They should not be forced to go through a textbook with a yellow highlighter to tell the school that they want to have their child opt out of “Page 6, paragraph 2, Page 45 and 46 in their entirety, and page 94 paragraphs 2 and 3”. Instead, they should be allowed to make general statements about what they want to opt their child out of. A statement such as “I want to opt my child out of any instruction or discussion of gender ideology and the existence of more than two sexes” should be sufficiently clear for the district to know implement the parent’s wishes.

In addition, the concept of “personal moral convictions” should be integrated into this AR to be consistent with the Board Policy, such as the following.

Finally, it is unnecessarily intrusive to ask parents to describe how religious beliefs (or personal moral convictions)

**Opt-Outs** When a parent/guardian submits a written request to opt the parent's/guardian's student out of instruction based on religious beliefs, customs, or practices, **or personal moral convictions**, the request shall include **the following: a concise description of the topics and/or materials for the opt out request.**

~~1. The specific instructional material including the type, name, and/or title of the material (e.g., title of book, text, lesson, or unit) for the opt out request~~

~~2. How the specific instructional content substantially interferes with the religious beliefs or personal moral convictions upbringing of the student or the parent/guardian. in accordance with sincerely held religious beliefs~~

## **6141.2 E1 - Parent/Guardian Request for Student Opt-Out of Specific Instructional Content**

### **The first paragraph**

This form provides parents/guardians with the option to request that their student be excused from specific instructional content when it may conflict with a parent or family’s religious upbringing of their student pursuant to that parent or family’s **sincerely held** religious beliefs or personal moral conviction. ~~The request and the district’s response are dependent upon the specific religious beliefs and practices asserted, as well as the specific nature of the educational requirement or curricular feature at issue.~~

It is inappropriate to have the district's response dependent on the specific religious beliefs and to probe the details of the specific religious beliefs and practices. The district should take accept the parent's assertion at their word.

To be consistent with these concepts, the rest of the form should be updated as follows.

**Instructional Content for Opt-Out Request:** Identify as clearly and succinctly as possible the specific instructional concepts and/or materials you are requesting to opt-out. ~~the specific instructional material, including the type, name, and/or title of the material (e.g., title of book, text, lesson, or unit)~~

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~~**Explanation of Conflict:** Explain how the specific instructional content substantially interferes with the religious upbringing of your student in accordance with your sincerely held religious beliefs.~~

Finally, the proposed form has the certification section as:

I certify that I am an authorized parent or guardian and that I am making this opt out request because the curriculum instruction and materials identified above (check all that apply):

- Substantially interferes with the religious development of my student
- Undermines the religious beliefs and practices I wish to instill in my student

The parent has already identified from the prior sections what the content and materials they to opt out from. The certification should simply be that they are the parent:

~~I certify that I am an authorized parent or guardian and that I am making this opt out request because of my religious beliefs or personal moral convictions.~~