

1 HB291
2 198316-1
3 By Representative Garrett
4 RFD: Education Policy
5 First Read: 02-APR-19

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8 SYNOPSIS: This bill would authorize local boards of
9 education to allow released time for student
10 participation in religious instruction in an
11 elective course for purposes of satisfying certain
12 curriculum requirements in public schools.

13
14 A BILL
15 TO BE ENTITLED
16 AN ACT

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18 Relating to public K-12 education; to authorize
19 local boards of education to allow released time for student
20 participation in religious instruction in an elective course
21 for purposes of satisfying certain curriculum requirements in
22 public schools.

23 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

24 Section 1. This act shall be known and may be cited
25 as the Alabama Released Time Credit Act.

26 Section 2. The Legislature finds and declares all of
27 the following:

1 (1) That the United States Supreme Court, in its
2 decision in Zorach v. Clauson, 343 U.S. 306 (1952), upheld the
3 constitutionality of released time programs for religious
4 instruction for public school students during the school day.

5 (2) That the United States Constitution and state
6 law allows local school districts to offer religious released
7 time education for the benefit of public school students.

8 (3) That the purpose of this act is to incorporate a
9 constitutionally acceptable method of allowing school
10 districts to offer released time classes and, in grades where
11 credit is earned, to award students elective credit for
12 classes taken during the school day in released time programs.

13 Section 3. (a) As used in this section, the term
14 released time means a period of time during the school day
15 when a student is allowed to participate in an elective course
16 in religious instruction, conducted off school district
17 property, by a private entity.

18 (b) The State Board of Education shall adopt and
19 each local board of education may implement a policy for a
20 student to attend released time as an elective course if all
21 of the following are satisfied:

22 (1) The parent or guardian of the student gives
23 written consent.

24 (2) The sponsoring entity maintains attendance
25 records and makes them available to the public school the
26 student attends.

1 (3) The sponsoring entity makes provisions for and
2 assumes liability for the student who is excused for released
3 time.

4 (4) No public funds are expended other than de
5 minimis administrative costs.

6 (5) No public school personnel are involved in
7 providing the religious instruction.

8 (c) In grades where credit is earned, a student who
9 participates in released time shall earn elective course
10 credit for participation, as provided by rules adopted by the
11 State Board of Education for elective courses. Credit awarded
12 may not exceed normal credit given for an elective course in
13 the particular school system. The State Board of Education
14 shall also adopt minimum standards for class attendance
15 necessary to qualify for credit.

16 (d) A student who participates in religious
17 instruction for elective credit during released time shall be
18 credited with time spent as if the student attended school,
19 and the time shall be calculated as part of the actual school
20 day.

21 (e) Transportation to and from the place of released
22 time, including transportation for any student with
23 disabilities, is the complete responsibility of the sponsoring
24 private entity, parent, guardian, or student and may not be
25 arranged, coordinated, or provided for by public school
26 personnel.

1 (f) No student may be released from a required core
2 curriculum class to attend released time.

3 Section 4. This act shall become effective on the
4 first day of the third month following its passage and
5 approval by the Governor, or its otherwise becoming law.