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

1	ENGROSSED
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4	A BILL
5	TO BE ENTITLED
6	AN ACT
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8	Relating to public K-12 education; to authorize
9	local boards of education to allow released time for student
10	participation in religious instruction in an elective course
11	for purposes of satisfying certain curriculum requirements in
12	public schools.
13	BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
14	Section 1. This act shall be known and may be cited
15	as the Alabama Released Time Credit Act.
16	Section 2. The Legislature finds and declares all of
17	the following:
18	(1) That the United States Supreme Court, in its
19	decision in <u>Zorach v. Clauson</u> , 343 U.S. 306 (1952), upheld the
20	constitutionality of released time programs for religious
21	instruction for public school students during the school day.
22	(2) That the United States Constitution and state
23	law allows local school districts to offer religious released
24	time education for the benefit of public school students.
25	(3) That the purpose of this act is to incorporate a
26	constitutionally acceptable method of allowing school
27	districts to offer released time classes and, in grades where

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credit is earned, to award students elective credit for
 classes taken during the school day in released time programs.

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

8 (b) The State Board of Education shall adopt and 9 each local board of education may implement a policy for a 10 student to attend released time as an elective course if all 11 of the following are satisfied:

12 (1) The parent or guardian of the student gives13 written consent.

14 (2) The sponsoring entity maintains attendance
15 records and makes them available to the public school the
16 student attends.

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

20 (4) No public funds are expended other than de21 minimis administrative costs.

(5) No public school personnel are involved inproviding the religious instruction.

(c) In grades where credit is earned, a student who
 participates in released time shall may earn elective course
 credit for participation, as provided by rules adopted by the
 State Board of Education for elective courses. Credit awarded

1 may not exceed normal credit given for an elective course in 2 the particular school system. The State Board of Education 3 shall also adopt minimum standards for class attendance 4 necessary to qualify for credit.

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

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

16 (f) No student may be released from a required core 17 curriculum class to attend released time.

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

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3	House of Representatives
4 5 6 7 8	Read for the first time and re- ferred to the House of Representa- tives committee on Education Policy 02-APR-19
9 10 11	Read for the second time and placed on the calendar 1 amendment 25-APR-19
12 13 14	Read for the third time and passed as amended 02-MAY-19 Yeas 87, Nays 9, Abstains 2
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Jeff Woodard Clerk