HB133

130254-1

By Representative Galliher

RFD: Education Policy

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SYNOPSIS: Existing law relating to courses of study in public schools specifies that it is the intent of the Legislature that, in addition to required courses, elective courses including wellness education be available to students as determined by the local board of education.

This bill would authorize local boards of education to include released time religious instruction as an elective course for high school students.

A BILL TO BE ENTITLED AN ACT

Relating to courses of study in public schools; to provide legislative intent; and to authorize local boards of education to include released time religious instruction as an elective course for purposes of satisfying certain curriculum requirements for high school students.
BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

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

(1) That the free exercise of religion is an inherent, fundamental, and inalienable right secured by the First Amendment to the United States Constitution.

(2) That the free exercise of religion is important to the intellectual, moral, civic, and ethical development of students in Alabama, and that any such exercise must be conducted in a constitutionally appropriate manner.

(3) That the United States Supreme Court, in its decision, Zorach v. Clauson, 343 U.S. 306 (1952), upheld the constitutionality of released time programs for religious instruction during the school day if the programs take place away from school grounds, school officials do not promote attendance at religious classes, and solicitation of students to attend is not done at the expense of public schools.

(4) That the United States Constitution and state law allow local school districts to offer religious released time education for the benefit of public school students.

(5) That the purpose of this act is to incorporate a constitutionally acceptable method of allowing school districts to award public high school students in the state elective credit for classes in religious instruction taken during the school day in released time programs, because the
absence of an ability to award such credits has essentially eliminated the ability of a school district to accommodate the desires of parents and students to participate in released time programs.

Section 3. (a) Each local board of education in the state may adopt a policy that authorizes a high school student to be excused from school to attend a class in religious instruction conducted by a private entity if all of the following are satisfied:

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

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

(3) Transportation to and from the place of instruction, including transportation for any student with disabilities, is the complete responsibility of the sponsoring entity, parent, or guardian.

(4) The sponsoring entity makes provisions for and assumes liability for the student who is excused.

(5) No public funds are expended and no public school personnel are involved in providing the religious instruction.

(b) A student who participates in a released time religious instruction may earn elective course credit for participation as determined by the local board of education. The credit awarded may not exceed one credit unit. The local
board of education may adopt minimum standards for any program pursuant to this act including minimum standards for the curriculum and participation necessary to qualify for credit.

(c) It is the responsibility of a participating student to make up any missed schoolwork.

(d) No student may be released from a required core curriculum class to attend a religious instruction class.

(e) While in attendance in a released time religious instruction class pursuant to this section, a student is not considered to be absent from school.

Section 4. This act shall become effective immediately following its passage and approval by the Governor, or its otherwise becoming law.