

SB278 INTRODUCED



1 SB278
2 3PNCHZE-1
3 By Senator Shelnuttt
4 RFD: Education Policy
5 First Read: 01-Apr-25



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SYNOPSIS:

Under existing law, the State Board of Education has a policy providing elective credit to students who attend religious instruction during the school day, and each local board of education may choose whether to implement the policy.

This bill would require each local board of education to implement a policy allowing elective credit to students who are released from the classroom to attend religious instruction during the school day, provided each local board of education may tailor the policy to meet their needs.

A BILL
TO BE ENTITLED
AN ACT

Relating to public K-12 education; to amend Section 16-1-20.6, Code of Alabama 1975; to further provide for the provision of elective credit for students who attend religious instruction during the school day.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 16-1-20.6, Code of Alabama 1975, is amended to read as follows:



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29 "§16-1-20.6

30 (a) This section shall be known and may be cited as the
31 Alabama Released Time Credit Act.

32 (b) The Legislature finds and declares all of the
33 following:

34 (1) That the United States Supreme Court, in its
35 decision in *Zorach v. Clauston*, 343 U.S. 306 (1952), upheld the
36 constitutionality of released time programs for religious
37 instruction for public school students during the school day.

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

41 (3) That the purpose of this section is to incorporate
42 a constitutionally acceptable method of allowing school
43 districts to offer released time classes and, in grades where
44 credit is earned, to award students elective credit for
45 classes taken during the school day in released time programs.

46 (c) As used in this section, the term released time
47 means a period of time during the school day when a student is
48 allowed to participate in an elective course in religious
49 instruction, conducted off school district property, by a
50 private entity.

51 (d) The State Board of Education shall adopt and each
52 local board of education ~~may~~ shall implement a policy
53 ~~for~~ allowing a student to attend released time as an elective
54 course if all of the following are satisfied:

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



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

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

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

65 (5) No public school personnel are involved in
66 providing the religious instruction.

67 (e) In grades where credit is earned, a student who
68 participates in released time may earn elective course credit
69 for participation, as provided by rules adopted by the State
70 Board of Education for elective courses. Credit awarded may
71 not exceed normal credit given for an elective course in the
72 particular school system. The State Board of Education shall
73 also adopt minimum standards for class attendance necessary to
74 qualify for credit.

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

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



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85 (h) No student may be released from a required core
86 curriculum class to attend released time.

87 (i) Nothing in this act may be construed to limit the
88 authority of local boards of education to tailor the policies
89 required by this section to meet their specific needs,
90 provided the policy reflects the requirements of this section
91 and complies with applicable law, rules, and regulations."

92 Section 2. This act shall become effective on July 1,
93 2025.