SB248

XD4CHZE-2

By Senator Shelnutt

RFD: Education Policy

First Read: 03-Feb-26

Enrolled, 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 released time for 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:

"§16-1-20.6

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

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

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

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

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

(c) For the purposes of this~~As used in this~~ section, the following terms have the following meanings~~term released time means a~~:

(1) RELEASED TIME. A period of time during the school day when a student is allowed to participate in religious released time instruction that is~~ an elective course in religious instruction,~~ conducted off school district property~~, by a private~~ and conducted by a sponsoring entity.

(2) SPONSORING ENTITY. A church or other local community-based religious organization.

(d)(1) The State Board of Education and each local board of education shall allow a parent or guardian to choose for his or her student to attend a religious released time program conducted by a sponsoring entity.

(2) Subdivision (1) shall not apply in either of the following circumstances:

a. If a local board of education or the local superintendent or designee of the local board of education has a reasonable belief based on objective evidence that permitting a student to attend a released time program would pose a substantial risk of physical harm to the student or that the sponsoring entity is in violation of state law in a manner that poses a substantial risk of physical harm to a student.

b. If the student's participation in religious released time would cause the student to be excused from the minimum instructional time for any course or subject as prescribed by the State Board of Education, or from any student intervention

required under state or federal law, for purposes of participating in religious released time.

(3) Nothing in this section shall be construed to:

a. Endorse any religious belief, practice, or instruction by the State Board of Education or any local board of education;

b. Limit the authority of local boards of education over the development of school schedules; or

c. Limit the authority of local boards of education to tailor the policies addressed in this section to meet their specific needs, provided that the policy reflects the requirements of this section and complies with applicable law, rules, and regulations.

(e) The State Board of Education ~~shall adopt~~ and each local board of education may ~~implement~~ adopt a policy for a student to attend released time which may require that any of the following ~~as an elective course if all of the following are~~ be satisfied by the sponsoring entity:

(1) The parent or guardian of the student gives written consent for the student to participate in religious released time and completes the local board of education's standard checkout authorization form for the released time program. A single completed authorization form shall apply for the full duration of the school year and may not be required for each individual released time session.

(2) Released time instruction and activities are not sponsored by the local board of education and do not fall under the supervision, control, or authority of the local

board of education or its employees.

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

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

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

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

(7) The sponsoring entity conducts a criminal history background check for all employees or contractors of the entity who are likely to have direct, ongoing contact with a student who is excused for released time.

(8) The student assumes responsibility for any missed school work.

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

(g) ~~(f)~~ 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.

(h) ~~(g)~~ 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.

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

Section 2. This act shall become effective on July 1, 2026.

President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB248
Senate 19-Feb-26
I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris,
Secretary.

House of Representatives
Amended and passed: 31-Mar-26

Senate concurred in House amendment 01-Apr-26

By: Senator Shelnutt