

SB248 INTRODUCED



1 SB248
2 5VBS5MM-1
3 By Senator Shelnutt
4 RFD: Education Policy
5 First Read: 03-Feb-26



4 SYNOPSIS:

5 Under existing law, local boards of education
6 may implement policies relating to elective credit for
7 students who attend religious released time
8 instruction, provided local boards of education are not
9 liable for the student during released time or
10 responsible for transportation to and from the place of
11 released time.

12 This bill would allow parents to choose for
13 their public school student to attend a religious
14 released time program sponsored by a church or local
15 community-based religious organization, unless the
16 local board of education or a designee of that board,
17 determines the participation would pose a substantial
18 risk of physical harm to the student.

19 This bill would provide that the State Board of
20 Education and each local board of education may
21 implement a policy relating to released time which
22 requires the sponsoring entity to meet certain
23 requirements, including conducting criminal background
24 checks on employees or contractors likely to have
25 direct contact with students excused for released time.

26 This bill would specify that the State Board of
27 Education, any local board of education, and any
28 employee of either board may not sponsor, supervise, or



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otherwise control religious released time.

This bill would specify that students attending released time maintain responsibility for any missed school work.

This bill would also provide that it may not be construed to endorse any religious belief, limit the authority of local boards of education over school schedules, or limit the authority of local boards of education to tailor a religious released time policy.

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 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



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57 decision in *Zorach v. Clauson*, 343 U.S. 306 (1952), upheld the
58 constitutionality of released time programs for religious
59 instruction for public school students during the school day.

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

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

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

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

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

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

83 (2) Subdivision (1) shall not apply if a local board of
84 education or the local superintendent or designee of the local



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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.

(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.



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113 (5) ~~(4)~~ No public funds are expended other than de
114 minimis administrative costs.

115 (6) ~~(5)~~ No public school personnel are involved in
116 providing the religious instruction.

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

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

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

131 (g) ~~(f)~~ A student who participates in religious
132 instruction for elective credit during released time shall be
133 credited with time spent as if the student attended school,
134 and the time shall be calculated as part of the actual school
135 day.

136 (h) ~~(g)~~ Transportation to and from the place of released
137 time, including transportation for any student with
138 disabilities, is the complete responsibility of the sponsoring
139 private entity, parent, guardian, or student and may not be
140 arranged, coordinated, or provided for by public school



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personnel.

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

(1) Endorse of any religious belief, practice, or instruction by the State Board of Education or any local board of education;

(2) Limit the authority of local boards of education over the development of school schedules; or

(3) 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. ~~.(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.