

**SB248 INTRODUCED**



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



1  
2  
3

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



## SB248 INTRODUCED

29 otherwise control religious released time.

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

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

38

39

40 A BILL

41 TO BE ENTITLED

42 AN ACT

43

44 Relating to public K-12 education; to amend Section  
45 16-1-20.6, Code of Alabama 1975; to further provide for the  
46 provision of released time for religious instruction during  
47 the school day.

48 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

51 "§16-1-20.6

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

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

56 (1) That the United States Supreme Court, in its

## SB248 INTRODUCED



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



85 board of education has a reasonable belief based on objective  
86 evidence that permitting a student to attend a released time  
87 program would pose a substantial risk of physical harm to the  
88 student or that the sponsoring entity is in violation of state  
89 law in a manner that poses a substantial risk of physical harm  
90 to a student.

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

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

103       (2) Released time instruction and activities are not  
104 sponsored by the local board of education and do not fall  
105 under the supervision, control, or authority of the local  
106 board of education or its employees.

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

110       (4) (3) The sponsoring entity makes provisions for and  
111 assumes liability for the student who is excused for released  
112 time.



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



141 personnel.

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

143 (1) Endorse of any religious belief, practice, or

144 instruction by the State Board of Education or any local board

145 of education;

146 (2) Limit the authority of local boards of education

147 over the development of school schedules; or

148 (3) Limit the authority of local boards of education to  
tailor the policies addressed in this section to meet their

149 specific needs, provided that the policy reflects the

150 requirements of this section and complies with applicable law,

151 rules, and regulations.~~(h) No student may be released from a~~

152 ~~required core curriculum class to attend released time."~~

153   
154 Section 2. This act shall become effective on July 1,  
2026.