

ACT #2019- 281

1 HB291  
2 198316-3  
3 By Representative Garrett  
4 RFD: Education Policy  
5 First Read: 02-APR-19



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ENROLLED, An Act,

Relating to public K-12 education; to authorize local boards of education to allow released time for student participation in religious instruction in an elective course for purposes of satisfying certain curriculum requirements in public schools.

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 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 act is to incorporate a constitutionally acceptable method of allowing school districts to offer 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.

1           Section 3. (a) As used in this section, the term  
2 released time means a period of time during the school day  
3 when a student is allowed to participate in an elective course  
4 in religious instruction, conducted off school district  
5 property, by a private entity.

6           (b) The State Board of Education shall adopt and  
7 each local board of education may implement a policy for a  
8 student to attend released time as an elective course if all  
9 of the following are satisfied:

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

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

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

18           (4) No public funds are expended other than de  
19 minimis administrative costs.

20           (5) No public school personnel are involved in  
21 providing the religious instruction.

22           (c) In grades where credit is earned, a student who  
23 participates in released time ~~shall~~ may earn elective course  
24 credit for participation, as provided by rules adopted by the  
25 State Board of Education for elective courses. Credit awarded

1 may not exceed normal credit given for an elective course in  
2 the particular school system. The State Board of Education  
3 shall also adopt minimum standards for class attendance  
4 necessary to qualify for credit.

5 (d) A student who participates in religious  
6 instruction for elective credit during released time shall be  
7 credited with time spent as if the student attended school,  
8 and the time shall be calculated as part of the actual school  
9 day.

10 (e) Transportation to and from the place of released  
11 time, including transportation for any student with  
12 disabilities, is the complete responsibility of the sponsoring  
13 private entity, parent, guardian, or student and may not be  
14 arranged, coordinated, or provided for by public school  
15 personnel.

16 (f) No student may be released from a required core  
17 curriculum class to attend released time.

18 Section 4. This act shall become effective on the  
19 first day of the third month following its passage and  
20 approval by the Governor, or its otherwise becoming law.

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*Mac McClatchey*

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Speaker of the House of Representatives

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*[Signature]*

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President and Presiding Officer of the Senate

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House of Representatives

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I hereby certify that the within Act originated in  
and was passed by the House 02-MAY-19, as amended.

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Jeff Woodard  
Clerk

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Senate

21-MAY-19

Passed

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APPROVED 5/28/19

TIME 6:27pm

*Kay Ivey*  
GOVERNOR

Alabama Secretary Of State

Act Num....: 2019-281

Bill Num....: H-291

SOR

Wright

SPONSORS

HOUSE ACTION

I HEREBY CERTIFY THAT THE RESOLUTION AS REQUIRED IN SECTION C OF ACT NO. 81-889 WAS ADOPTED AND IS ATTACHED TO THE BILL, H.B. 211

YEAS 86 NAYS 4

JEFF WOODARD, Clerk

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, H.B. AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.

JEFF WOODARD, Clerk

CONFERENCE COMMITTEE

House Conferees

SENATE ACTION

DATE: \_\_\_\_\_ 20\_\_

RD 1 RFD \_\_\_\_\_

This Bill was referred to the Standing Committee of the Senate on Ed POUY and was acted upon by such Committee in session and is by order of the Committee returned therefrom with a favorable report w/amend(s) \_\_\_ w/sub \_\_\_ by a vote of years 6 nays 0 abstain \_\_\_ this 8<sup>th</sup> day of MAY 20 19 \_\_\_\_\_, Chairperson.

DATE: 5-8 20\_\_

RF \_\_\_\_\_ RD 2 CAL \_\_\_\_\_

DATE: \_\_\_\_\_ 20\_\_

RE-REFERRED \_\_\_\_\_ RE-COMMITTED \_\_\_\_\_

Committee \_\_\_\_\_

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, HB \_\_\_\_\_

YEAS \_\_\_\_\_ NAYS \_\_\_\_\_

PATRICK HARRIS, Secretary