

1 HB370
2 181850-1
3 By Representative Rich
4 RFD: Education Policy
5 First Read: 07-MAR-17

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8 SYNOPSIS: This bill would establish the Alabama
9 Released Time Act to authorize each local board of
10 education to adopt a policy that authorizes a high
11 school student to be excused from school to attend
12 a class in religious instruction conducted by a
13 private entity.

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15 A BILL
16 TO BE ENTITLED
17 AN ACT

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19 To establish the Alabama Released Time Act; to
20 provide legislative intent; and to authorize local boards of
21 education to adopt policies allowing high school students to
22 be excused from school to attend classes in religious
23 instruction conducted by a private entity.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. (a) This section shall be known and may
26 be cited as the Alabama Released Time Act.

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

3 (1) That the free exercise of religion is an
4 inherent, fundamental, and inalienable right secured by the
5 First Amendment to the United States Constitution.

6 (2) That the free exercise of religion is important
7 to the intellectual, moral, civic, and ethical development of
8 students in Alabama, and that any such exercise must be
9 conducted in a constitutionally appropriate manner.

10 (3) That the United States Supreme Court, in its
11 decision, *Zorach v. Clauson*, 343 U.S. 306 (1952), upheld the
12 constitutionality of released time programs for religious
13 instruction during the school day if the programs take place
14 away from school grounds, school officials do not promote
15 attendance at religious classes, and solicitation of students
16 to attend is not done at the expense of public schools.

17 (4) That the United States Constitution and state
18 law allow local school districts to offer religious released
19 time education for the benefit of public school students.

20 (5) That the purpose of this section is to
21 incorporate a constitutionally acceptable method of allowing
22 school districts to allow public high school students in the
23 state to take classes in religious instruction during the
24 school day in released time programs and to accommodate the
25 desires of parents and students to participate in released
26 time programs.

1 (c) Each local board of education in the state may
2 adopt a policy that authorizes a high school student to be
3 excused from school to attend a class in religious instruction
4 conducted by a private entity if all of the following are
5 satisfied:

6 (1) The parent or guardian of the student gives
7 written consent.

8 (2) The sponsoring entity maintains attendance
9 records and makes them available to the public school the
10 student attends.

11 (3) Transportation to and from the place of
12 instruction, including transportation for any student with
13 disabilities, is the complete responsibility of the sponsoring
14 entity, parent, or guardian.

15 (4) The sponsoring entity makes provisions for and
16 assumes liability for the student who is excused.

17 (5) No public funds are expended and no public
18 school personnel are involved in providing the religious
19 instruction.

20 (d) It is the responsibility of a participating
21 student to make up any missed schoolwork.

22 (e) No student may be released from a required core
23 curriculum class to attend a religious instruction class.

24 (f) While in attendance in a released time religious
25 instruction class pursuant to this section, a student is not
26 considered to be absent from school.

1 Section 2. This act shall become effective on the
2 first day of the third month following its passage and
3 approval by the Governor, or its otherwise becoming law.