

SENATE BILL 1246

By Bailey

AN ACT to amend Tennessee Code Annotated, Title 49,  
Chapter 2, Part 1, relative to released time  
courses.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 2, Part 1, is amended by adding the following language as a new section:

(a) As used in this section, “released time course” means a period of time during which a student is excused from school to attend a course in religious moral instruction taught by a sponsoring entity off school property.

(b) A local board of education shall adopt a policy that excuses a student from school to attend a released time course in religious moral instruction for at least one (1) class period during each school week; provided, that:

(1) The local board provides a signed, written consent form to every school within the school district for the student’s parent or legal guardian to sign prior to the student’s participation in the released time course;

(2) The released time course shall be conducted off public school property;

(3) The sponsoring entity maintains attendance records and makes the records available to the LEA and the local board of education;

(4) Any transportation to and from the place of instruction, including transportation for students with disabilities, is the responsibility of the sponsoring entity, parent, legal guardian, or student;

(5) The sponsoring entity assumes liability for the student attending the released time course from the time that the student leaves the school until the student returns to the school;

(6) No public funds are expended and no public school personnel are involved in providing the instruction for released time courses;

(7) The student assumes responsibility for any missed schoolwork;

(8) The local board of education, in consultation with the principal of the school, shall determine the courses or electives from which the student may be excused to participate in the released time course; and

(9) The released time courses shall coincide with school class schedules.

(c) The LEA, the local board of education, the local governing authority, and the state shall not be liable for the student who participates in the released time course.

(d) The local school board's written form pursuant to subdivision (b)(1) shall provide a disclaimer that:

(1) Eliminates any actual or perceived affirmative school sponsorship or attribution to the LEA of an endorsement of a religious instruction; and

(2) Waives any right of the student's parent or legal guardian to hold the school, the LEA, the employees of the school or LEA, or the state liable for the student participating in a released time course.

(e) Instructors of released time courses are not required to be certified pursuant to chapter 5 of this title. Instructors and other employees of the released time courses shall be hired by the sponsoring entity.

(f) A student who attends a released time course 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. The student shall not be penalized for any schoolwork missed during released time.

SECTION 2. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act shall be severable.

SECTION 3. The state board of education is authorized to promulgate rules to effectuate the purposes of this act. The rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 4. For purposes of rulemaking, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2015, the public welfare requiring it.