

FIRST REGULAR SESSION

# HOUSE BILL NO. 1393

103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE HURLBERT.

2756H.011

JOSEPH ENGLER, Chief Clerk

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## AN ACT

To amend chapter 162, RSMo, by adding thereto one new section relating to released time courses.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 162, RSMo, is amended by adding thereto one new section, to be known as section 162.059, to read as follows:

**162.059. 1. This section shall be known and may be cited as the "Missouri Released Time Education Act".**

**2. As used in this section, the following terms mean:**

**(1) "Parent", a parent, legal guardian, or other person having control, custody, or charge of child;**

**(2) "Released time course", a course in religious instruction taught by an independent sponsoring entity that a student is excused from school to attend;**

**(3) "School district", the same definition as in section 160.011.**

**3. A school district shall adopt a policy as provided in this section to excuse a student from school to attend a released time course. Such policy shall not interfere with the ability of a student's parent to request or access a released time course for the student.**

**4. A school district shall, upon the request of a student's parent, excuse a student under its jurisdiction from school to attend a released time course for at least one hour per week but not more than five hours per week if the following requirements are met:**

**(1) The student's parent gives written consent for the student to attend the released time course;**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language.

18           **(2) The entity sponsoring the released time course maintains attendance records**  
19 **and makes them available to the school district the student attends;**

20           **(3) Transportation to and from the place of instruction including, but not limited**  
21 **to, transportation for students with disabilities, is the complete responsibility of the**  
22 **sponsoring entity, parent, or student;**

23           **(4) The sponsoring entity makes provisions for and assumes liability for the**  
24 **student while under the control of the sponsoring entity;**

25           **(5) No school district moneys other than de minimis administrative costs are**  
26 **expended in providing the released time course;**

27           **(6) Released time courses shall not be held on school district property unless**  
28 **permitted under a neutral policy of equal access opening school district property for use**  
29 **by community groups; and**

30           **(7) The student assumes responsibility for any missed schoolwork.**

31           **5. Notwithstanding any other provision of law to the contrary, any period for**  
32 **which a student is excused to attend a released time course shall be considered as the**  
33 **student attending the public school from which the student is excused for the purposes**  
34 **of calculating state aid for such school and satisfying attendance requirements.**

35           **6. No provision of this section shall be construed to deny a released time course**  
36 **or the sponsoring entity equal access to moneys, benefits, or services that the school**  
37 **district provides or makes available to community groups or other independent entities.**

38           **7. (1) A school district shall adopt a policy that awards academic credit for the**  
39 **completion of a released time course and recognizes the credits of an independently**  
40 **accredited provider of released time courses.**

41           **(2) In determining how much credit to award for completion of such a course,**  
42 **the school district shall evaluate the course based on purely secular criteria that are**  
43 **substantially the same criteria used to evaluate similar courses for purposes of**  
44 **determining how much credit to award for such course. The decision to award credit**  
45 **for a released time course shall be neutral to, and shall not involve any test for, religious**  
46 **content or denominational affiliation.**

47           **(3) For purposes of this section, secular criteria include, but are not limited to,**  
48 **the following:**

49           **(a) The number of hours of classroom instruction time;**

50           **(b) A review of the course syllabus that reflects course requirements and**  
51 **materials used;**

52           **(c) The methods of assessment used in the course; and**

53           **(d) The qualifications of the course instructor.**

54           **8. Any person or organization aggrieved by a violation of this section may bring**  
55 **an action against the school district responsible for the violation and seek appropriate**  
56 **relief including, but not limited to, injunctive relief, monetary damages, reasonable**  
57 **attorney's fees, and court costs.**

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