

SECOND REGULAR SESSION

# HOUSE BILL NO. 2157

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HURLBERT.

5107H.011

JOSEPH ENGLER, Chief Clerk

## AN ACT

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

*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 a 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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