

SENATE BILL NO. 1165

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR MOON.

5659S.011

KRISTINA MARTIN, Secretary

AN ACT

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

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

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

162.059. 1. As used in this section, "released time
2 course" means a period of time during which a student is
3 excused from school to attend a course in religious or moral
4 instruction taught by an independent entity off school
5 property.

6 2. The school board of each school district shall
7 adopt a policy that excuses a student from school to attend
8 a released time course for no more than three class periods
9 per week or a maximum of one hundred twenty-five class
10 periods per school year, provided that:

11 (1) The student's parent or legal guardian provides
12 written consent prior to the student's participation in the
13 released time course;

14 (2) No school district funds other than de minimis
15 administrative costs are expended, and no school district
16 personnel, equipment, or resources are involved in providing
17 the instruction;

18 (3) The independent entity maintains attendance
19 records and makes them available to the school district and
20 its school board;

21 (4) Any transportation provided to and from the place
22 of instruction is the sole responsibility of the independent
23 entity, the student, or the student's parent or legal
24 guardian;

25 (5) The independent entity or the student's parent or
26 legal guardian indemnifies the school district and holds it
27 harmless with regard to any liability arising from conduct
28 that does not occur on school property under the control or
29 supervision of the school district, and the independent
30 entity or parent or legal guardian shall maintain adequate
31 insurance for such purpose;

32 (6) The student assumes responsibility for any missed
33 school work; and

34 (7) The school district superintendent, the principal
35 of the school in which the student is enrolled, or their
36 designees shall have reasonable discretion over the
37 scheduling and timing of released time courses, provided
38 that the student shall not be excused to participate in a
39 released time course during any class in which the subject
40 matter being taught is English language arts, mathematics,
41 science, or United States history.

42 3. The school district, its board of education, and
43 the state shall not be liable for a student who participates
44 in a released time course when the student is not under the
45 control or supervision of the school district.

46 4. For purposes of calculating a school district's
47 average daily attendance, as such term is defined in section
48 163.011, and establishing compliance with the provisions of
49 section 167.031, a student who attends a released time

50 course shall be considered in attendance in the school
51 district, and the time shall be calculated as part of the
52 school day.

53 5. The school board of a school district shall award a
54 student credit for work completed in a released time course
55 that is substantiated by a transcript from the independent
56 entity providing the course. A student shall be awarded
57 elective credit for the completion of each released time
58 course. To determine whether elective credit may be awarded
59 as provided for in this subsection, the school board shall
60 evaluate the course in a neutral and secular manner that
61 does not involve any test for religious content or
62 denominational affiliation. For purposes of this
63 subsection, the secular criteria used to evaluate a released
64 time course may include:

- 65 (1) The amount of classroom instruction time;
- 66 (2) The course syllabus, which reflects the course
67 requirements and any materials used in the course;
- 68 (3) Methods of assessment used in the course; and
- 69 (4) The qualifications of the course instructor.

70 6. The provisions of this section shall not apply to
71 charter schools established pursuant to the provisions of
72 sections 160.400 to 160.425 or to virtual schools or virtual
73 providers authorized pursuant to the provisions of section
74 161.670.

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