

Book	Policy Manual
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Title	Vol. 43, No. 2 - January 2025 Revised RELEASED TIME FOR RELIGIOUS INSTRUCTION DURING THE SCHOOL DAY
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### **Revised Policy - Vol. 43, No. 2**

#### **5223 - RELEASED TIME FOR RELIGIOUS INSTRUCTION DURING THE SCHOOL DAY**

The Board of Education desires to cooperate with those parents who wish to provide for religious instruction for their children but also recognizes its responsibility to enforce the attendance requirements of the State.

Students ~~shall~~ may be provided "released time" ~~during the school day~~ from school to attend a course in religious instruction conducted by a private entity off District property, provided that the following requirements are met, such students will not be considered absent when the:

- A. student's parent or guardian gives consent in writing;
- B. sponsoring entity maintains attendance records and makes them available to the District;
- C. sponsoring entity provides and assumes liability for the student; and
- D. student assumes responsibility for any missed school work.

Transportation of students to and from ~~released time~~ Released Time instruction is the complete responsibility of the sponsoring entity, the parent, guardian, and/or student. The Board of Education, its members, and employees are immune from liability for any injuries arising from transportation to and from ~~released time~~ Released Time instruction. Further, no Board funds will be expended for, and no District personnel shall be involved in, the provision of religious instruction.

**The District shall collaborate with a sponsoring entity to identify a time for religious instruction to be offered during the school day.**

**[ X ]** Students shall not be excused from a core curriculum subject course to attend ~~released time~~ Released Time instruction. ~~[ ]~~  
~~The Board deems all graded courses to be core curriculum including, but not limited to, courses that have State approved learning standards. [END OF OPTION]~~

#### **~~[ ] [OPTIONAL]~~**

~~[ ] High school students may earn up to two (2) units of high school credit for coursework completed during released time~~ Released Time instruction. Such credits may substitute for credits required pursuant to R.C. 3313.603(C)(8).

~~The Board will evaluate the course based on secular criteria including, but not limited to:~~

- ~~A. the number of hours of instructional time;~~
- ~~B. a review of the course syllabus that reflects course requirements and materials used;~~
- ~~C. the assessment methods used in the course; and~~
- ~~D. the instructor's qualifications, which shall be similar to the qualification of other teachers in the District.~~

~~The decision as to whether to provide credit for a specific released time~~ Released Time religious instruction course will be neutral as to religious content and will not involve any test for religious content or denominational affiliation.

**[END OF OPTIONAL]**

**[ ] [OPTION]**

Released time instruction will be limited to \_\_\_\_\_ **[ENTER NUMBER]** day(s) per school \_\_\_\_\_ **[QUARTER, SEMESTER, YEAR, ETC.]**, as established by the Superintendent, and shall not exceed \_\_\_\_\_ **[ENTER AMOUNT]** minutes, inclusive of travel.

**[END OF OPTION]**

**[OPTION (if selected, choose one (1) of the following two (2) paragraphs)]**

**[ ]** Private entities proposing to provide religious instruction during released time as set forth herein shall be required to provide the District with criminal records checks for any and all of their instructors and volunteers providing a released time course in religious instruction. Criminal records checks will be at no cost to the Board and any private entity proposing to provide religious instruction during the released time must provide updated documentation of such checks if/when their staffing changes. The District will not release students to the private entity for religious instruction release time if any criminal background check indicates conviction of an offense which would preclude an individual from employment in an Ohio public school district and/or should the Board determine that the private entity did not complete a satisfactory criminal background check on any subsequent/new instructor or volunteer. Criminal background check documentation must be provided to the Board upon request.

**[OR]**

**[ ]** It is the responsibility of any private entity providing religious instruction during release time from the school day to annually submit to the Board an acknowledgment that it has completed criminal background checks on all instructors and volunteers engaged in a course in religious instruction and certifying that no such individual has a criminal conviction which would otherwise prevent them from being employed with an Ohio public school district. In addition, the acknowledgment will include an affirmation by the private entity of its ongoing obligation to complete and maintain such checks on all such instructors and volunteers if/when staffing changes. The District will not release students to a private entity for religious instruction release time if the entity fails to provide the acknowledgment and/or to satisfactorily complete follow up criminal background checks as needed. Criminal background check documentation must be provided to the Board upon request.

**[END OF OPTION]**

**[ ] [OPTION]**

Any private entity providing religious instruction during the school day must agree that it will not provide participating students with any materials, snacks, clothing, candies, trinkets, or other items for their return to school. The District will not release students for religious instruction release time to any private provider that fails to adhere to this prohibition.

**[END OF OPTION]**

**[ ] [OTHER OPTION(S)]**

**[END OF OPTION]**

**[ ] [OTHER OPTION(S)]**

**[END OF OPTION]**

**[DRAFTING NOTE: Presently, there are no real guidelines provided for boards of education relative to this (now) mandatory policy. Circumstances will vary from district to district. However, the more "restrictive" your district wishes to become relative to released time for religious instruction (including the statutory option for criminal background checks), the more involved (entangled) you are likely to become with the private entity. For example, some districts may choose to include a review of the entity's policies on harassment, procedures for special needs students, and/or the finances of that organization, etc. We strongly urge boards to carefully consider these dynamics and to access board counsel to review the various implications presented here.]**

Staff members shall not promote or discourage participation in release time programs for any religious instructional program.

Nothing herein shall constitute an endorsement of religion or infringe upon an individual's First Amendment rights.

**R.C. 3313.6022**

Attorney General's Opinion 88-001

Legal

R.C. 3313.6022

Attorney General's Opinion 88-001