



**MEMORANDUM**

TO: Members of the Board of Trustees  
Christina S. Melton, Ed.D., Superintendent

FROM: Dr. Michael R. Harris  
Chief Planning and Administrative Officer

DATE: June 3, 2019

RE: June 10, 2019 Board Meeting, Second and Final Reading.  
Proposed Revisions to Board Policy JHCB “Released Time For Religious  
Instruction”

Recommendation:

The administration recommends that proposed revisions to Policy JHCB “Released Time for Religious Instruction” proceed for Board approval.

Attachments: Revised Policy JHCB “Released Time For Religious Instruction”  
Current Policy JHCB “Released Time For Religious Instruction”

## RELEASED TIME FOR RELIGIOUS INSTRUCTION

Code **JHCB** Issued

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The board will release students in grades six through twelve from school, at the written request of their parent/legal guardian, for the purpose of religious instruction for a portion of the day. The school will consider this a lawful absence.

The board will not allow the student to miss required instructional time for the purpose of religious instruction. Any absences for this purpose must be during non-instructional periods of the school day.

When approving the release of students for religious instruction, the board assumes no responsibility for the program or liability for the students involved.

The sponsoring group or the student's parent/legal guardian is completely responsible for transportation to and from the place of instruction. The district assumes no responsibility or liability for such transportation.

Religious instruction must take place away from school property and at a regularly designated location.

District officials will ensure that no public funds will be expended to support a released-time program and that district staff and faculty will not promote or discourage participation by district students in a released-time program. District faculty and staff may not promote program attendance through encouragement, coercion, or other means. Specifically, employees of the district may not be instructors for a released-time program.

### **Elective Credit**

The district may award high school students no more than two elective Carnegie unit credits for classes in religious instruction taken during the school day in accordance with this policy. The district will evaluate the classes on the basis of purely secular criteria prior to awarding credit.

### **Transfer Credit**

The district may accept released-time transfer of credits without individually assessing the quality or subject matter of the class when the transfer is from an accredited private school.

Adopted ^

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#### Legal References:

- A. S. C. Code of Laws, 1976, as amended:
  - 1. Section 59-1-460 - South Carolina Released Time for Religious Education Act.
  - 2. Section 59-39-112 - South Carolina Released Time Credit Act.
- B. Federal Cases:
  - 1. *Moss v. Spartanburg Cnty. Sch. Dist. Seven*, 683 F.3d 599 (4th Cir. 2012).

## Policy JHCB Released Time For Religious Instruction

Issued 5/11

Purpose: To establish the basic structure for released time for students for religious instruction.

In order to accommodate the wishes of district parents/legal guardians, the board authorizes the administration to establish released time program procedures which will allow students an opportunity to participate in religious instruction during school hours and away from school grounds. The board assumes no responsibility for religious instruction. The purpose of this policy and its accompanying administrative rule is to accommodate the requests of parents/legal guardians with respect to the education of their children, as well as to accommodate community organizations.

All recognized religious organizations that are interested in offering religious instruction will submit a request in accordance with the provisions of administrative rule JHCB-R. Students may only be released for participation in such instruction based upon the written request of parents/legal guardians in accordance with JHCB-R.

The board will not allow students to miss required instructional time for the purpose of participating in religious instruction programs.

District officials will ensure that no public funds will be expended to support a released time program, and that district faculty and staff will not promote or discourage participation by district students in a released time program.

### **Elective credit**

The district may award high school students no more than two elective Carnegie unit credits for classes in religious instruction taken during the school day in accordance with this policy. The district will evaluate the classes on the basis of purely secular criteria prior to awarding credit.

Adopted 1/12/04; Revised 5/23/11

Legal references:

S.C. Code of Laws, 1976, as amended:

Section 59-1-460 - South Carolina Released Time for Religious Education Act.

Section 59-39-112 - South Carolina Released Time Credit Act.

State Board of Education Regulations:

R-43-234 - Defined program, grades 9-12.

School District Five of Lexington and Richland Counties