

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 SENATE BILL 474

By: Paxton

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5  
6 AS INTRODUCED

7 An Act relating to schools; defining term; directing  
8 each school district board of education to adopt  
9 certain policy excusing a student to attend certain  
10 course; providing contents of policy; providing  
11 certain immunity from liability; requiring written  
12 consent to include certain disclaimer; exempting  
13 instructors of certain course from licensure or  
14 certification; directing students to be considered in  
15 attendance with a school district while attending  
16 certain course; providing for the award of elective  
17 credit for completion of certain course; providing  
18 for evaluation of certain course; providing for  
19 codification; providing an effective date; and  
20 declaring an emergency.

21 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

22 SECTION 1. NEW LAW A new section of law to be codified  
23 in the Oklahoma Statutes as Section 11-101.3 of Title 70, unless  
24 there is created a duplication in numbering, reads as follows:

25 A. As used in this section, "released time course" means a  
26 period of time during which a student is excused from school to  
27 attend a course in religious or moral instruction taught by an  
28 independent entity off school property.

1 B. Each school district board of education shall adopt a policy  
2 that excuses a student from school to attend a released time course  
3 for no more than three (3) class periods per week or a maximum of  
4 one hundred twenty-five (125) class periods per school year;  
5 provided, that:

6 1. The student's parent or legal guardian provides written  
7 consent prior to the student's participation in the released time  
8 course;

9 2. The school district and the independent entity offering  
10 released time courses do not connect bells, telephones, computers,  
11 or other devices between the school district and independent entity  
12 buildings;

13 3. No school district funds are expended and no school district  
14 personnel, equipment, or resources are involved in providing the  
15 instruction;

16 4. The school district's class schedule or course catalog does  
17 not include a released time course by name, and the school district  
18 does not distribute information about a released time course to  
19 students or their parents or legal guardians;

20 5. The independent entity maintains attendance records and  
21 makes them available to the school district and its board of  
22 education; provided, however, a student's attendance records,  
23 grades, and other data related to participation in a released time  
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1 course may not be included in school district correspondence or  
2 reports to parents or legal guardians of students;

3 6. Any transportation provided to and from the place of  
4 instruction is the sole responsibility of the independent entity,  
5 the student, or the student's parent or legal guardian;

6 7. The independent entity or the student's parent or legal  
7 guardian indemnifies the school district and holds it harmless with  
8 regard to any liability arising from conduct that does not occur on  
9 school property under the control or supervision of the school  
10 district, and the independent entity maintains adequate insurance  
11 for that purpose;

12 8. A school district publication does not include pictures,  
13 reports, or records of released time courses;

14 9. The student assumes responsibility for any missed school  
15 work; and

16 10. The school district superintendent, the principal for the  
17 school site in which the student is enrolled, or their designees  
18 have reasonable discretion over the scheduling and timing of  
19 released time courses; provided, the student may not be excused to  
20 participate in a released time course during any class in which the  
21 subject matter being taught is subject to the assessment  
22 requirements of Section 1210.508 of Title 70 of the Oklahoma  
23 Statutes.

1 C. The school district, its board of education, and the state  
2 shall not be liable for the student who participates in a released  
3 time course.

4 D. The written consent required by paragraph 1 of subsection B  
5 of this section shall provide a disclaimer that:

6 1. Eliminates any actual or perceived affirmative school  
7 sponsorship or attribution to the school district or its board of  
8 education of an endorsement of religious instruction; and

9 2. Waives any right of the student's parent or legal guardian  
10 to hold the school district, its board of education, employees of  
11 the school district, or the state liable for the student  
12 participating in a released time course.

13 E. Instructors hired by an independent entity to provide a  
14 released time course shall not be required to be licensed or  
15 certified teachers.

16 F. A student who attends a released time course shall be  
17 considered in attendance in the school district, and the time shall  
18 be calculated as part of the school day.

19 G. A school district board of education shall award a student  
20 credit for work completed in a released time course that is  
21 substantiated by a transcript from the independent entity providing  
22 the course. A student shall be awarded elective credit for the  
23 completion of each released time course. To determine whether  
24 elective credit may be awarded as provided for in this subsection,

1 the board of education shall evaluate the course in a neutral and  
2 secular manner that does not involve any test for religious content  
3 or denominational affiliation. For purposes of this subsection, the  
4 secular criteria used to evaluate a released time course may  
5 include:

- 6 1. The amount of classroom instruction time;
- 7 2. The course syllabus, which reflects the course requirements  
8 and any materials used in the course;
- 9 3. Methods of assessment used in the course; and
- 10 4. The qualifications of the course instructor.

11 SECTION 2. This act shall become effective July 1, 2023.

12 SECTION 3. It being immediately necessary for the preservation  
13 of the public peace, health, or safety, an emergency is hereby  
14 declared to exist, by reason whereof this act shall take effect and  
15 be in full force from and after its passage and approval.

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