

The House Committee on Education offers the following substitute to HB 133:

A BILL TO BE ENTITLED
AN ACT

1 To amend Subpart 2 of Part 1 of Article 16 of Chapter 2 of Title 20 of the Official Code of
2 Georgia Annotated, relating to compulsory attendance, so as to provide for public school
3 students to be permitted to attend courses in religious moral instruction provided by a person
4 or organization independently of a public school, subject to certain conditions; to provide for
5 such conditions; to provide for students to receive academic credit for such courses; to
6 require local education agencies to adopt certain policies; to prohibit students who participate
7 in such courses from being counted as absent from school; to provide for responsibilities of
8 the Department of Education; to require criminal records checks; to provide for immunity;
9 to provide for definitions; to provide for a short title; to provide for related matters; to
10 provide for an effective date; to repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 **SECTION 1.**

13 This Act shall be known and may be cited as the "Student Character Development Act."

14

SECTION 2.

15 Subpart 2 of Part 1 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia
16 Annotated, relating to compulsory attendance, is amended by adding a new Code section to
17 read as follows:

18 "20-2-692.4.

19 (a) As used in this Code section, the term:

20 (1) 'Local education agency' shall have the same meaning as in Code Section 20-2-167.1.

21 (2) 'Released time course' means a course in religious moral instruction provided by a
22 person or organization independently of a public school.

23 (b) Each local education agency may adopt a policy that permits all students to be excused
24 from school to attend a released time course for at least one hour per school week. Such
25 policy shall require that:

26 (1) The student's parent or legal guardian gives written consent for the student to attend
27 the released time course;

28 (2) The person or organization sponsoring the released time course maintains attendance
29 records and makes such records available to the officials of the school in which the
30 student is enrolled;

31 (3)(A) Transportation to and from the location of the released time course, including
32 transportation for students with disabilities, is the responsibility of the student or his or
33 her parent or legal guardian; and

34 (B) If the person or organization sponsoring the released time course is to provide
35 student transportation from school, appropriate consent shall be provided by the
36 student's parent or legal guardian;

37 (4) The person or organization sponsoring the released time course verifies to the local
38 education agency that such person or organization assumes full responsibility for the
39 student at all times such student is participating in a released time course activity.

40 including, but not limited to, transportation provided by such person or organization to
41 and from such activity;

42 (5) Except as necessary to award academic credit for the completion of a released time
43 course, as provided for in subsection (d) of this Code section, no local education agency
44 funds except de minimis administrative costs are expended in providing or
45 accommodating the released time course;

46 (6) Released time courses are not to be held on public school property unless permitted
47 under a neutral policy of equal access opening such school property for use by
48 community groups; and

49 (7) The student assumes responsibility for any missed school work.

50 (c) The policy adopted by a local education agency under subsection (b) of this Code
51 section shall include a requirement for a criminal records check of individuals providing
52 a released time course to students pursuant to this Code section.

53 (d) Each local education agency may adopt a policy that awards academic credit for the
54 completion of a released time course. In determining the academic credit to award for
55 completion of such course, the local education agency shall evaluate the course based on
56 purely secular criteria that are substantially the same criteria used to evaluate similar
57 courses for purposes of determining the academic credit to award for such courses. The
58 decision to award academic credit for a released time course shall be neutral to, and shall
59 not involve any test for, religious content or denominational affiliation. Such secular
60 criteria may include the following:

61 (1) The number of hours of classroom instruction time;

62 (2) A review of the released time course syllabus that reflects released time course
63 requirements and materials used;

64 (3) The methods of assessment used in the released time course; and

65 (4) The qualifications of the released time course instructor.

66 (e) No local education agency or official or employee thereof shall be liable in any civil
67 action for injury allegedly arising from a student's transit to or from a released time course
68 when private transportation is used under a released time course policy adopted under
69 subsection (b) of this Code section.

70 (f) While in attendance in a released time course, a student shall not be considered absent
71 from school.

72 (g)(1) The Department of Education is authorized and directed to take all steps
73 reasonably necessary to maximize the amounts of state and federal funding local
74 education agencies receive regardless of the number of students who participate in a
75 released time course.

76 (2) The Department of Education shall promulgate model policies and procedures
77 consistent with this Code section to be available for use by local education agencies."

78 **SECTION 3.**

79 This Act shall become effective upon its approval by the Governor or upon its becoming law
80 without such approval.

81 **SECTION 4.**

82 All laws and parts of laws in conflict with this Act are repealed.