

**Introduced by Senator Morrell**  
(Principal coauthor: Assembly Member Brown)  
**(Coauthor: Senator Beall)**  
(Coauthor: Assembly Member Dahle)

February 19, 2016

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An act to add Chapter 20 (commencing with Section 53330) to Part 28 of Division 4 of Title 2 of the Education Code, relating to pupil instruction.

LEGISLATIVE COUNSEL'S DIGEST

SB 1457, as introduced, Morrell. Pupil instruction: high school graduation requirements: credit for released time instruction.

Existing law allows pupils, with the written consent of their parents or guardians, to be excused from school in order to participate in religious exercises or to receive moral and religious instruction, as specified. Under existing law, these absences will not be deemed absences in computing average daily attendance if (1) the governing board of a school district, in its discretion, first adopts a resolution permitting pupils to be absent from school for the exercises or instruction, (2) the governing board adopts regulations governing the attendance of pupils at the exercises or instruction and the reporting thereof, (3) the pupil attends at least the minimum schoolday, and (4) no pupil is excused for more than 4 days per school month.

This bill would authorize the governing board of a school district to adopt a policy to allow a pupil in high school to earn up to 2 elective credits toward that pupil's high school graduation requirements for the completion of released time instruction, as defined. The bill would require the policy to state that a pupil may receive elective credit for the completion of released time instruction only if specified conditions

are met. The bill would require the policy to include secular criteria for determining whether to authorize a pupil to earn credit that are substantially the same criteria used to evaluate a similar nonpublic high school course for the purpose of determining whether to award credit for that course to a pupil transferring from a nonpublic high school to a public high school. The bill would require a decision to award credit for released time instruction to be neutral to, and not involve any test for, religious content or denominational affiliation, and would prohibit school district staff and faculty from encouraging or discouraging participation by pupils in released time instruction. The bill would require that an absence for released time instruction not be deemed an absence in computing average daily attendance.

Vote: majority. Appropriation: no. Fiscal committee: no.  
 State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Chapter 20 (commencing with Section 53330)  
 2 is added to Part 28 of Division 4 of Title 2 of the Education Code,  
 3 to read:

4  
 5 CHAPTER 20. THE PARENTAL CHOICE FOR RELEASED TIME  
 6 CREDIT ACT  
 7

8 53330. For purposes of this chapter, the following definitions  
 9 apply:

10 (a) (1) “Released time instruction” means the instruction  
 11 received by a pupil for the purposes and under the conditions of  
 12 Section 46014, not including subdivision (d) of Section 46014.

13 (2) For purposes of this chapter, Section 46014 shall be  
 14 construed to additionally permit a pupil to be excused from school  
 15 to participate in instruction in nonsectarian morals and systems of  
 16 belief by a nonsectarian entity.

17 (b) “Sponsoring entity” means the entity that provides released  
 18 time instruction to a pupil pursuant to this chapter.

19 53331. (a) The governing board of a school district may adopt  
 20 a policy authorizing a pupil in high school to earn up to two  
 21 elective credits toward that pupil’s high school graduation  
 22 requirements for the completion of released time instruction.

1 (b) A policy adopted pursuant to subdivision (a) shall state that  
2 a pupil in high school may receive elective credits for the  
3 completion of released time instruction only if the following  
4 conditions are met:

- 5 (1) The pupil's parent or guardian makes a written request.
- 6 (2) The released time instruction is conducted off school district  
7 property.
- 8 (3) No public funds are expended and no public school personnel  
9 are involved in providing the instruction.
- 10 (4) The sponsoring entity maintains attendance records and  
11 makes those records available to the school district the pupil  
12 attends.
- 13 (5) Transportation to and from the place of released time  
14 instruction, including transportation for pupils with disabilities, is  
15 the complete responsibility of the sponsoring entity, parent,  
16 guardian, or pupil.
- 17 (6) The sponsoring entity makes provisions for and assumes  
18 liability for the pupil.
- 19 (7) The pupil assumes responsibility for any missed schoolwork.
- 20 (8) The pupil does not miss any core curriculum subject courses  
21 to attend released time instruction.

22 (c) (1) A policy adopted pursuant to subdivision (a) shall  
23 include secular criteria for determining whether to authorize a  
24 pupil to earn credit for the completion of released time instruction.  
25 The criteria shall be substantially the same criteria used to evaluate  
26 a similar nonpublic high school course for the purpose of  
27 determining whether to award credit for that course to a pupil  
28 transferring from a nonpublic high school to a public high school.

- 29 (2) The secular criteria may include, but are not limited to, the  
30 following:
  - 31 (A) The number of hours of classroom instruction time.
  - 32 (B) A review of the course syllabus that reflects course  
33 requirements and materials used.
  - 34 (C) The methods of assessment used in the course.
  - 35 (D) The qualifications of the course instructor, which shall be  
36 similar to the qualifications of other teachers in the school district.
- 37 (3) There shall be no criteria requiring that released time  
38 instruction be completed only at a nonpublic school.

1 53332. A decision to award credit for released time instruction  
2 shall be neutral to, and shall not involve any test for, religious  
3 content or denominational affiliation.

4 53333. School district staff and faculty shall not encourage or  
5 discourage participation by pupils in released time instruction.

6 53334. An absence for released time instruction pursuant to  
7 this chapter shall not be deemed an absence in computing average  
8 daily attendance.

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