

Book	Policy Manual
Section	Vol. 44., No. 2 work
Title	Reject changes RELEASED TIME FOR RELIGIOUS INSTRUCTION DURING THE SCHOOL DAY Rg 3/3/26
Code	po5223
Status	First Board Review: Up for Discussion / Exhibit
Adopted	March 25, 2004
Last Revised	October 16, 2025

Revised Policy - Vol. 44, 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 be provided "released time" during the school day to attend a course in religious instruction conducted by a private sponsoring entity that is provided off of District property. Students will be excused and not considered absent from school during released time, provided that the following requirements are met:

- A. student's parent/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 instruction is the sole responsibility of the sponsoring entity, the parent, guardian, and/or student. The Board, its members, and employees are immune from liability for any injuries arising from transportation to and from 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.

At times identified by the District during the school day, released time for religious instruction will be permitted as follows:

- A. For elementary and middle schools students, at least one (1) period per week () but no more than two (2) periods **[OR] () but no more than ____ () [ENTER AMOUNT] period(s) per week [DRAFTING NOTE: most districts will have a maximum of five (5) periods per week so that students may attend release time each day] [END OF OPTIONS].**
- B. For high school students, the equivalent time to attend one (1) unit of high school credit per week () but no more than two (2) periods **[OR] () but no more than ____ () [ENTER AMOUNT] periods per week [DRAFTING NOTE: most districts will have a maximum of five (5) periods per week so that students may attend release time each day] [END OF OPTIONS] ____ () [ENTER AMOUNT] unit(s) of high school credit per week.**

[DRAFTING NOTE: H.B. 57 permits a school district board of education's released time religious instruction policy to set higher maximum time limits on student attendance in released time courses in religious instruction than the statutory limits otherwise established in law which provides that such released time may not exceed two (2) periods per week or time equal to a student attending two (2) units of high school credit per week. Note that for elementary and middle school students, released time must minimally be at least one

(1) period per week but may not exceed two (2) periods per week, whereas for high school students, the legislature provided a minimum amount of time equal to a student attending one (1) unit of high school credit per week, but a maximum amount of time equal to attending two (2) units of high school credit per week.]

Students shall not be excused from a core curriculum subject course to attend 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]**

[] [OPTION]

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

In determining whether to award credit for completion of a course, 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 qualifications of other teachers in the District.

The decision as to whether to provide credit for a specific 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 OPTION]

[] [OPTION]

The Board of Education requires sponsoring entities to conduct criminal background checks of any instructors or volunteers. 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 and has verified that no such individual has a criminal conviction which would constitute an absolute bar offense under R.C. 3319.31(C) and 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.

[END OF OPTION]

[] [OPTION]

Any private entity providing religious instruction during the school day may distribute educational and program materials to participating students. Non-educational or non-program-related materials, however, are not permitted for return to school.

Distribution of materials provided by outside groups is governed by Board Policy 9700.

[END OF OPTION]

DRAFTING NOTE: Policy 9700 House Bill 96 specifically states that board policies may not prohibit students from bringing external educational and program materials into school. Since determining whether and/or what snacks, clothing, candies, trinkets, etc. are "program" related will be difficult, we anticipate that challenges will ensue for any effort to limit what students bring when returning from religious instruction as in the first option above. This will be true whether either option is selected. For example, a district choosing not to address this item in policy could wait to see if any disruption to the educational environment is being caused by what students are returning with, determine if the "material" is either educational or program related, and if not, enter into dialogue with the religious provider for voluntary compliance backed up by the language of the statute. As such, we highly recommend that districts consult legal counsel before considering either of these options and/or when attempting to restrict or otherwise regulate what students are bringing to school from religious instruction.]

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.

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Legal

R.C. 3313.6022

Attorney General's Opinion 88-001