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628 - RELEASED TIME RELIGIOUS INSTRUCTION

I. LEGAL BASIS FOR RELEASED TIME

A. The Minnesota Compulsory Attendance Laws provide the authority for public schools to excuse children for released-time religious instruction under Minnesota Statute 1982, Section 120.10, Subdivision 3.

- A parent, guardian, or other person having control of a child may apply to a school district to have the child excused from attendance for the whole or any part of the time school is in session during any school year.
- The child may attend for a period or periods not exceeding in the aggregate three hours in any week, a school for religious instruction conducted and maintained by some church, or association of churches, or any Sunday school association incorporated under the laws of this state, or any auxiliary thereof.
- This school for religious instruction shall be conducted and maintained in a place other than a public school building, and in no event, in whole or in part, shall be conducted and maintained at public expense.

II. RESTRICTIONS PLACED UPON RELIGIOUS INSTRUCTION

From the terms of the statute and interpretations of those terms by the Attorney General, the restrictions concerning released-time religious instruction can be summarized as follows:

A. General Religious Instruction:

- The School Board may grant permission to the school administrators to excuse pupils for up to three hours per week. It may also refuse to excuse pupils for any period of time.
- Pupils may be excused for a maximum of three hours per week, or for any period of time less than three hours. The time may be divided among various days of the week. The public school determines the amount of time and the days and hours during which pupils are to be excused.

- The excuse must be requested by the pupil's parent or guardian or another person having control of the pupil. Individual application forms should be submitted by the parent of each pupil and not by the church of attendance. (See sample of district approved form to be used by each family requesting release of child to attend religious instruction.)

B. Instruction According to Church Ordinances:

- A pupil has a right to absent himself for instruction according to the ordinances of a church.
- Such absences may be for a full day per week or longer if justified.
- The parent, guardian, or other person having control of the pupil should give written notice of the intention to have the pupil be absent for such instruction.

C. Use of School and Building:

- Minnesota Statute Section 123.36, Subdivision 5, allows the School Board to authorize the use of public school buildings "for divine worship, Sunday schools, public meetings, elections, and such other community purposes as, in its judgment, will not interfere with their use for school purposes." This authorization does not include released-time religious instruction, however, since such instruction occurs only during regular school hours.

D. Regular Instructional Program:

- If some pupils are absent for "religious instruction" or "instruction according to the ordinances of some church," the school has an obligation to provide the regular instructional program for the remaining pupils, no matter how many there are. School may not be dismissed early for religious instruction to be conducted in the public school. Pupils attending religious instruction may be required to make up the school work missed.

E. No Public Expense for Released Time Classes:

- No public funds may be used either directly or indirectly to support or promote religious instruction.

F. Transportation:

- There is no statutory authority for a School Board to provide transportation to and from released-time classes.

III. LOCAL SCHOOL BOARD RESPONSIBILITY

- A. Each local School Board should determine whether or not general released-time religious instruction is a valid infringement on the local instructional program, but the local School Board has neither the responsibility nor authority to determine the quality of the religious instruction. Practices and results of released-time programs should be regularly appraised by the religious groups involved.

IV. LOCAL CHURCH'S RESPONSIBILITY

- A. It shall be the responsibility of the local church to annually request in writing, permission to conduct religious time classes. This must be done at least one month prior to the first day of classes.
- B. The request for permission must state the dates for the first class, as well as the ending date of class. Beginning and ending dates shall be coordinated for all churches to be the same.
- C. Acknowledgement of the request shall be made in writing by the Superintendent of Schools as the designee for the Board of Education.
- D. The local church shall also:
- Be responsible for collecting and signing the parental permission slip.
 - Take attendance at classes and give a report of the attendance to the respective schools involved.
 - Be responsible for any transportation required.

DETROIT LAKES PUBLIC SCHOOLS

**RELIGIOUS INSTRUCTION RELEASE TIME
PARENT PERMISSION SLIP**

Student's Name: _____

School: _____

Grade in School: _____

Church Attending: _____

Please excuse my son/daughter to attend Religious Release Time Education during the
_____ school year.
(date)

(Parent's Signature) (Date)

Parent: Please return this signed form to your pastor.

Pastor: Please sign below and return all forms to the proper school, elementary or junior high school, with an alphabetical list, by grade, of all names of students to be excused to attend Religious Instruction. Students will not be excused without both parents and pastor signatures.

(Pastor's Signature) (Date)