

R277. Education, Administration.

R277-610. Released-Time Classes and Public Schools.

R277-610-1. Authority and Purpose.

(1) This rule is authorized by:

(a) Utah Constitution Article X, Section 3, which vests general control and supervision of public education in the Board;

(b) Subsection 53E-3-501 which directs the Board to adopt minimum standards for public schools; and

(c) Subsection 53E-3-401(4) which permits the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law.

(2) The purpose of this rule is to specify standards and procedures for public schools regarding released-time classes.

R277-610-2. Definitions.

(1) "Non-entangling criteria" means neutral course instruction and standards that:

(a) are academic as opposed to devotional;

(b) promote awareness as opposed to acceptance of any religion;

(c) expose to as opposed to imposing a particular view;

(d) educate about religion; and

(e) inform but not seek to make students conform to any religion.

(2) "Released-time" means a period of time during the regular school day when a student attending a public school is excused from the school at the request of the student's parent.

R277-610-3. Interaction Between Public Schools and Released-Time Classes.

(1) A student may attend released-time classes during the regular school day only upon the written request of the student's parent or legal guardian.

(2) A public school may not maintain records of attendance for released-time classes or use school personnel or school resources to regulate such attendance.

(3)(a) A teacher of a released-time class is not a member of the public school faculty.

(b) A released-time teacher may participate in school activities as a community

member.

(4) A public school teacher, administrator, or other official may not request teachers of released-time classes to exercise functions or assume responsibilities for the public school program which would result in a commingling of the activities of the school and the released-time class sponsor.

(5)(a) A public school class schedule or course catalog may not include a released-time class by name.

(b) At the convenience of the school, a registration form may contain a space for a released-time designation.

(6) A public school publication may not include pictures, reports, or records of released-time classes.

(7) Public school personnel may not participate in released-time classes during work hours.

(8) A released-time class may not use school resources or equipment.

R277-610-4. Additional Conditions for Religious Released-Time Programs.

(1) A religious class may not be held in school buildings or on school property in any way that permits public money or property to be applied to, or that requires public employees to become entangled with, any religious worship, exercise, or instruction.

(2) Religious released-time scheduling shall take place on forms and supplies furnished by the religious institution and by personnel employed or engaged by the institution and shall occur off public school premises.

(3)(a) A public school may not connect bells, telephones, computers or other devices between public school buildings and institutions offering religious instruction, except as a convenience to the public school in the operation of its own programs.

(b) When any connection of devices is permitted, the costs shall be borne by the respective institutions.

(4) Records of attendance at religious released-time classes, grades, marks, or other data may not be included in the correspondence or reports made by a public school to parents.

(5)(a) Institutions offering religious instruction are private programs or schools separate and apart from the public schools.

(b) Those relationships that are legitimately exercised between the public school and any private school are appropriate with institutions offering released-time classes, so long as public property, public funds, or other public resources are not used to aid such institutions.

(6) A public school may grant elective credit for religious released-time classes if the public school establishes neutral, non-entangling criteria with which to evaluate the released-time courses.

KEY: released-time classes

Date of Enactment or Last Substantive Amendment: April 9, 2018

Notice of Continuation: 2018

Authorizing, and Implemented, or Interpreted Law: Art X Sec 3; 53E-3-501; 53E-3-401