

HOUSE BILL NO. 343

INTRODUCED BY R. GREGG, E. ALBUS, K. LOVE, G. OVERSTREET, M. THIEL, T. MILLETT, A. REGIER, J. KASSMIER, B. LER, R. MINER, J. SCHILLINGER, G. OBLANDER, L. DEMING, L. BREWSTER, T. MCGILLVRAY, B. MITCHELL, K. SEEKINS-CROWE, Z. WIRTH

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING EDUCATION LAWS RELATED TO RELIGIOUS INSTRUCTION RELEASED TIME; REQUIRING SCHOOL DISTRICT TRUSTEES TO PROVIDE A RELIGIOUS INSTRUCTION RELEASED TIME PROGRAM; PROVIDING THAT THE PROGRAM MUST ALLOW A STUDENT AT LEAST 1 HOUR OF RELIGIOUS INSTRUCTION RELEASED TIME A WEEK; REQUIRING SCHOOL DISTRICT TRUSTEES TO ADOPT A POLICY AWARDDING CREDIT FOR A RELIGIOUS INSTRUCTION RELEASED TIME COURSE AND PROVIDING REQUIREMENTS FOR THAT POLICY; AMENDING SECTION 20-1-308, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 20-1-308, MCA, is amended to read:

"20-1-308. Religious instruction released time program -- academic credit. (1) The trustees of a school district may shall provide for a religious instruction released time program under which a pupil may must be released from regular school attendance for the purpose of receiving religious instruction upon written request, renewed at least annually, of the pupil's parent or guardian. The trustees shall determine the amount of time, not less than 1 hour a week, for which a pupil may be released for religious instruction.

(2) A religious instruction released time program may not be established or administered in such a way that public school property is utilized for the purpose of religious instruction.

(3) Public money may not be used, directly or indirectly, for the religious instruction.

(4) Any period for which a pupil is released under a religious instruction released time program is part of the school day and week for purposes of 20-1-301, 20-1-302, 20-5-103, 20-9-311, and all other provisions of Title 20, and the release may not adversely affect the pupil's attendance record.

(5) The trustees of a school district shall adopt a policy that awards academic credit for the

1 completion of a religious instruction released time course and recognizes the credits of an independently
2 accredited provider of released time courses.

3 (6) In determining how much credit to award for completion of a religious instruction released time
4 course, the school district shall evaluate the course based on secular criteria that are substantially the same
5 criteria used to evaluate similar courses to determine how much credit to award. The decision to award credit
6 for a released time course must be neutral to, and may not involve any test for, religious content or
7 denominational affiliation.

8 (7) For the purposes of this section, secular criteria may include but are not limited to the following:

- 9 (a) the number of hours of classroom instruction time;
- 10 (b) a review of the course syllabus that reflects course requirements and materials used;
- 11 (c) the methods of assessment used in the course; and
- 12 (d) the qualifications of the course instructor."

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14 NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 2025.

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