

CHAPTER 503

S.B. No. 738

An Act relating to the effects of students' absence from an institution of higher education on a religious holy day and to the duties of such institutions with respect to such absences; adding Section 51.911 to Chapter 51, Education Code.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Chapter 51, Education Code, is amended by adding Section 51.911 to read as follows:

"Section 51.911. RELIGIOUS HOLY DAYS. (a) In this section:

"(1) 'Institution of higher education' has the meaning assigned by Subdivision (7) of Section 61.003 of this code, but includes the Southwest Collegiate Institute for the Deaf and Texas State Technical Institute.

"(2) 'Religious holy day' means a holy day observed by a religion whose places of worship are exempt from property taxation under Section 11.20, Tax Code.

"(b) An institution of higher education shall allow a student who is absent from classes for the observance of a religious holy day to take an examination or complete an assignment scheduled for that day within a reasonable time after the absence if, not later than the 15th day after the first day of the semester, the student notified the instructor of each class the student had scheduled on that date that the student would be absent for a religious holy day.

"(c) The notification provided by Subsection (b) of this section shall be in writing and shall be delivered by the student personally to the instructor of each class, with receipt of the notification acknowledged and dated by the instructor or by certified mail, return receipt requested, addressed to the instructor of each class.

"(d) A student who is excused under this section may not be penalized for the absence, but the instructor may appropriately respond if the student fails to satisfactorily complete the assignment or examination.

"(e) The Coordinating Board, Texas College and University System, shall adopt rules for the implementation of this section and shall disseminate the rules to the appropriate institutions under its jurisdiction."

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on April 10, 1985, by the following vote: Yeas 28, Nays 0; May 25, 1985, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 26, 1985, House granted request of the Senate; May 27, 1985, Senate adopted Conference Committee Report by a viva-voce vote; passed the House, with amendments, on May 25, 1985, by the following vote: Yeas

118, Nays 23, three present not voting; May 26, 1985, House granted request of the Senate for appointment of Conference Committee; May 27, 1985, House adopted Conference Committee Report by a non-record vote.

Approved: June 12, 1985

Effective: August 26, 1985