

SSB 5166 - H COMM AMD

By Committee on College & Workforce Development

ADOPTED AS AMENDED 04/10/2019

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 28B.10.039 and 2014 c 168 s 4 are each amended to
4 read as follows:

5 ~~((Institutions of higher education))~~ (1) Postsecondary
6 educational institutions must develop policies to accommodate student
7 absences ~~((for up to two days per academic year,))~~ to allow students
8 to take holidays for reasons of faith or conscience or for organized
9 activities conducted under the auspices of a religious denomination,
10 church, or religious organization, so that students' grades are not
11 adversely impacted by the absences.

12 (2) The institution's policy must require faculty to reasonably
13 accommodate students who, due to the observance of religious
14 holidays, expect to be absent or endure a significant hardship during
15 certain days of the course or program. "Reasonably accommodate" means
16 coordinating with the student on scheduling examinations or other
17 activities necessary for completion of the program and includes
18 rescheduling examinations or activities or offering different times
19 for examinations or activities.

20 (3) A postsecondary educational institution shall provide notice
21 to students of its policy by publishing the policy on the
22 institution's web site and including either the policy or a link to
23 the policy in course or program syllabi. The notice to students must
24 also include notification of the institution's grievance procedure.

25 (4) A postsecondary educational institution may not require a
26 student to pay any fees for seeking reasonable accommodations under
27 this section.

28 (5) For the purposes of this section, "postsecondary educational
29 institution" means an institution of higher education as defined in
30 RCW 28B.10.016, a degree-granting institution as defined in RCW
31 28B.85.010, a private vocational school as defined in RCW 28C.10.020,

1 school as defined in RCW 18.16.020, and any entity offering academic
2 credit for an apprenticeship program under RCW 49.04.150.

3 NEW SECTION. **Sec. 2.** RCW 28B.10.039 is recodified as a section
4 in a new chapter in Title 28B RCW."

5 Correct the title.

EFFECT: (1) Provides that the institution's policy must require faculty to reasonably accommodate students who, due to the observance of religious holidays, expect to be absent or endure significant hardship during certain days of the course or program. "Reasonably accommodate" means coordinating with the student on scheduling examinations or other activities necessary for completion of the program and includes rescheduling or offering different times for examinations or activities.

(2) Requires the institutions to provide notice to students by publishing the policy on their web sites and either including the policy or a link to the policy in course or program syllabi (as opposed to requiring instructors to include policies in the syllabus and requiring institutions to distribute the policy to faculty, students, and administrators in any future publication of any public handbook or other document). Requires notice to include notification of the institution's grievance procedures.

(3) Strikes provisions of the bill regarding: Accepting sincerity of religious beliefs at face value; keeping requests confidential; requiring the religious belief or practice to materially impact ability to perform; requiring the student's written notice the first two weeks of the program; requiring institutions to provide a list of religious holy days; and requiring institutions to provide a process for students to notify the Title IX coordinator of grievances and to seek redress.

(4) Retains the expansion to postsecondary private institutions; the allowance for more than two days of absences; and the provision prohibiting charging fees on students as a result of seeking accommodations.

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