

## **BILL ANALYSIS**

Senate Research Center  
78R1858 JRJ-D

H.B. 256  
By: Hochberg (Shapiro)  
Subcommittee on Higher Education  
5/8/2003  
Engrossed

### **DIGEST AND PURPOSE**

Currently, a higher education students must notify his or her instructor within the first 15 days of a semester if the student plans to be absent for the observance of a religious holy day. H.B. 256 removes the stipulation that the student notify the instructor at the beginning of the semester and adds travel for the purpose of observing the religious holy day to the provision. This conforms the higher education policy to the policy for public education students.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 3 of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 51.911(b), Education Code, as follows:

(b) Requires an institution of higher education to excuse a student from attending classes or other required activities, including examinations, for the observance of a religious holy day, including travel for that purpose. Prohibits the penalization of a student whose absence is excused under this subsection for that absence and requires that the student be allowed to take an examination or complete an assignment from which the student is excused within a reasonable time after the absence. Deletes text regarding a 15 day deadline for a student to notify the instructor of the absence.

SECTION 2. Repealer: Section 51.911(c) (regarding written notification of an absence for a holy day), Education Code.

SECTION 3. (a) Provides that SECTIONS 1 and 2 of this Act apply beginning with the 2003 fall semester.

(b) Requires the Texas Higher Education Coordinating Board (THECB) to adopt rules for the administration of Section 51.911(b), Education Code, as amended by this Act, or amend its existing rules for that purpose as soon as practicable after this Act takes effect. Authorizes THECB, before October 1, 2003, to adopt or amend the rules in the manner provided by law for emergency rules.

SECTION 4. Effective date: upon passage or September 1, 2003.