
SUBSTITUTE SENATE BILL 5166

State of Washington

66th Legislature

2019 Regular Session

By Senate Higher Education & Workforce Development (originally sponsored by Senators Hasegawa, Carlyle, Frockt, Palumbo, and Nguyen)

READ FIRST TIME 01/31/19.

1 AN ACT Relating to providing religious accommodations for
2 students at postsecondary educational institutions during exams or
3 other requirements to successfully complete a program; amending RCW
4 28B.10.039; adding a new chapter to Title 28B RCW; and recodifying
5 RCW 28B.10.039.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

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

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

16 (2) Students' sincerely held religious beliefs and practices must
17 be reasonably accommodated with respect to all examinations and other
18 requirements to successfully complete a program. Instructors may
19 schedule alternative times without prejudicial effect before or after
20 the regularly scheduled examination or other requirement to
21 successfully complete a program. Instructors must accept at face

1 value the sincerity of the students' religious beliefs and must keep
2 requests for accommodation confidential unless disclosure of the
3 request is required to facilitate the accommodation with campus
4 administrators. The postsecondary educational institution must make
5 alternative accommodations for a student when:

6 (a) A student's sincerely held religious belief or practice
7 materially impacts the student's ability to perform on an examination
8 or meet a requirement to successfully complete a program; and

9 (b) The student has provided written notice within the first two
10 weeks of the beginning of the program of the specific dates the
11 student requests alternative accommodations from the examination or
12 requirement.

13 (3) Postsecondary educational institutions must:

14 (a) Distribute a copy of the postsecondary educational
15 institution's policy to faculty, students, and administrators, and
16 ensure the policy is published on its web site. Postsecondary
17 educational institutions must also include the policy in any future
18 publication of any publicly available handbook or other document
19 regularly provided to faculty, students, and staff.

20 (b) Provide instructors, faculty, school administrators, and
21 other relevant staff a nonexhaustive list of major religious holy
22 days or festivals for the following two academic years to facilitate
23 planning.

24 (4) Instructors at each postsecondary educational institution
25 must include in each course syllabus a statement regarding the
26 postsecondary educational institution's religious accommodation
27 policy, including a description of the general procedure to request
28 accommodations and informing students of the point of contact by
29 which they may seek accommodation or further information about the
30 policy.

31 (5) Postsecondary educational institutions must provide a process
32 for students to notify the Title IX coordinator, a Title IX
33 coordinator's designee, or a designated staff member if there is no
34 Title IX coordinator, of any grievances with regard to implementation
35 of this section, and to seek redress.

36 (6) No fees shall be imposed on students by postsecondary
37 educational institutions as a result of seeking accommodation under
38 this section.

39 (7) For the purposes of this section, "postsecondary educational
40 institution" means an institution of higher education as defined in

1 RCW 28B.10.016, a degree-granting institution as defined in RCW
2 28B.85.010, a private vocational school as defined in RCW 28C.10.020,
3 school as defined in RCW 18.16.020, and any entity offering academic
4 credit for an apprenticeship program under RCW 49.04.150.

5 NEW SECTION. **Sec. 2.** RCW 28B.10.039 is recodified as a section
6 in a new chapter in Title 28B RCW.

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