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**SUBSTITUTE SENATE BILL 5166**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2019 Regular Session

**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) The institution's policy must require faculty to reasonably  
17 accommodate students who, due to the observance of religious  
18 holidays, expect to be absent or endure a significant hardship during  
19 certain days of the course or program. "Reasonably accommodate" means  
20 coordinating with the student on scheduling examinations or other  
21 activities necessary for completion of the program and includes

1 rescheduling examinations or activities or offering different times  
2 for examinations or activities.

3 (3) Any student seeking reasonable accommodations under this  
4 section must provide written notice to the faculty, within the first  
5 two weeks of the beginning of the course, of the specific dates the  
6 student requests accommodations regarding examinations or other  
7 activities.

8 (4) A postsecondary educational institution shall provide notice  
9 to students of its policy by publishing the policy on the  
10 institution's web site and including either the policy or a link to  
11 the policy in course or program syllabi. The notice to students must  
12 also include notification of the institution's grievance procedure.

13 (5) A postsecondary educational institution may not require a  
14 student to pay any fees for seeking reasonable accommodations under  
15 this section.

16 (6) For the purposes of this section, "postsecondary educational  
17 institution" means an institution of higher education as defined in  
18 RCW 28B.10.016, a degree-granting institution as defined in RCW  
19 28B.85.010, a private vocational school as defined in RCW 28C.10.020,  
20 school as defined in RCW 18.16.020, and any entity offering academic  
21 credit for an apprenticeship program under RCW 49.04.150.

22 NEW SECTION. Sec. 2. RCW 28B.10.039 is recodified as a section  
23 in a new chapter in Title 28B RCW.

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