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H.B. No. 1883

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the administration of assessment instruments to public
3 school students on religious holy days.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Subchapter B, Chapter 39, Education Code, is
6 amended by adding Section 39.0238 to read as follows:

7 Sec. 39.0238. CONSIDERATION OF RELIGIOUS HOLY DAYS IN
8 SCHEDULING ASSESSMENT INSTRUMENTS. (a) In this section,
9 "religious holy day or period of observance" means a holy day or a
10 period of holy days observed by a religion whose places of worship
11 are exempt from property taxation under Section 11.20, Tax Code,
12 including:

- 13 (1) All Saints' Day;
14 (2) Christmas Day;
15 (3) Diwali;
16 (4) Eid al-Adha;
17 (5) Eid al-Fitr;
18 (6) Good Friday;
19 (7) Immaculate Conception;
20 (8) Passover;
21 (9) Rosh Hashanah;
22 (10) Vaisakhi;
23 (11) Holy Thursday;
24 (12) Reformation Day;

1 (13) Vesak; and

2 (14) Yom Kippur.

3 (b) The board of trustees of a school district or the
4 governing body of an open-enrollment charter school may consider
5 the dates of religious holy days or periods of observance likely to
6 be observed by the students enrolled in the district or school
7 during the period set by the State Board of Education for the
8 administration of assessment instruments required under Section
9 39.023 in establishing:

10 (1) the district's or school's calendar for that
11 school year; and

12 (2) the instructional days within that period on which
13 district or school students are administered the required
14 assessment instruments, provided that the board of trustees or
15 governing body may not exclude more than two instructional days
16 from that period based solely on the occurrence of a single
17 religious holy day or period of observance.

18 (c) In establishing a school calendar as described in
19 Subsection (b), the board of trustees of a school district or the
20 governing body of an open-enrollment charter school shall provide
21 for alternative dates for the administration of assessment
22 instruments required under Section 39.023 to a student who is
23 absent from school to observe a religious holy day or period of
24 observance on the date an assessment instrument is administered.

25 (d) The agency may adopt rules as necessary to ensure a
26 student may be administered an assessment instrument on an
27 alternative date as necessary to comply with this section.

1 SECTION 2. This Act applies beginning with the 2023-2024
2 school year.

3 SECTION 3. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2023.