

By: Bhojani, Cunningham, Allen, Hinojosa,  
Jetton, et al.

H.B. No. 1883

Substitute the following for H.B. No. 1883:

By: Buckley

C.S.H.B. No. 1883

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

- (1) All Saints' Day;
- (2) Christmas Day;
- (3) Diwali;
- (4) Eid al-Adha;
- (5) Eid al-Fitr;
- (6) Good Friday;
- (7) Immaculate Conception;
- (8) Passover;
- (9) Rosh Hashanah;
- (10) Vaisakhi;
- (11) Vesak; and
- (12) Yom Kippur.

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

8               (1) the district's or school's calendar for that  
9 school year; and

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

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

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

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

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