

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 would be exempt from property taxation under Section 11.20, Tax Code.

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

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

(2) the instructional days within that period on which district or school students are administered the required assessment instruments, provided that the board of trustees or

1 governing body may not exclude more than two instructional days
2 from that period based solely on the occurrence of a single
3 religious holy day or period of observance.

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

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

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

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

President of the Senate

Speaker of the House

I certify that H.B. No. 1883 was passed by the House on May 2, 2023, by the following vote: Yeas 110, Nays 36, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1883 on May 25, 2023, by the following vote: Yeas 101, Nays 38, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1883 was passed by the Senate, with amendments, on May 22, 2023, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor