

By: Middleton

S.B. No. 1069

A BILL TO BE ENTITLED

AN ACT

relating to the procedure for resolving allegations of religious discrimination against a student at a public institution of higher education.

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

SECTION 1. Subchapter 2, Chapter 51, Education Code, is amended by adding Sections 51.985 and 51.986 to read as follows:

Sec. 51.985. PROCEDURE FOR ALLEGATION OF RELIGIOUS DISCRIMINATION AGAINST STUDENT. (a) In this section, "institution of higher education" has the meaning assigned by Section 61.003.

(b) The president of an institution of higher education shall investigate an allegation submitted to the institution that a professor or instructor at the institution discriminated against a student on the basis of religion.

(c) If the president of an institution of higher education determines that a professor or instructor at the institution discriminated against a student on the basis of religion, the institution shall terminate the professor's or instructor's employment.

(d) In investigating an allegation under this section, the president of an institution of higher education shall ensure that the professor or instructor is afforded appropriate due process. The president shall use the standards and procedures prescribed by institution policies to address other complaints of discrimination

1 by a professor or instructor at the institution to the extent
2 practicable.

3 Sec. 51.986. CONSERVATORSHIP OF DEPARTMENT. (a) If the
4 employment of a professor or instructor is terminated under Section
5 51.985, the department under which the terminated professor or
6 instructor was employed shall be placed under the conservatorship
7 of the office of the president.

8 (b) The department shall be placed under conservatorship
9 for a time period of not less than 90 days, until the president
10 determines that there are no continuing risks of religious
11 discrimination against any student.

12 (c) The president may:

13 (1) investigate further risks of religious
14 discrimination against any student;

15 (2) require the adoption of certain policies by the
16 department to prevent further religious discrimination against any
17 student; and

18 (3) take any action necessary to prevent and remove
19 any risk of further religious discrimination against any student.

20 SECTION 2. Sections 51.985 and 51.986, Education Code, as
21 added by this Act, applies only to an allegation of religious
22 discrimination submitted to a public institution of higher
23 education on or after the effective date of this Act, regardless of
24 whether the conduct or act that is the subject of the allegation
25 occurred or was committed before, on, or after the effective date of
26 this Act.

27 SECTION 3. This Act takes effect September 1, 2025.