

**SAN JOSE STATE UNIVERSITY
ONE WASHINGTON SQUARE
SAN JOSE, CA 95192**

**S14-7, University Policy, Accommodation to Students’
Religious Holidays**

Legislative History:

Rescinds University Policy F68-8

At its meeting of April 28, 2014, the Academic Senate approved the following policy recommendation presented by Senator Frazier for the Instruction and Student Affairs Committee. SJSU does not currently have a policy regarding the accommodation of test and exam-taking for religious holidays. This policy provides specific procedures for accommodation to students’ religious holidays.

Action by University President: **Approved and signed by
President Mohammad Qayoumi
on April 30, 2014**

**University Policy:
Accommodation to Students’ Religious Holidays**

Background: California Educational Code on “Accommodation of Religious Creed” (Title 3, Division 8, Part 55, Chapter 3, Article 3 [89320]) calls for each state university, “in administering any test or examination, to permit any student who is eligible to undergo the test or examination to do so, without penalty, at a time when that activity would not violate the student's religious creed.” Several other CSU and UC campuses have explicit policies on this matter. A recent classroom event led SJSU authorities to question why our university lacks any policy specifically regarding the accommodation of test- and exam-taking for religious holidays and the suggestion to redress that concern.

- Resolved:
1. That F68-8 be rescinded.
 2. That the following paragraph be adopted as university policy:

San José State University shall provide accommodation on any graded class work or activities for students wishing to observe

religious holidays when such observances require students to be absent from class. It is the responsibility of the student to inform the instructor, in writing, about such holidays before the add deadline at the start of each semester. If such holidays occur before the add deadline, the student must notify the instructor, in writing, at least three days before the date that he/she will be absent. It is the responsibility of the instructor to make every reasonable effort to honor the student request without penalty, and of the student to make up the work missed.

3. That the University, via the Office for Equal Opportunity, maintain a public “list of common holidays” to aid instructors in planning. A holiday not listed may be granted at the instructor’s discretion.

Rationale: F68-8 stated merely that a “student shall not be penalized for absence from class while observing holidays traditional to his religion.” Such language does not accord with the specificity of California Educational Code (cited above in Background). This policy recommendation provides for more specific procedures for accommodation to students’ religious holidays. A specific policy is intended to protect students from unlawful and unethical discrimination, as per the set of rules and federal and state laws explained in documentation at SJSU’s Office for Equal Opportunity.

F68-8 also appears incongruous with F69-24, which states partly that “[a]ttendance per se shall not be used as a criterion for grading.” This incongruity is another reason that F68-8 deserves rescinding, to be supplanted by a policy that more specifically pertains to accommodation to religious holidays.

Approved: April 21, 2014
Vote: 12-1-0
Present: Branz (non-voting), Brooks, Bruck (non-voting), Campsey, Culatta, Frazier, Hernandez, Hebert, Jeffrey, Jabaghourian, Kelley, Kress, Rosenblum, Sofish, Walters
Absent: Ayala, Fujimoto, Gupta, Wilson
Financial impact: None.
Workload impact: Minimal.