

Department of Legislative Services  
Maryland General Assembly  
2023 Session

FISCAL AND POLICY NOTE  
First Reader

House Bill 912  
Appropriations

(Delegate Acevero)

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Public Institutions of Higher Education – Faith-Based and Religious Beliefs –  
Academic Accommodations Policy

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This bill requires each public institution of higher education to adopt a written policy that provides reasonable academic accommodations for students to practice sincerely held faith-based or religious beliefs. The policy must (1) excuse absences, without penalty, as specified; (2) require a student be provided with reasonable alternative accommodations, as specified; (3) require a course instructor to take specified actions, including keeping a request confidential; and (4) include a grievance procedure to report noncompliance with the policy. Each public institution of higher education must provide a space on campus for faith-based or religious practices and post – prominently on its website – the policy adopted under the bill as well as a nonexhaustive list of major religious holidays or festivals for the next two calendar years, developed and provided to the institution by the Maryland Higher Education Commission (MHEC). **The bill takes effect July 1, 2023.**

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Fiscal Summary

**State Effect:** Public four-year institutions of higher education and Baltimore City Community College (BCCC) can likely adopt and implement faith-based and religious beliefs policies that meet the requirements of the bill using existing resources, as explained below. It is assumed that space for religious activities can be provided using existing resources, as explained below. MHEC can develop and distribute the list of religious holidays using existing resources. Revenues are not affected.

**Local Effect:** Local community colleges can likely adopt and implement faith-based and religious beliefs policies that meet the requirements of the bill using existing resources, as explained below. It is assumed that space for religious activities can be provided using existing resources, as explained below. Revenues are not affected.

**Small Business Effect:** None.

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## Analysis

**Bill Summary:** The policy must excuse up to three absences per academic semester, without penalty, for a student to observe faith-based or religious holidays or participate in organized activities conducted by a faith-based or religious organization.

Under a policy adopted, a student must be provided with reasonable alternative accommodations for missing an examination or other academic required due to an excused absence if (1) the student's sincerely held faith-based or religious belief or practice affects the student's ability to take an examination as scheduled or meet any other academic requirement and (2) no later than 14 days after the first day of instruction in the course, the student provides the course instructor with written notice of the specific dates for which the student requests an accommodation under the policy.

Specifically, the policy must require a course instructor to (1) accept the sincerity of a student's faith-based or religious belief system; (2) keep student requests for academic accommodations confidential; (3) schedule a reasonable alternative time and date for administration of a missed or alternative examination or other academic requirement either before or after the originally scheduled time and date of the examination or academic requirement; and (4) include on the course syllabus a summary of the institution's policy, including contact information for more information about the policy.

**Current Law:** The [University System of Maryland \(USM\) Policy III-5.10 Concerning the Scheduling of Academic Assignments on Dates of Religious Observance](#) was approved by the USM Board of Regents on January 11, 1990, and states it is the policy of Board of Regents that the academic programs and services of each institution must be available to all qualified students who have been admitted to its programs, regardless of their religious beliefs. Students must not be penalized because of observances of their religious holidays and must be given an opportunity, whenever feasible, to make up within a reasonable time any academic assignment that is missed due to individual participation in religious observances. Further, each component institution of USM must develop written policies and procedures for the implementation of this policy. The institution's policy in this matter must be published regularly in appropriate faculty and student media, and other reasonable steps must be taken to disseminate adequately this information to all members of the institution's community.

It is unclear if similar policies are in place for Morgan State University (MSU), St. Mary's College of Maryland, and BCCC as any such policies were not readily available or disclosed.

**State/Local Expenditures:** Public four-year institutions of higher education, BCCC, and local community colleges can likely adopt and implement faith-based and religious beliefs

policies that meet the requirements of the bill using existing resources, particularly given the requirement that a student request an accommodation no later than 14 days after the first day of instruction in the course for the specific dates on which the student needs an accommodation. However, some institutions may occasionally have to reallocate resources to cover additional staff hours to reschedule examinations due to the timing of faith-based or religious holidays. For example, the University of Maryland, Baltimore Campus advises that staff hours at its testing center must increase to accommodate students rescheduling examinations. However, other institutions, including the University of Baltimore and MSU, advise that the requirements of the bill can be met using existing resources. Further, it should be noted that these requirements generally codify current USM policy regarding the scheduling of academic assignments on dates of religious observance.

Any costs associated with those provisions depend on actual implementation at each institution and the number of students requesting accommodations. However, most costs can be avoided by encouraging professors to be mindful of major religious holidays and festivals on the list provided by MHEC when scheduling assignments and examinations.

As the bill does not specify conditions associated with the required campus faith-based or religious practices space, public institutions (that do not already have such a space) can likely repurpose a space on campus using existing resources. However, a larger space than currently provided or available for repurposing may be deemed necessary. Creating a space, by building out or making significant modifications, for faith-based or religious practices increases higher education expenditures by an indeterminate amount.

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### **Additional Information**

**Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** None.

**Information Source(s):** Maryland Higher Education Commission; University System of Maryland; Morgan State University; Department of Legislative Services

**Fiscal Note History:** First Reader - March 7, 2023  
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