



March 9, 2023

Honorable Delegate Ben Barnes  
Chair, House Appropriations Committee  
House Office Building, Room 121  
Annapolis, MD 21401

**Re: Testimony in SUPPORT of HB912 Academic Accommodations Policy**

Dear Chair Barnes and House Appropriations Committee Members:

On behalf of the Council on American-Islamic Relations, I thank you for this opportunity to testify in strong support of House Bill 912 sponsored by Delegate Gabriel Acevero. CAIR is America's largest Muslim civil rights and advocacy organization.

HB912 would require each public institution of higher learning in the state to develop and adopt a written policy that provides reasonable academic accommodations for students of diverse faiths to practice their sincerely held religious beliefs including a) at least three excused absences per Fall/Spring academic semester, and at least one excused absence per abbreviated Winter/Summer semester without penalty for observing religious holidays, b) reasonable alternative accommodations for exams, projects and other assignments scheduled on those dates, and c) a grievance process to report non-compliance. These policies would also include accommodations for faith-based activities including prayer, with the exception of online public colleges and universities, that have a one hundred percent virtual student population, and which would be exempt from including a policy on providing any physical space.

Especially in the aftermath of the coronavirus pandemic that claimed millions of lives, faith plays an important role in the lives of many Americans, including students. It provides a compass and framework to navigate challenging times. It helps shape moral values, and teaches respect for human dignity, the value of justice, and the importance of compassion.

In my work, I have seen firsthand the challenges that Muslim students face when it comes to practicing their faith on college campuses. Many students struggle to balance their academic responsibilities with their religious obligations, such as daily prayers and fasting during Ramadan. This can lead to a sense of isolation and discrimination, which risks negatively impacting mental health and academic performance.

Last year, my organization handled several "denial of reasonable religious accommodations" cases for Muslim students on Maryland college and university campuses. In each case, ambiguity about the institution's policies, unmet expectations, and misunderstandings and miscommunications combined to cause significant stress for students and disrupted their focus from coursework and studies.

The circumstances especially forced students serving in leadership positions in campus-wide organizations to bear the burden of scrambling to find solutions and direct valuable time and

attention towards appealing the administration for basic changes and accommodations to meet students' needs.

This bill is critical in addressing these issues and ensuring that all students have the opportunity to succeed academically while also maintaining their religious beliefs.

Religious freedom is one of the foundational principles of a democratic society. The Establishment Clause of the First Amendment to the U.S. Constitution guarantees that the government "shall make no law respecting an establishment of religion or prohibiting the free exercise thereof." The Supreme Court has recognized that the Free Exercise Clause of the First Amendment protects the right of individuals to practice their religion. Thus, colleges and universities must make sure they are providing accommodations to students to be able to practice their sincerely held religious beliefs.

In the Supreme Court case of *Rosenberger v. University of Virginia* (1995), a student group at the University of Virginia requested funding to publish a religious newspaper. The university denied the funding, arguing that it would violate the Establishment Clause. However, the Supreme Court ultimately held that the denial of funding was a violation of the Free Speech Clause, as the university had funded other student publications and could not discriminate against a religious publication.<sup>1</sup> The *Rosenberger* case established the principle that public universities must treat religious groups and publications on an equal basis with non-religious groups and publications.

Public colleges and universities are diverse institutions with students from different cultures and religions. Religious accommodations help create a nurturing and respectful learning experience. They allow students to freely practice their religion and maintain their beliefs while pursuing their education without fear of discrimination, retaliation, punishment and other adverse consequences.

Religious accommodations create a welcoming and inclusive campus environment. They support students' success by allowing them to focus on their studies without worrying about how to maintain their faith, and they foster cultural awareness that inspires a more open-minded worldview in an increasingly inter-connected world. This helps create a positive learning experience.

For these reasons, in order to unequivocally support students who deserve to be able to freely practice their faith in our educational institutions, we support this bill and respectfully urge your favorable report. Thank you for your time and consideration.

Sincerely,

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References:

1. <https://supreme.justia.com/cases/federal/us/515/819/>