

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1503

Session of
1985

INTRODUCED BY LEVIN, FOX, PIEVSKY, D. R. WRIGHT, ITKIN, COHEN,
MILLER, HAGARTY, NAHILL, FREEMAN, JOSEPHS AND JAROLIN,
JUNE 25, 1985

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF
REPRESENTATIVES, AS AMENDED, APRIL 28, 1986

AN ACT

1 Amending the act of July 17, 1961 (P.L.776, No.341), entitled,
2 as amended, "An act declaring the policy of the Commonwealth
3 with regard to discriminatory practices in educational
4 institutions based upon race, religion, color, ancestry,
5 national origin or sex; prohibiting such discriminatory
6 practices; providing for procedure and enforcement; providing
7 for judicial review; providing for administration by the
8 Pennsylvania Human Relations Commission in the Department of
9 Labor and Industry; and defining its functions, powers and
10 duties hereunder," further providing for unfair educational
11 practices.

12 The General Assembly of the Commonwealth of Pennsylvania
13 hereby enacts as follows:

14 Section 1. The act of July 17, 1961 (P.L.776, No.341), known
15 as the Pennsylvania Fair Educational Opportunities Act, is
16 amended by adding a section to read:

17 Section 4.1. Unfair Educational Practices Involving
18 ~~Religious Beliefs~~ OBSERVANCE OF RELIGIOUS HOLIDAYS.--(a) It <—
19 shall be an unfair educational practice for an educational
20 institution:

21 (1) To expel, suspend, punish, deny facilities to or

1 otherwise discriminate against any student who is unable,
2 because of his religious beliefs OBSERVANCE OF A RELIGIOUS <—
3 HOLIDAY, to attend classes or to participate in any examination,
4 study or work requirements on a particular day or days.

5 (2) To deny any student who is absent because of his <—
6 religious beliefs OBSERVANCE OF A RELIGIOUS HOLIDAY any award or <—
7 the opportunity to compete for any award.

8 (3) To deprive any student who is unable, because of his <—
9 religious beliefs OBSERVANCE OF A RELIGIOUS HOLIDAY, to attend <—
10 classes on a particular day or days the opportunity to take an
11 alternative test or examination or to make up any study or work
12 requirements which he missed because of such absence.

13 (b) It shall be the duty of the faculty and of the
14 administrative officials of each educational institution to make
15 available to each student who is absent from the educational
16 institution because of his religious beliefs OBSERVANCE OF A <—
17 RELIGIOUS HOLIDAY an equivalent opportunity to compete for any
18 award and to make up any examination, study or work requirements
19 or class which he may have missed because of such absence on any
20 particular day or days. No fees of any kind shall be charged by
21 the educational institution for making available to the student
22 such equivalent opportunity.

23 (c) Any absence because of a student's religious beliefs <—
24 OBSERVANCE OF A RELIGIOUS HOLIDAY shall be recorded as an <—
25 excused absence on the student's attendance record or on the
26 record of any group or class of which he is a member. Any
27 transcript, application, employment form or any similar form on
28 which information concerning a student's attendance record is
29 requested shall show, with respect to absences, only absences
30 other than absences excused because of religious beliefs <—

1 OBSERVANCE OF RELIGIOUS HOLIDAYS.

<—

2 (d) In effectuating the provisions of this section, it shall
3 be the duty of the faculty and of the administrative officials
4 of each educational institution to exercise the fullest measure
5 of good faith. No adverse or prejudicial effects shall result to
6 any student for the reason that he has availed himself of the
7 provisions of this section.

8 (e) A copy of this section shall be published by each
9 educational institution in the catalog which contains the
10 educational institution's rules and regulations or lists the
11 educational institution's available courses.

12 Section 2. This act shall take effect in 60 days.