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## LAW ALERT

# New Law Furthers Religious Accommodations for College Students

**August 28, 2012**

Since January 1, 1996, Illinois' University Religious Observances Act (the "Act") has required public institutions of higher education to have a policy which reasonably accommodates individual students' religious observances in regard to admissions, class attendance, and the scheduling of examinations and work requirements, and provides students with a procedure to redress grievances if an accommodation or benefit is denied. On August 20, 2012, Governor Quinn signed into law an amendment to the Act which further recognizes religious accommodations for college and university students in Illinois.<sup>[1]</sup>

Effective immediately, institutions of higher education are required to excuse students who need to be absent from class, examinations, study or work requirements because of their religious beliefs, and provide students with make-up opportunity, unless to do so would unreasonably burden the institution. In order to benefit from these accommodations, students must notify their instructor "well in advance" of any absence for religious reasons. While the Act does not define the quoted phrase, legislative comments make clear that institutions of higher education may require reasonable notice from any student requesting such an accommodation.

The amended Act prohibits charging students a fee for the make-up, and any adverse action for requesting such accommodation. It also requires that a copy of the statutory text<sup>[2]</sup> be published in the college or university course catalog. Although not required by statute, amending the existing Religious Observances' Board policy is advisable.

You can view the new law via the Internet at [www.legis.gov](http://www.legis.gov) . If you require additional information regarding compliance or policy development, feel free to contact our office.

Catherine R. Locallo, an associate in the firm's Chicago office, prepared this *Law Alert*.

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<sup>[1]</sup> Public Act 97-1038 (formerly Senate Bill 2949), which adds a new section to the Act. 110 ILCS 110/1.5.

<sup>[2]</sup> "Any student...who is unable, because of his or her religious beliefs, to attend classes or to participate in any examination, study, or work requirement on a particular day shall be excused from any such examination, study, or work requirement and shall be provided with an opportunity to make up the examination, study or work requirement that he or she may have missed because of such absence on a particular day; provided that the student notifies the faculty member or instructor well in advance of any anticipated absence or a pending conflict between a scheduled class and the religious observance and provided that the make-up examination, study, or work does not create an unreasonable burden upon the institution. No fees of any kind shall be charged by the institution for making available to the student such an opportunity. No adverse or prejudicial effects shall result to any student because of his or her availing himself or herself of the provisions of this Section."

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