

**STUDENT ABSENCES FOR RELIGIOUS HOLY DAYS**  
**SECTION VI.D.2. – NOTICE AND COMMENT**

The Board of Trustees approved Section VI.D.2. Student Absences for Religious Holy Days of the Lone Star College Policy Manual on **September 6, 2018**. These procedures were adopted on **September 24, 2019**. The notice and comment period for the procedures was open to the public from **August 12, 2019** to **September 12, 2019**. The procedures were posted for public comment at <http://www.lonestar.edu/proposed-policies.htm>. Commenters could anonymously submit comments to [LSC-PolicyFeedback@lonestar.edu](mailto:LSC-PolicyFeedback@lonestar.edu). We received ten procedure comments.

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**Comment 1:** Eight commenters suggested that requiring notice to be “as far in advance as possible” was too ambiguous. Six of those commenters suggested adding a mandatory timeframe for students to notify instructors in advance of their absence to observe a religious holy day.

**Response 1:** First, the Office of the General Counsel notes that Texas law is ambiguous and does not impose a mandatory timeframe for students to notify instructors of their absence to observe a religious holy day.

Second, some religious holy days are difficult to predict because not all religions follow the same calendar. For example, some religions follow a lunar calendar. Religious holy days based on a lunar calendar cannot be predicted accurately because the start of the month depends on when a lunar crescent is first seen after a new moon. Students observing these types of holy days could not necessarily comply with a mandatory timeframe.

Third, Texas regulations require religious holy day absence procedures to be consistent with (or no more arduous than) absence procedures for other excused absences. The Office of the General Counsel notes that not all excused absences currently require notice within a mandatory timeframe. Therefore, it is our opinion that a mandatory timeframe would not comply with the regulations.

**Comment 2:** One commenter suggested that the procedures should require students to notify instructors in advance of their absence to observe a religious holy day. The commenter was concerned about the use of the word “should” in Section 4. The commenter also expressed concern about students notifying instructors of absences on the day of the absence.

**Response 2:** The Office of the General Counsel thanks the commenter for this suggestion. We have modified the procedures to make notice mandatory to the extent practicable by switching the word “should” to “must” and adding the phrase “to the extent practicable.”

As for the commenter's second concern, the Office of the General Counsel notes that this same risk exists for other excused absences. For example, an instructor could excuse a student for illness on the day of an exam if the student had a doctor's note.

**Comment 3:** One commenter explained that these procedures would have made his or her student life less stressful.

**Response 3:** The Office of the General Counsel thanks the commenter for the feedback.