

Chapter TCS 14

ACCOMMODATION OF STUDENT RELIGIOUS BELIEFS

TCS 14.01 Purpose.
TCS 14.02 Definitions.

TCS 14.03 Policies.

Note: Chapter VTAE 14 was renumbered chapter TCS 14 under s. 13.93 (2m) (b) 1., Stats., Register, June, 1994, No. 462.

TCS 14.01 Purpose. This chapter establishes procedures for compliance with s. 38.04 (16), Stats., which provides for the reasonable accommodation of a student's sincerely held religious beliefs with regard to examinations and other academic requirements.

History: Cr. Register, April, 1993, No. 448, eff. 5-1-93.

TCS 14.02 Definitions. In this chapter:

(1) "Academic requirement" means any activity required of a student as part of a course of study or as a condition of enrollment.

(2) "Board" means the technical college system board.

(3) "Director" means the person appointed by the board under s. 38.04 (2), Stats.

(4) "District" means a technical college district.

(5) "District board" means the district board in charge of the technical colleges of a district.

(6) "District director" means a person employed by a district pursuant to s. 38.12 (3), Stats.

(7) "Examination" means an exercise testing knowledge or skill.

(8) "Instructor" means a person hired under s. 38.12 (3), Stats., to teach courses.

History: Cr. Register, April, 1993, No. 448, eff. 5-1-93; corrections made under s. 13.93 (2m) (b) 6. and 7., Register, June, 1994, No. 462; 2015 Wis. Act 329: am. (8) Register April 2016 No. 724, eff. 5-1-16.

TCS 14.03 Policies. (1) DISTRICT POLICIES TO BE ADOPTED. Within 90 days of May 1, 1993, each district board shall adopt, subject to review and approval by the board, policies providing for the reasonable accommodation of a student's sincerely held religious beliefs with regard to all examinations and other academic requirements. The policies shall be adopted by the district board following a public hearing or an opportunity for public commentary at a district board meeting and shall be filed

with the board within 30 days of their adoption. The policies shall provide for all of the following:

(a) Written and timely notification of all students, parents or guardians of minor students, and instructors of district board policies and complaint procedures under this chapter.

(b) Means by which a student can conveniently and confidentially notify an instructor of potential conflicts. Such notification to be in writing within 5 working days prior to the date or dates on which a conflict is anticipated.

(c) Timely means for a student to make up an examination or academic requirements without any prejudicial effect.

(d) A procedure that complies with sub. (3) for receiving and resolving complaints alleging violations of s. 38.04 (16), Stats., or this chapter.

(2) AMENDMENTS TO DISTRICT BOARD POLICIES. Amendments to policies adopted under this chapter are subject to the procedures of sub. (1).

(3) COMPLAINT PROCEDURE. The complaint procedure under sub. (1) (d) shall provide for all of the following in regard to alleged violations of s. 38.04 (16), Stats., or this chapter:

(a) Designation by the district director of an employee of the district to receive complaints alleging violations.

(b) Within 30 days of receipt of a written complaint, the district director shall issue a written decision in a complaint unless the parties agree to an extension of time.

(4) APPEAL. (a) Persons adversely affected by a district director's determination under sub. (3) (b) may appeal that decision, in writing, to the district board within 30 days of issuance of the decision. The district board shall issue a written decision within 45 days of filing of the appeal.

(b) Appeals of district board decisions shall be subject to review pursuant to ch. 227, Stats., and ch. TCS 4.

Note: This section provides for final appeal prior to formal hearing procedures to a district board rather than another body.

History: Cr. Register, April, 1993, No. 448, eff. 5-1-93; correction in (4) (b) made under s. 13.93 (2m) 9b) 7, Stats., Register, June, 1994, No. 462.