

## Chapter TCS 14

### ACCOMMODATION OF STUDENT RELIGIOUS BELIEFS

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**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.