



Sunnyvale

Board and Commission Study Issue Form

The Study Issues process is designed to assist City Council with setting priorities for the coming calendar year. Board and commission members have two roles in this process:

1. To advise Council regarding the identification of policy issues to study, within their relevant area of authority;
2. To advise Council on those issues Council has decided to study.

The study issues process should focus on considering a new or revised ordinance, new or expanded service delivery program, changes to existing Council Policy, or amendments to the General Plan. The Study Issues Form is designed to focus board and commissioner members' ideas on potential policy study issues, and provide the opportunity for staff feedback and guidance in a transparent process. *Board members or commissioners may only fill out a form for study issue ideas within their purview.*

Date Submitted to Staff Liaison:

8/29/25

Board/ Commission: Human Relations Commission



Submitted by: Esty Rosenfeld

Study Issue Working Title:

Amend Policy Manual to Include Religious Observances as Excused Absences

1. What are the key elements of the issue? What precipitated this study?

Sunnyvale's Policy Manual provides no excuse from meetings due to religious holidays. Constitutional and civil rights principles dictate that religious absences ought to be excused. Under Title VII of the Civil Rights Act - which applies to employment, not volunteer or appointed commission service, but whose principles offer a strong moral and legal framework that public entities often mirror - religious practices must be reasonably accommodated unless doing so would impose an "undue hardship." Public institutions, especially those promoting diversity, equity, and inclusion, ought not ignore these ideals, and should uphold similar accommodation standards in line with constitutional equal protection principles. The U.S. Constitution also protects everyone's right to freely exercise their religion. While this generally applies to government regulation, it also implies that government bodies should not penalize or discourage religious observance. Penalizing a commission member for missing a meeting due to religious observance may constitute an infringement of the Free Exercise Clause, especially given that accommodations impose little to no burden on the city. Given that the HRC's mission is to promote equity and inclusion, failure to recognize religious holidays as a valid reason for absence undermines its credibility and purpose. A commission tasked with promoting equity should model inclusive behavior, including religious accommodation.

2. Staff Summary of Scope and/or Comments: [Staff Use Only]

Currently, approved absences, referred to as "excused absences," are defined in Section 2.G.(II) of the Council Policy 7.2.19 Boards and Commissions. For an absence to be excused, members must provide advance notice to the chair and staff liaison and meet one of the listed qualifying reasons, such as a death in the family, personal illness,

board- or commission-related business, personal leave, emergency, employment or military service requirements, or federal and state family leave.

To make the policy more inclusive, Council may wish to consider adding religious holidays and observance days as a qualifying reason for an excused absence. This would align with the City's equity and inclusion values by ensuring that commissioners are not penalized for participating in important cultural or faith-based practices.