

1 **Higher Education Student Belief Accommodation**
 2026 GENERAL SESSION
 STATE OF UTAH
Chief Sponsor: Michael J. Petersen
 Senate Sponsor: Brady Brammer

3 **LONG TITLE**

4 **General Description:**

5 This bill broadens a protection for a student's sincerely held religious and conscience beliefs.

6 **Highlighted Provisions:**

7 This bill:

- 8 ▶ defines terms;
- 9 ▶ broadens the scope of a requirement for a reasonable accommodation regarding a
- 10 student's sincerely held religious and conscience beliefs;
- 11 ▶ requires certain notifications and a review process;
- 12 ▶ broadens the scope of policies that an institution of higher education establishes;
- 13 ▶ requires the Utah Board of Higher Education to adopt certain policies; and
- 14 ▶ makes technical and conforming changes.

15 **Money Appropriated in this Bill:**

16 None

17 **Other Special Clauses:**

18 None

19 **Utah Code Sections Affected:**

20 AMENDS:

21 **53H-7-903**, as renumbered and amended by Laws of Utah 2025, First Special Session,
 22 Chapter 8

24 *Be it enacted by the Legislature of the state of Utah:*

25 Section 1. Section **53H-7-903** is amended to read:

26 **53H-7-903 . Student religious and conscience accommodations.**

27 (1) As used in this section:

- 28 (a) "Conscience" means the same as that term is defined in Section 67-27-106.
- 29 (b) "Fundamental alteration" means a change so significant in an examination or
- 30 assignment that the change:
- 31 (i) alters the essential nature, objectives, or standards of a class, program, or degree;
- 32 and
- 33 (ii) negatively impacts the student's ability, as a neutral arbiter, whom the institution
- 34 designates under Subsection (5)(f) determines, to:
- 35 (A) master essential learning outcomes of the course, program, or degree; or
- 36 (B) acquire the knowledge, skills, or competencies necessary to pass the course,
- 37 program, or degree.
- 38 (c) "Matter of public concern" means speech that relates to a political, social, religious,
- 39 moral, or community matter.
- 40 (d) "Reasonably accommodate" means taking reasonable steps to modify expectations
- 41 for a student's participation in an examination or other academic requirement by:
- 42 (i) excusing participation;
- 43 (ii) offering an alternative deadline or schedule; or
- 44 (iii) offering an alternative examination or assignment.
- 45 [(+)] (2) [~~A~~] In accordance with Subsection (3), an institution shall:
- 46 (a) for any course:
- 47 [(a)] (i) reasonably accommodate a student's absence from an examination or other
- 48 academic requirement under the circumstances described in Subsection [(2)] (3)
- 49 for reasons of:
- 50 [(+)] (A) the student's [~~faith~~] religious or conscience belief; or
- 51 [(+)] (B) the student's participation in an organized activity conducted under the
- 52 auspices of the student's religious tradition or religious organization; and
- 53 [(b)] (ii) ensure that an accommodation described in Subsection [(+)(a)] (2)(a)(i) does
- 54 not adversely impact the student's academic opportunities[-] ; and
- 55 (b) for a course that the institution mandates for graduation or for an academic major,
- 56 reasonably accommodate a student's objection to a required examination or
- 57 assignment for reasons of the student's sincerely held religious or conscience belief if
- 58 the requested accommodation does not create a fundamental alteration.
- 59 [(2)] (3) An institution shall make an accommodation described in Subsection [(+)] (2) if:
- 60 (a) for an accommodation described in Subsection (2)(a), the time at which an
- 61 examination or academic requirement is scheduled to occur [~~creates an undue~~

62 ~~hardship for a student due to]~~ conflicts with the student's sincerely held religious or
63 conscience belief; and

64 (b) for any accommodation described in Subsection (2), the student provides a written
65 prior notice to the instructor of the course for which the student seeks the
66 accommodation regarding ~~[the date of the examination or academic requirement for~~
67 ~~which the student seeks-]~~ the request for the accommodation.

68 (4)(a) An instructor shall:

69 (i) respond to a request for an accommodation as soon as practicable and in
70 accordance with institutional policies described in Subsection (5); and

71 (ii) if the instructor denies the request, notify the student and the institution of the
72 denial, including the reason for the denial, as soon as practicable and in
73 accordance with the institutional policies described in Subsection (5).

74 (b) An instructor may not compel a student to publicly take or communicate a specified
75 position on a matter of public concern as the student's own, including by requiring a
76 student to write a letter to a lawmaker, write a letter to an editor, write an article for
77 publication, publish an opinion online or on social media, or create or publish a
78 podcast.

79 ~~[(3)]~~ (5) An institution shall establish policies and procedures, with guidance from the
80 board, related to the accommodation described in Subsection ~~[(1)]~~ (2) that:

81 (a) require the institution to provide the accommodation with respect to [when the
82 student participates] the student's participation in examinations and other academic
83 requirements;

84 (b) allow an instructor who receives a notice described in Subsection ~~[(2)(b)]~~ (3)(b) to:

85 (i) schedule an alternative examination time before or after the regularly scheduled
86 examination; or

87 (ii) make accommodations for other academic requirements related to the
88 accommodation;[and]

89 (c) require an instructor who receives a notice described in Subsection ~~[(2)(b)]~~ (3)(b) to
90 keep confidential a student's request for the accommodation[-], unless disclosure is
91 permitted by law;

92 (d) address a reasonable timeframe within which:

93 (i) a student must submit a request described in Subsection (3)(b) to an instructor; and

94 (ii) an instructor must respond to a student's request described in Subsection (3)(b);

95 (e) outline a process by which an instructor shall, if the instructor denies the student's

96 request for an accommodation described in Subsection (2):
 97 (i) notify the institution of the instructor's denial of the student's request; and
 98 (ii) provide to the institution a written explanation of why the instructor denied the
 99 request; and
 100 (f) designate one or more neutral arbiters with the academic and subject matter expertise
 101 necessary to review a denial described under Subsection (5)(e) and determine
 102 whether the requested accommodation constitutes a fundamental alteration.

103 ~~[(4)]~~ (6)(a) The commissioner shall annually:

104 (i)(A) create a list of the dates of religious holidays for the following two years;
 105 and

106 ~~[(ii)]~~ (B) distribute the list described in this Subsection ~~[(4)(a)]~~ (6)(a)(i) to an
 107 institution~~[-]~~ ; and

108 (ii) upon the request of the Education Interim Committee, ensure the inclusion of
 109 information institutions report under Subsection (7)(c) in an annual report to the
 110 Legislature described in Section 53H-1-403.

111 (b) The creation and distribution of the list described in Subsection ~~[(4)(a)]~~ (6)(a)(i) does
 112 not prohibit a student from seeking, or an institution from granting, an
 113 accommodation for a date of a religious holiday that is not included on that list.

114 ~~[(5)]~~ (7) An institution shall:

115 (a) designate a point of contact for information about an accommodation described in
 116 Subsection ~~[(1)]~~ (2), who may also serve as the neutral arbiter described in Subsection
 117 (5)(f);

118 ~~[(b) establish a process by which a student may submit a grievance with regards to~~
 119 ~~implementation of this section; and]~~

120 ~~[(e)]~~ (b) publish the following information on the institution's website and update the
 121 information annually:

122 (i) the institution's religious and conscience belief accommodation policies described
 123 in Subsection ~~[(3)]~~ (5);

124 (ii) the point of contact described in Subsection ~~[(5)(a)]~~ (7)(a);

125 (iii) the list described in Subsection ~~[(4)]~~ (6)(a);

126 (iv) a description of the general procedure to request an accommodation described in
 127 Subsection ~~[(1)]~~ (2); and

128 (v) the grievance process described in Subsection ~~[(5)(b)-]~~ (5)(f);

129 (c) submit an annual report to the board, no later than December 1 of each year,

- 130 detailing, for the previous academic year, any neutral arbiter decisions under
131 Subsection (5); and
132 (d) no later than December 1, 2026, report to the board the institutional policies the
133 institution creates in accordance with Subsection (5).
134 (8) The board shall:
135 (a) establish policies to ensure the protection of students' sincerely held religious and
136 conscience beliefs; and
137 (b) provide guidelines for the institution policies described in Subsection (5), including
138 parameters for the accommodations described in this section and guidance for
139 protecting a student's sincerely held religious and conscience beliefs.
140 (9) Nothing in this section interferes with federal law.

141 **Section 2. Effective Date.**

142 This bill takes effect on May 6, 2026.