

Michael J. Petersen proposes the following substitute bill:

1 **Higher Education Student Belief Accommodation**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Michael J. Petersen**

Senate Sponsor: Brady Brammer

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2 **LONG TITLE**

3 **General Description:**

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

5 **Highlighted Provisions:**

6 This bill:

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  - 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;
  - 14 ▶ coordinates with S.B. 207, Protection from Unfair Treatment Based on Religion or Other
  - 15 Irrelevant Characteristics, to supersede religious provisions in S.B. 207; and
  - 16 ▶ makes technical and conforming changes.

17 **Money Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 This bill provides a coordination clause.

21 **Utah Code Sections Affected:**

22 **AMENDS:**

23 **53H-7-903**, as renumbered and amended by Laws of Utah 2025, First Special Session,  
24 Chapter 8

25 **Utah Code Sections affected by Coordination Clause:**

26 **53H-7-903**, as as renumbered and amended by Laws of Utah 2025, First Special Session,  
27 Chapter 8

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

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

31 **53H-7-903 . Student religious and conscience accommodations.**

32 (1) As used in this section:

33 (a) "Conscience" means the same as that term is defined in Section 67-27-106.

34 (b) "Fundamental alteration" means a change so significant in an examination,  
35 assignment, or activity that the change:

36 (i) alters the essential nature, objectives, or standards of a class, program, or degree;  
37 and

38 (ii) negatively impacts the student's ability, as a neutral arbiter, whom the institution  
39 designates under Subsection (5)(f) determines, to:

40 (A) master essential learning outcomes of the course, program, or degree; or

41 (B) acquire the knowledge, skills, or competencies necessary to pass the course,  
42 program, or degree.

43 (c) "Matter of public concern" means speech that relates to a political, social, religious,  
44 moral, or community matter.

45 (d) "Reasonably accommodate" means taking reasonable steps to modify expectations  
46 for a student's participation in an examination or other academic requirement by:

47 (i) excusing participation;

48 (ii) offering an alternative deadline or schedule; or

49 (iii) offering an alternative examination, assignment, or activity.

50 [(1)] (2) [An] In accordance with Subsection (3), an institution shall:

51 (a) for any course:

52 [(a)] (i) reasonably accommodate a student's absence from an examination or other  
53 academic requirement under the circumstances described in Subsection [(2)] (3)  
54 for reasons of:

55 [(i)] (A) the student's [faith] religious or conscience belief; or

56 [(ii)] (B) the student's participation in an organized activity conducted under the  
57 auspices of the student's religious tradition or religious organization; and

58 [(b)] (ii) ensure that an accommodation described in Subsection [(1)(a)] (2)(a)(i) does  
59 not adversely impact the student's academic opportunities[.] ; and

60 (b) for a course that the institution mandates for graduation or for an academic major,  
61 reasonably accommodate a student's objection to a required assignment or activity for  
62 reasons of the student's sincerely held religious or conscience belief if the requested

63 accommodation does not create a fundamental alteration.

64 [§2] (3) An institution shall make an accommodation described in Subsection [§1] (2) if:

- 65 (a) for an accommodation described in Subsection (2)(a), the time at which an  
66 examination or academic requirement is scheduled to occur [creates an undue  
67 hardship for a student due to] conflicts with the student's sincerely held religious or  
68 conscience belief; and
- 69 (b) for any accommodation described in Subsection (2), the student provides [a written]  
70 prior notice to the instructor of the course for which the student seeks the  
71 accommodation regarding [the date of the examination or academic requirement for  
72 which the student seeks] the request for the accommodation.

73 (4)(a) An instructor shall:

- 74 (i) respond to a request for an accommodation as soon as practicable and in  
75 accordance with institutional policies described in Subsection (5); and
- 76 (ii) if the instructor denies the request, notify the student and the institution of the  
77 denial, including the reason for the denial, as soon as practicable and in  
78 accordance with the institutional policies described in Subsection (5).
- 79 (b) An instructor may not compel a student to publicly take or communicate a specified  
80 position on a matter of public concern as the student's own, including by requiring a  
81 student to write a letter to a lawmaker, write a letter to an editor, write an article for  
82 publication, publish an opinion online or on social media, or create or publish a  
83 podcast.

84 [§3] (5) An institution shall establish policies and procedures, with guidance from the  
85 board, related to the accommodation described in Subsection [§1] (2) that:

- 86 (a) require the institution to provide the accommodation with respect to [when the  
87 student participates] the student's participation in examinations and other academic  
88 requirements;
- 89 (b) allow an instructor who receives a notice described in Subsection [§2(b)] (3)(b) to:  
90 (i) schedule an alternative examination time before or after the regularly scheduled  
91 examination; or
- 92 (ii) make accommodations for other academic requirements related to the  
93 accommodation;[ and]
- 94 (c) require an instructor who receives a notice described in Subsection [§2(b)] (3)(b) to  
95 keep confidential a student's request for the accommodation[.];
- 96 (d) address a reasonable timeframe within which:

- (i) a student must submit a request described in Subsection (3)(b) to an instructor; and
      - (ii) an instructor must respond to a student's request described in Subsection (3)(b);
  - (e) outline a process by which an instructor shall, if the instructor denies the student's request for an accommodation described in Subsection (2):
    - (i) notify the institution of the instructor's denial of the student's request; and
    - (ii) provide to the institution a written explanation of why the instructor denied the request; and
  - (f) designate one or more neutral arbiters with the academic and subject matter expertise necessary to review a denial described under Subsection (5)(e) and determine whether the requested accommodation constitutes a fundamental alteration.

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

- (i)(A) create a list of the dates of religious holidays for the following two years;  
and  
[(ii)] (B) distribute the list described in this Subsection [(4)(a)] (6)(a)(i) to an institution[.] ; and

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

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

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

- (a) designate a point of contact for information about an accommodation described in Subsection [(1)] (2), who may also serve as the neutral arbiter described in Subsection (5)(f);
  - [(b) establish a process by which a student may submit a grievance with regards to implementation of this section; and]
  - [e)] (b) publish the following information on the institution's website and update the information annually:
    - (i) the institution's religious and conscience belief accommodation policies described in Subsection [(3)] (5);
    - (ii) the point of contact described in Subsection [(5)(a)] (7)(a);
    - (iii) the list described in Subsection [(4)] (6)(a);
    - (iv) a description of the general procedure to request an accommodation described in

131 Subsection [(1)] (2); and

132 (v) the grievance process described in Subsection [(5)(b).] (5)(f);

133 (c) submit an annual report to the board, no later than December 1 of each year,  
134 detailing, for the previous academic year, any neutral arbiter decisions under  
135 Subsection (5); and

136 (d) no later than December 1, 2026, report to the board the institutional policies the  
137 institution creates in accordance with Subsection (5).

138 (8) The board shall:

139 (a) establish policies to ensure the protection of students' sincerely held religious and  
140 conscience beliefs; and

141 (b) provide guidelines for the institution policies described in Subsection (5), including  
142 parameters for the accommodations described in this section and guidance for  
143 protecting a student's sincerely held religious and conscience beliefs.

144 (9) Nothing in this section interferes with federal law.

145 **Section 2. Effective Date.**

146 This bill takes effect on May 6, 2026.

147 **Section 3. Coordinating H.B. 204 with S.B. 207.**

148 If H.B. 204, Higher Education Student Belief Accommodation, and S.B. 207, Protection  
149 from Unfair Treatment Based on Religion or Other Irrelevant Characteristics, both pass and  
150 become law, the Legislature intends that, on May 6, 2026, the amendments to Section  
151 53H-7-903 in H.B. 204 supersede the amendments to Section 53H-7-903 in S.B. 207.