

Effective 5/14/2019

Superseded 5/3/2023

53G-10-205 Waivers of participation.

- (1) As used in this section, "school" means a public school.
- (2) If a parent of a student, or a secondary student, determines that the student's participation in a portion of the curriculum or in an activity would require the student to affirm or deny a religious belief or right of conscience, or engage or refrain from engaging in a practice forbidden or required in the exercise of a religious right or right of conscience, the parent or the secondary student may request:
 - (a) a waiver of the requirement to participate; or
 - (b) a reasonable alternative that requires reasonably equivalent performance by the student of the secular objectives of the curriculum or activity in question.
- (3) The school shall promptly notify a student's parent if the secondary student makes a request under Subsection (2).
- (4) If a request is made under Subsection (2), the school shall:
 - (a) waive the participation requirement;
 - (b) provide a reasonable alternative to the requirement; or
 - (c) notify the requesting party that participation is required.
- (5) The school shall ensure that the provisions of Subsection 53G-10-203(3) are met in connection with any required participation under Subsection (4)(c).
- (6) A student's academic or citizenship performance may not be penalized if the secondary student or the student's parent chooses to exercise a religious right or right of conscience in accordance with the provisions of this section.