1   **STUDENT RELIGIOUS ACCOMMODATIONS AMENDMENTS**

2   2021 GENERAL SESSION

3   STATE OF UTAH

4   **Chief Sponsor: Michael S. Kennedy**

5   House Sponsor: Val L. Peterson

6

7   **LONG TITLE**

8   **General Description:**

9   This bill requires institutions of higher education to reasonably accommodate student

10   absences from scheduled examinations or academic requirements due to a student's

11   sincerely held religious beliefs.

12   **Highlighted Provisions:**

13   This bill:

14   ▸   requires institutions of higher education to:

15   •   reasonably accommodate student absences from scheduled examinations or

16   academic requirements if they create an undue hardship due to the student's

17   sincerely held religious beliefs; and

18   •   annually publish information about the general procedure to request an

19   accommodation; and

20   ▸   directs the Board of Higher Education to make policies related to the religious

21   accommodation.

22   **Money Appropriated in this Bill:**

23   None

24   **Other Special Clauses:**

25   None

26   **Utah Code Sections Affected:**

27   ENACTS:

28   **53B-27-401**, Utah Code Annotated 1953

29

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

31   Section 1. Section **53B-27-401** is enacted to read:

32   **53B-27-401. Student religious accommodations.**

33   (1) An institution shall:

34   (a) reasonably accommodate a student's absence from an examination or other

35 academic requirement under the circumstances described in Subsection (2) for reasons of:

36   (i) the student's faith or conscience; or

37   (ii) the student's participation in an organized activity conducted under the auspices of

38 the student's religious tradition or religious organization; and

39   (b) ensure that an accommodation described in Subsection (1)(a) does not adversely

40 impact the student's academic opportunities.

41   (2) An institution shall make an accommodation described in Subsection (1) if:

42   (a) the time at which an examination or academic requirement is scheduled to occur

43 creates an undue hardship for a student due to the student's sincerely held religious belief; and

44   (b) the student provides a written notice to the instructor of the course for which the

45 student seeks the accommodation regarding the date of the examination or academic

46 requirement for which the student seeks the accommodation.

47   (3) The board shall establish policies related to the accommodation described in

48 Subsection (1) that:

49   (a) require an institution to provide the accommodation with respect to when the

50 student participates in examinations and other academic requirements;

51   (b) allow an instructor who receives a notice described in Subsection (2)(b) to:

52   (i) schedule an alternative examination time before or after the regularly scheduled

53 examination; or

54   (ii) make accommodations for other academic requirements related to the

55 accommodation; and

56   (c) require an instructor who receives a notice described in Subsection (2)(b) to keep

57 confidential a student's request for the accommodation.

58   (4) (a) The board shall annually:

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

60   (ii) distribute the list described in Subsection (4)(a) to an institution.

61   (b) The creation and distribution of the list described in Subsection (4)(a) does not

62 prohibit a student from seeking, or an institution from granting, an accommodation for a date

63 of a religious holiday that is not included on that list.

64   (5) An institution shall:

65   (a) designate a point of contact for information about an accommodation described in

66 Subsection (1);

67   (b) establish a process by which a student may submit a grievance with regards to

68 implementation of this section; and

69   (c) publish the following information on the institution's website and update the

70 information annually:

71   (i) the board's religious accommodation policies described in Subsection (3);

72   (ii) the point of contact described in Subsection (5)(a);

73   (iii) the list described in Subsection (4);

74   (iv) a description of the general procedure to request an accommodation described in

75 Subsection (1); and

76   (v) the grievance process described in Subsection (5)(b).