

**CURRICULUM PARTICIPATION WAIVER REQUIREMENTS**

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Cheryl K. Acton**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill repeals the requirement for a school to require participation in certain curriculum or an activity when a waiver of participation is requested.

**Highlighted Provisions:**

This bill:

- ▶ repeals the requirement for a school to require a student to participate in curriculum or in an activity that interferes with a student's religion or conscience when a waiver of participation is requested; and
- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**53G-10-205**, as last amended by Laws of Utah 2019, Chapter 293

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

Section 1. Section **53G-10-205** is amended to read:

**53G-10-205. Waivers of participation.**



28 (1) As used in this section~~[-]~~;

29 (a) ~~["school"]~~ "School" means a public school.

30 (b) "Student" means a public school student in grades 5 through 12.

31 (2) ~~[If a parent of a student, or a secondary student,]~~ If a student or a student's parent

32 determines that the student's participation in a portion of the curriculum or in an activity would

33 require the student to affirm or deny a religious belief or right of conscience, or engage or

34 refrain from engaging in a practice forbidden or required in the exercise of a religious right or

35 right of conscience, ~~[the parent or the secondary student]~~ the student or the student's parent may

36 request:

37 (a) a waiver of the requirement to participate; or

38 (b) a reasonable alternative that requires reasonably equivalent performance by the

39 student of the secular objectives of the curriculum or activity in question.

40 (3) The school shall promptly notify a student's parent if the ~~[secondary]~~ student makes

41 a request under Subsection (2).

42 (4) If a request is made under Subsection (2), the school shall:

43 (a) waive the participation requirement; or

44 (b) provide a reasonable alternative to the requirement~~[-or]~~;

45 ~~[(c) notify the requesting party that participation is required.]~~

46 ~~[(5) The school shall ensure that the provisions of Subsection 53G-10-203(3) are met~~

47 ~~in connection with any required participation under Subsection (4)(c).]~~

48 ~~[(6)]~~ (5) A student's academic or citizenship performance may not be penalized if the

49 ~~[secondary]~~ student or the student's parent chooses to exercise a religious right or right of

50 conscience in accordance with the provisions of this section.