

1 **R277. Education, Administration.**

2 **R277-631. Student Waivers of Participation from Aspects of School.**

3 **R277- 631-1. Authority and Purpose.**

4 \_\_\_\_\_ (1) This rule is authorized by:

5 \_\_\_\_\_ (a) Utah Constitution [Article X, Section 3](#), which vests general control and  
6 supervision over public education in the Board;

7 \_\_\_\_\_ (b) Section [53E-3-401](#), which allows the Board to make rules to execute the  
8 Board's duties and responsibilities; and

9 \_\_\_\_\_ (c) Section [53G-10-205](#), which requires the Board to make rules consistent with  
10 that Section. \_\_\_\_\_

11 \_\_\_\_\_ (2) The purpose of this rule is to provide standards to public school officials as  
12 schools accommodate student and parent requests to refrain from aspects of school  
13 due to a student's religious belief or right of conscience.

14

15 **R277- 631 -2. Definitions.**

16 \_\_\_\_\_ (1) "Aspect of school" does not include provisions related to a school's code of conduct,  
17 including school safety and discipline requirements.

18 \_\_\_\_\_ (2) "Conscience" means a standard based upon learned experiences, a personal  
19 philosophy or system of belief, religious teachings or doctrine, an absolute or external sense of  
20 right and wrong which is felt on an individual basis, a belief in an external absolute, or any  
21 combination of the foregoing.

22

23 **R277-631-3. Requests to Refrain from Participation in School Activities.**

24 \_\_\_\_\_ (1) A student may refrain from participation in any aspect of school that violates a  
25 student's religious belief or right of conscience as described in Section [53G-10-205](#).

26 \_\_\_\_\_ (2)(a) If a minor student seeks to refrain from participation as described in Subsection (1),  
27 the school shall promptly notify the student's parent about the student's choice. \_\_\_\_\_

28 \_\_\_\_\_ (b) In the event of a conflict, a school shall honor a parent's preference over the  
29 preference of the parent's minor student.

30 (3)(a) As described in Subsection [53G-10-205](#), an LEA may offer an alternative that does  
31 not violate the student's or the student's parent's religious belief or right of conscience.

32 (b) A parent or student who refrains from participation under Subsection (1) may suggest  
33 an appropriate alternative that requires reasonably equivalent performance by the student of the  
34 objective of the curriculum or activity that is believed to be objectionable.

35 (4) In accommodating a student's decision to refrain from participation under Subsection  
36 (1), a school may:

37 (a) waive the requirement for the student in the objectionable curriculum or activity if the  
38 request does not violate Utah Code or federal law; or

39 (b) accommodate an appropriate alternative as suggested by the parent or student, or  
40 other appropriate alternative developed in consultation with the requesting party, that will  
41 achieve the academic objectives of the portion of the curriculum, activity, or requirement from  
42 which the student is refraining.

43 (5) If a student or parent requests the student refrain from a required course or graduation  
44 requirement, the student shall provide other appropriate alternative information or work that has  
45 been agreed upon, to demonstrate the student's mastery of the waived content or requirement.

46 (6) A school may not reward or provide credit to a student for work not completed without  
47 an appropriate alternative.

48 (7) Permitting the submission of requests for participation waivers, and the provision of  
49 reasonable alternatives, is intended to facilitate appropriate protection and accommodation of a  
50 requesting party's asserted right of conscience or exercise of religious freedom and may not be  
51 an attempt by a school official to incentivize, penalize, endorse, promote or disparage a particular  
52 religious or non-religious viewpoint.

53

54 **KEY: Student Waivers; Accommodations; Right of Conscience**

55 **Date of Enactment or Last Substantive Amendment:**

56 **Authorizing, and implemented, or Interpreted Law: [Article X, Section 3; 53E-3-401;](#)**

57 **[53G-10-205](#)**