



UTAH VALLEY UNIVERSITY Policies and Procedures

Proposed Policy Number and Title: 153 Religious Accommodations			
Existing Policy Number and Title: 153 Religious Accommodations (TEMPORARY)			
Approval Process*			
<input checked="" type="checkbox"/> Regular	<input type="checkbox"/> Temporary	<input type="checkbox"/> Non-Substantive Change	<input type="checkbox"/> Compliance Change
<input checked="" type="checkbox"/> New	<input type="checkbox"/> New	<input type="checkbox"/> Revision–Limited-Scope	<input type="checkbox"/> Revision–Limited-Scope
<input type="checkbox"/> Revision	<input type="checkbox"/> Revision		<input type="checkbox"/> Deletion
<input type="checkbox"/> Deletion	<input type="checkbox"/> Suspension		

*See UVU Policy 101 *Policy Governing Policies* for process details.

Draft Number and Date: <u>Stage 2 Draft, December 12, 2024</u>
President’s Council Sponsor: <u>Marilyn Meyer</u> Ext. _____
Policy Steward: <u>Drew Burke</u> Ext. _____

POLICY APPROVAL PROCESS DATES	
<p>Policy Drafting and Revision Entrance Date: <u>04/25/2024</u></p> <p>University Entities Review Entrance Date: <u>12/12/2024</u> Close Feedback: <u>2/10/2025</u></p> <p>University Community Review Entrance Date: _____ Open Feedback: _____ Close Feedback: _____</p> <p>Board of Trustees Review Entrance Date: _____ Approval Date: _____</p>	<p style="text-align: center;">POST APPROVAL PROCESS</p> <p>Verify:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Policy Number <input type="checkbox"/> Section <input type="checkbox"/> Title <input type="checkbox"/> BOT approval <input type="checkbox"/> Approval date <input type="checkbox"/> Effective date <input type="checkbox"/> Proper format of Policy Manual posting <input type="checkbox"/> TOPS Pipeline and Archives update <hr/> <p>Policy Office personnel who verified and posted this policy to the University Policy Manual</p> <p>Name: _____</p> <p>Date posted and verified: _____</p>



UTAH VALLEY UNIVERSITY

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POLICY TITLE	Religious Accommodations	Policy Number	153
Section	Governance, Organization, and General Information	Approval Date	
Subsection	Individual Rights	Effective Date	
Responsible Office	Office of the Vice President of People and Culture		

1.0 PURPOSE

- 1 **1.1** Utah Valley University is committed to providing an academic and work environment that
2 honors each student's and employee's religious or conscientious belief. As part of this
3 commitment, the University will reasonably accommodate students and employees whose
4 religious or conscientious belief conflict with aspects of the school or workplace setting.

2.0 REFERENCES

- 5 **2.1** *Title VII of the Civil Rights Act of 1964 as amended*
6 **2.2** *Exercise of Religion*, Utah Code § 63G-33
7 **2.3** *Reasonable Accommodations for Government Employees*, Utah Code § 67-27-106
8 **2.4** *Religious Liberty Protections*, Utah Code § 34A-5-112
9 **2.5** *Student Religious Accommodations*, Utah Code § 53B-27-405
10 **2.6** *Utah Antidiscrimination Act* as amended, Utah Code § 34A-5-106

3.0 DEFINITIONS

- 11 **3.1 Accommodation Review Committee:** The Director of Accessibility Services, the Employee
12 Accommodations Coordinator, and the Director of Employee Relations (or their designees). This
13 committee reviews formal grievances from denied accommodation requests under procedures
14 described in UVU Policy 152 *Accommodations for Individuals with Disabilities*.
- 15 **3.2 Employee Accommodations Coordinator:** The individual designated by the division of
16 People and Culture to receive employee accommodation requests, assess such requests, engage
17 in an interactive process with the requesting employee and supervisor, and approve or disapprove
18 accommodations in accordance with this policy.



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19 3.3 First responder:

- 20 1) a law enforcement officer, as that term is defined in Utah Code 53-13-103;
- 21 2) an emergency medical technician, as defined in Utah Code 53-2e-101;
- 22 3) an advanced emergency medical technician, as defined in Utah Code 53-2e-101;
- 23 4) a paramedic, as defined in Utah Code 53-2e-101;
- 24 5) a firefighter, as defined in Utah Code 53B-8c-102; or
- 25 6) a dispatcher, as defined in Utah Code 53-6-102.

26 **3.4 Undue hardship:** A substantial burden, privation, or adversity on the University that would
27 result from granting an employee's request to be relieved from performing a certain task,
28 expression, action, or inaction when considering all relevant factors, including:

- 29 1) impact on the University's core mission or ability to conduct business in an effective or
30 financially reasonable manner;
- 31 2) impact on co-workers and resulting disruption to university operations (excluding disruption
32 due to co-worker resentment or religious animus).
- 33 3) University's ability to provide training and safety instruction for the job
- 34 4) the practical impact on the governmental entity in light of the nature, size, and operating cost
35 of the university;
- 36 5) the disruption of the University's operations;
- 37 6) the nature of the employee's duties;
- 38 7) the number of employees the University will be required to grant a request to if the University
39 grants the employee's request;
- 40 8) the type of workplace; and
- 41 9) the number of requests by the employee in the preceding 12 months from the day on which the
42 employee submitted the request.

43 **3.5 Religious or conscientious belief:** A sincerely held belief as to the rightness or wrongness of
44 an action or inaction. This includes religious, non-religious, theistic, or non-theistic moral or
45 ethical beliefs. It further includes observances, practices, and abstentions arising from the belief,
46 such as attending worship services, praying, wearing religious garb or symbols, displaying
47 religious objects, adhering to certain dietary rules, proselytizing or other forms of religious
48 expression, and refraining from certain activities. It does not include isolated social, political,
49 economic philosophies, or mere personal preferences that are not part of a comprehensive belief
50 or ethical system. Whether a practice arises from a religious or conscientious belief depends on
51 the individual's motivation. One person might engage in a practice for religious reasons and
52 another person might engage in the same practice for purely practical or aesthetic reasons (e.g.,
53 dietary restrictions, tattoos, etc.).

54 **3.6 Retaliation:** For students, any action or threat designed to dissuade a reasonable person from
55 asserting their rights under this policy, or to inflict retribution for assertion of rights under this
56 policy. For employees, retaliation is any of the following actions taken by the University against



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57 an employee as a result of the employee filing a request for accommodation of religious or
58 conscientious belief:

- 59 1) a dismissal;
- 60 2) a reduction of compensation;
- 61 3) a failure to increase compensation by an amount that the employee is otherwise entitled to or
- 62 4) was promised;
- 63 5) a failure to promote if the employee would otherwise be promoted; or
- 64 6) a threat to take any action listed above

4.0 POLICY

65 4.1 Policy Statement

66 4.1.1 UVU commits to reasonably accommodating each student's and employee's religious
67 beliefs and conscience in the manner described below.

68 4.2 Scope of Policy

69 4.2.1 This policy applies to all students in attendance at UVU and all employees of UVU.

70 4.3 Relationship to Policy 165 and Other Policies

71 4.3.1 Religious accommodations are subject to this policy. Employees and students who believe
72 that they have been denied a requested religious accommodation in violation of this policy or
73 have otherwise been discriminated against based on religious or conscientious belief may file a
74 complaint with the UVU's Equity and Title IX Office for resolution under UVU Policy 165
75 *Discrimination, Harassment, and Affirmative Action*.

76 4.4 Employee Accommodations

77 4.4.1 UVU grants employees their reasonable requests to be relieved from performing certain
78 tasks, expressions, actions, or inactions if (1) performing the task would conflict with, burden, or
79 offend the employee's sincerely held religious or conscientious beliefs; (2) the employee follows
80 the procedures for requesting an accommodation outlined in section 5.1; and (3) none of the
81 exceptions listed in section 4.4.2 apply.

82 4.4.2 **Exceptions.** UVU will not grant an employee's request if exempting the employee from
83 the task, expression, action, or inaction would impose an undue hardship on the University,
84 including when

85 4.4.2.1 The request would substantially interfere with the university's core mission or its ability
86 to conduct business in an effective or financially reasonable manner;



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87 **4.4.2.2** the request is to be relieved from performing a task that is part of training or safety
88 instructions directly related to the employee's job;

89 **4.4.2.3** granting the request would create an unavoidable conflict with an existing legal
90 obligation;

91 **4.4.2.4** the employee is a first responder and the requested accommodation is to be relieved from
92 performing a task that involves protecting the safety of the public; or

93 **4.4.2.5** the employee's asserted beliefs or conscience is being asserted for an improper purpose,
94 such as for a reason other than religious or conscientious belief, or to receive pay for work not
95 performed.

96 **4.4.3** Any time off for an accommodation of religious or conscientious belief is unpaid; however,
97 accrued paid time off may be used in place of unpaid time off. Employees who anticipate being
98 absent from work because of religious or conscientious belief must submit their request for time
99 off in advance and as soon as they become aware of the need.

100 **4.5 Student Accommodations**

101 **4.5.1** Instructors shall reasonably accommodate a student's absence from an examination or
102 other academic requirement if the student provides a written notice to their instructor and the
103 Director of Accessibility Services at accessibilityservices@uvu.edu. The notice must state that
104 the date and time of a scheduled examination or academic requirement creates significant
105 difficulty for the student due to their religious or conscientious belief. This can include
106 participation in religious holidays, observances, or activities. The Director of Accessibility
107 Services (or their designee), in consultation with the instructor, will determine the
108 appropriateness of the religious accommodation.

109 **4.5.2** Scheduling accommodations may include rescheduling or providing a make-up exam,
110 rescheduling a student's in-class presentation, allowing a make-up assignment to substitute for
111 missed class work, changing a course assignment's due date, or excusing an absence from the
112 course, or make another scheduling accommodation for academic requirements related to the
113 student's religious or conscientious belief.

114 **4.5.3** Accommodation requests by students or visitors to relieve a burden on religious or
115 conscientious belief other than for scheduling (e.g., modifications to assignments or programs)
116 shall be made to the relevant instructor or program director (if applicable) and the Director of
117 Accessibility Services. For purposes of students' non-scheduling accommodations, a "burden"
118 on religious or conscientious belief is a University action that, directly or indirectly (1)
119 constrains, limits, or denies a student's religious or conscientious belief, or (2) that compels a
120 student to act, or fail to act, in a manner that is contrary to the person's religious or conscientious
121 beliefs. The Director of Accessibility's approval of such requests is subject to the exceptions
122 listed in section 4.5.4 below.



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123 **4.5.4 Exceptions.** Non-scheduling requests to accommodate a burden on religious or
124 conscientious belief will be denied only if the Director of Accessibility Services (or their
125 designee), in consultation with the relevant instructor or program personnel, determines that the
126 burden on the student's religious or conscientious belief

127 (1) is essential to further a compelling University interest,

128 (2) is the least restrictive means of furthering the compelling interest, and

129 (3) applies evenly to all students in the activity, course, or program.

130 **4.5.4.1** For example, instructors need not accommodate a student request to be exempted from
131 required readings, assignments, projects, presentations, participation, or other essential aspects of
132 a course that the student finds offensive or burdensome to their religious or conscientious belief
133 so long as

134 1) the requirement (such as reading controversial or offensive material) is essential to a course or
135 program learning outcome (such as the ability to critique and converse with disruptive or
136 offensive ideas and theories in the relevant field);

137 2) the instructor has diligently considered alternatives, but has not found a less burdensome
138 alternative that would advance the learning outcome; and

139 3) the requirement applies evenly to all students in the course.

140 **4.5.4.2** If an instructor makes exceptions for a student for reasons unrelated to the student's
141 religious or conscientious belief (e.g., accommodating personal preferences), the instructor must
142 treat all requests based on religious or conscientious belief no less favorably.

143 **4.6 Retaliation Prohibited**

144 **4.6.1** No University employee or student may retaliate against a student or employee for
145 requesting an accommodation for religious or conscientious belief.

146

5.0 PROCEDURES

147 **5.1 Employee Religious Accommodations**

148 **5.1.1 Making a Request.** An employee seeking to be relieved from performing a certain task,
149 expression, action, or inaction because of a conflict with their religious or conscientious belief
150 shall, as soon as practicable, submit an accommodation request to the employee's supervisor and
151 the Employee Accommodations Coordinator. The request must be delivered in writing no more



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152 than two days after receiving the objectionable assignment (unless the employee has less than
153 two days' notice to perform the assignment, in which case the accommodation request may be
154 oral, but must be delivered immediately). The request must explain how the task, expression,
155 action, or inaction would conflict with the employee's religious or conscientious belief.

156 **5.1.1.1** The supervisor and the Employee Accommodations Coordinator shall keep the
157 employee's request for accommodation confidential.

158 **5.1.2 Responding to a Request.** Unless the University and employee agree in writing to waive
159 or extend the time limit, the Employee Accommodations Coordinator, in consultation with the
160 supervisor, shall respond to the request as soon as practicable but at least five calendar days
161 before the certain task, expression, action, or inaction is required to be performed.

162 **5.1.2.1** The initial response, if not an immediate grant of the requested accommodation, must
163 include an interactive process in which the employee, supervisor, and Employee
164 Accommodations Coordinator communicate with one another to define the nature of the conflict
165 or burden and effective accommodative possibilities, including possibilities that are not the
166 employee's first preference. The supervisor and Employee Accommodations Coordinator may
167 seek additional information to better understand the nature of the conflict and accommodation
168 request.

169 **5.1.2.2** The employee is not entitled to a requested or preferred accommodation when there are
170 multiple accommodations that would eliminate the conflict, burden, or offense.

171 **5.1.3 Denials.** If the Employee Accommodations Coordinator denies an employee's request for
172 accommodation, they shall include the following in their written response:

173 1) an explanation of the decision, including how an exception listed in section 4.4.2 applies;

174 2) the process for grieving the denial in accordance with section 5.3 of this policy; and

175 3) a statement that the employee may seek redress in a court as described in Utah Code 67-27-
176 105(6) after they have exhausted the process provided in this policy.

177

178 **5.2 Student Religious Accommodations**

179 **5.2.1 Making a Request.** A student seeking to be relieved from a course requirement, such as a
180 due date or an aspect of an assignment, because of a conflict with their religious or conscientious
181 belief shall, as soon as practicable (i.e., as soon as the assignment is posted or the schedule is
182 made available), submit an accommodation request to the student's instructor and the Director of
183 Accessibility Services. Accommodation requests that are not course-related, must be delivered to
184 the Director of Accessibility Services, who will coordinate with the relevant program personnel.



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185 All requests must be in writing and must explain how the course requirement or other University
186 activity or program (as applicable) would conflict with the student’s religious or conscientious
187 belief, such as by specifying the dates and times of scheduling conflicts.

188 **5.2.1.1** The instructor and the Office of Accessibility Services shall keep the student’s request for
189 accommodation confidential.

190 **5.2.2 Responding to a Request.** The Director of Accessibility Services, in consultation with the
191 instructor or other relevant program personnel, shall respond to the request as soon as
192 practicable. Late requests may result in delayed accommodation.

193 **5.2.2.1** If the request is not immediately granted, the initial response must include an interactive
194 process where the student, instructor, and Director of Accessibility Services meaningfully
195 engage with one another to define the nature of the conflict or burden and effective
196 accommodative options, including options that are not the student’s first preference. The
197 instructor and Director of Accessibility Services may seek additional information to better
198 understand the nature of the conflict and accommodation request.

199 **5.2.2.2** The student is not entitled to a requested or preferred accommodation when there are
200 multiple accommodations that would eliminate the conflict, burden, or offense.

201 **5.2.3 Denials.** If the Director of Accessibility Services denies a student’s request for
202 accommodation, they shall include an explanation of the following in their written response:

- 203 1) the decision, including how an exception listed in section 4.5.4 applies; and
- 204 2) the process for grieving the denial in accordance with section 5.3 of this policy.

205 **5.3 Grievances**

206 **5.3.1** Reasonable effort should be made to resolve disputes before entering the grievance
207 process. Within 30 days of receiving notice of a denied request, the requesting student or
208 employee may request further review by the Accommodation Review Committee under the
209 procedures described in UVU Policy 152 *Accommodations for Individuals with Disabilities*.
210 Affected supervisors or faculty members may also grieve awarded accommodations under the
211 same procedure to resolve any concerns or problems with the implementation of approved
212 accommodations.

213 **5.3.2** All grievances must be submitted in writing or via email to the Director of Accessibility
214 Services at accessibilityservices@uvu.edu or to the Office of People and Culture at:
215 LEAVEOFABSENCE@uvu.edu

POLICY HISTORY		
Date of Last Action	Action Taken	Authorizing Entity



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	New policy approved.	UVU Board of Trustees
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Policy Office Draft



Equity Assessment Committee (EAC) Worksheet

NOTE: This form is for internal use only by the EAC and policy sponsors/stewards/coordinators. This form captures general equity concerns and those that impact the specific groups listed. The Equity Assessment Findings and Reponses Summary form accompany the Stage 1 draft.

Policy Number: 153	Policy Title: Religious Accommodations
EAC Review Date: 12/6/2024	Policy Sponsor: Marilyn Meyer
Date Completed by Policy Sponsor/Steward/Coordinator: N/A	Policy Steward: Drew Burke

UVU Scope (Groups impacted):

- | | |
|---|--|
| <ul style="list-style-type: none"> Adult learners Age (40+) Color First-generation student status Individuals with apparent or non-apparent disabilities National origin and citizenship status | <ul style="list-style-type: none"> Pregnancy, pregnancy-related conditions Race and ethnicity Religion, spirituality, and worldviews Sex, gender identity, and gender expression Sexual orientation Socioeconomic status Veteran status (including uniformed military status) |
|---|--|

Section	Groups Impacted	General Equity	Equity Concern	Equity Recommendation	Policy Sponsor/Steward/Coordinator Proposed Solution
			No comments.		