

Uintah Basin Technical College

127 – Religious Accommodations

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Executive Team Approval:08/26/2024
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1. Purpose

UBTech is committed to providing an academic and work environment that honors each employee's and student's religious belief and conscience. As part of this commitment, UBTech will reasonably accommodate employees and students whose religious belief or conscience with aspects of the school or workplace setting.

2. References

- 2.1. Title VII of the Civil Rights Act of 1964 as amended
- 2.2. Utah Code § 63G-31, Exercise of Religion
- 2.3. Utah Code § 67-27-105, Reasonable Accommodations for Government Employees
- 2.4. Utah Code § 34A-5-112, Religious Liberty Protections
- 2.5. Utah Code § 53B-27-405, Student Religious Accommodations
- 2.6. Utah Code § 34A-5-106, Utah Antidiscrimination Act as amended

3. Scope

This policy applies to students in attendance at UBTech and employees of UBTech.

4. Definitions

- 4.1. **Religious Accommodation:** A schedule modification of an examination or academic requirement because of a student's faith, conscience, or participation in an organized activity under the student's religious tradition or religious organization. Religious accommodation may include rescheduling or providing a make-up assignment to substitute for missed class work, changing a course assignment's due date, or excusing and absence from the course.
- 4.2. **Religious Tradition:** A religious, non-religious, theistic, or non-theistic moral or ethical tradition.
- 4.3. **Sincerely Held Belief:** A religious, non-religious, theistic, or non-theistic moral or ethical tradition.
- 4.4. **Undue Hardship:** Significant difficulty.
- 4.5. **Retaliation:** For students, any action or threat designed to dissuade a reasonable person from asserting their rights under this policy, or to inflict retribution for assertion of rights under this policy.

For employees, retaliation is an adverse employment action taken against an employee as a result of the employee filing a request for accommodation of religious belief or conscience.

5. Employee Accommodations

- 5.1. UBTech grants employees their reasonable requests to be relieved from performing certain tasks, expressions, actions, or inactions if (1) performing the task conflicts with, burden, or offend the employees sincerely held religious beliefs or conscience; (2) the employee follows the procedures for requesting an accommodation outlined in section 8; and (3) none of the exceptions listed in section 5.2 apply.
- 5.2. **Exceptions.** UBTech will not grant an employee's request if exempting the employee from the task, expression, action, or inaction would impose an undue hardship on the college, including when

- 5.2.1. The request is to be relieved from performing a task that is part of training or safety instructions directly related to the employee's job;
 - 5.2.2. Granting the request would create an unavoidable conflict with an existing legal obligation;
 - 5.2.3. The employee's asserted beliefs or conscience is being asserted for improper purpose, such as for a reason other than religious belief or conscience, or to receive pay for work not performed.
- 5.3. Any time off for accommodation of religious belief or conscience is unpaid; however, accrued paid time off may be used in place of unpaid time off. Employees who anticipate being absent from work because of religious belief or conscience should submit their request for time off five (5) working days in advance.

6. Student Accommodations

- 6.1. A student requesting absence from an examination or other academic requirement must provide a five (5) day advance written notice to their instructor and the Title IX Coordinator. The notice must state the date and time of the scheduled examination or academic requirement that creates significant difficulty for the student due to their religious belief or conscience. This can include participation in religious holidays, observances, or activities. The Title IX Coordinator, in consultation with the instructor, will determine the appropriateness of religious accommodation.
- 6.2. Scheduling accommodations may include rescheduling or providing a make-up exam, rescheduling a student's in-class presentation, allowing a make-up assignment to substitute for missed class work, changing a course assignment's due date, or excusing an absence from the course, or make another scheduling accommodation for academic requirements related to the student's religious belief or conscience.
- 6.3. Accommodation requests by students to relieve a burden on religious belief or conscience other than for scheduling (e.g. modifications to assignments or programs) shall be made to the relevant instructor or program director and the Title IX Coordinator. For purposes of students non-scheduling accommodations, a "burden" on religious belief or conscience is a college action that, directly or indirectly (1) constrains, limits, or denies a student's religious belief or conscience, or (2) that compels a student to act, or fail to act, in a manner that is contrary to the person's religious beliefs or conscience. The Title IX Coordinator's approval is subject to the exceptions listed in section 6.4 below.
- 6.4. **Exceptions.** Non-scheduling requests to accommodate a burden on religious belief or conscience will be denied only if the Title IX Coordinator, in consultation with the relevant instructor or program director, determined that the burden on the student's religious belief or conscience is (1) essential to further a compelling college interest, (2) the least restrictive means of furthering the compelling interest, and (3) applies evenly to all students in the activity, course, or program.
- 6.4.1. For example, instructors need not accommodate a student request to exempted from required readings, assignments, projects, presentations, participation, or other essential aspects of a course that the student finds offensive or burdensome to their religious belief or conscience so long as (1) the requirement (such as reading controversial or offensive material) is essential to a course or program learning outcome, (2) the instructor has diligently considered alternatives, but has not found a less burdensome alternative that would advance the learning outcomes; and (3) the requirement applies evenly to all students in the course.
- 6.4.2. If an instructor makes exceptions for a student for reasons unrelated to the student's religious belief or conscience (e.g. accommodating personal preference), the instructor must treat all requests based on religious belief or conscience no less favorably.

7. Retaliation

- 7.1. No college employee or student may retaliate against a student or employee for requesting accommodation for religious belief or conscience.

8. Making a Request

- 8.1.** An employee seeking to be relieved from performing a certain task, expression, action, or inaction because of a conflict with their religious belief or conscience shall, as soon as practicable, submit an accommodation request to the employee's supervisor and the Title IX Coordinator. The request must be delivered in writing no more than two (2) days after receiving the objectionable assignment (unless the employee has less than two-day notice to perform the assignment, in which case the accommodation request may be oral, but must be delivered immediately). The request must explain how the task, expression, action, or inaction conflicts with the employee's religious belief or conscience.
- 8.2.** Subject to paragraph 6.1, a student seeking to be relieved from a course requirement, such as a due date or an aspect of an assignment, because of a conflict with their religious belief or conscience shall, as soon as practicable (i.e., as soon as the assignment is posted or the schedule is made available), submit an accommodation request to the student's instructor and the Title IX Coordinator. Accommodations that are not course related must be submitted to the Title IX Coordinator, who will coordinate with the relevant program director. All requests must be in writing and must explain how the course requirement or other college activity or program would conflict with the student's religious belief or conscience, such as specifying the dates and times of scheduling conflicts. See paragraph 9.1 for accommodation contact information.
- 8.3.** Accommodation is not retroactive.
- 8.4.** All requests for accommodation will be kept confidential.
- 8.5.** The Title IX Coordinator, in consultation with the relevant individuals, will respond to the request as soon as practicable, but no later than five business days after receipt of the request.
- 8.6.** If the request is not immediately granted, the initial response must include an interactive process where the parties involved engage with one another to explore other accommodations.
- 8.7.** If the Title IX Coordinator denies a request for accommodation, they shall include an explanation of the following in their response (1) the decision, including how an exception applies; and (2) the process for grieving the denial.

9. Compliance and Grievance Processes

- 9.1.** Any individual may report a violation of this policy to the Title IX Coordinator, at Title9@ubtech.edu, 435-722-6932.
- 9.2.** Any individual may file a complaint based on alleged violations of this policy. UBTech will respond promptly and equitably to any complaint of discrimination or retaliation.

10. UBTech Website

- 10.1.** UBTech will provide on its website this policy, the Title IX Coordinators information, the list of major religious holidays, a description of how to request religious accommodation, and the grievance process.

11. Policy Revision

- 11.1.** UBTech retains the right to revise this policy at any time.