

Effective 5/3/2023

53G-10-205 Waivers of participation.

- (1) As used in this section:
 - (a) "School" means a public school.
 - (b) "Student" means a public school student in kindergarten through grade 12.
- (2)
 - (a) In accordance with Utah Constitution, Article I, Section 4, a student may refrain from participation in any aspect of school that violates a religious belief or right of conscience of the student.
 - (b) A school may not, in any aspect of school:
 - (i) require or incentivize a student to affirm or deny the student's or the student's parent's religious belief or right of conscience;
 - (ii) engage a student in a practice that violates or is contrary to the student's or the student's parent's religious belief or right of conscience; or
 - (iii) penalize or discriminate against a student for refraining from participation due to the student's or the student's parent's religious belief or right of conscience.
- (3) When a student refrains from participating in any aspect of school that violates the student's or the student's parent's religious belief or right of conscience, the school:
 - (a) shall promptly notify the student's parent;
 - (b) may offer an alternative that does not violate the student's or the student's parent's religious belief or right of conscience; and
 - (c) may not require the student or the student's parent to explain, defend, or justify the student's or the student's parent's religious belief or right of conscience.
- (4) A student's parent may waive the student's participation in any aspect of school that violates the student's or the student's parent's religious belief or right of conscience.
- (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall make rules consistent with this section.

Amended by Chapter 412, 2023 General Session