

Guidelines for the Accommodation of Sincerely Held Religious Beliefs and Practices

Policy 601 *Classroom Management* Sections 4.7 and 5.4

Policy 601 requires faculty to thoughtfully consider student requests for accommodation based on sincerely-held religious beliefs or practices. As a reminder, UVU Policy 165 prohibits discrimination and harassment based on national origin and religious belief or the lack of religious belief. Sincerely-held religious beliefs and practices are defined in Policy 601:

Sincerely held religious beliefs and practices include not only traditional, organized religions such as Christianity, Judaism, Islam, Hinduism, and Buddhism, but also religious beliefs that are new, uncommon, not part of a formal church or sect, or only subscribed to by a small number of people. Religious beliefs include theistic beliefs (i.e., those that include a belief in God) as well as non-theistic moral or ethical beliefs as to what is right and wrong that are sincerely held with the strength of traditional religious views. Beliefs are not “sincerely held religious beliefs” merely because they are strongly held. Rather, religious beliefs typically concern “ultimate ideas” about life, purpose, and death. Social, political, or economic philosophies, as well as mere personal preferences, are not “religious” beliefs. Religious practices include, for example, attending worship services, praying, wearing religious garb or symbols, displaying religious objects, adhering to certain dietary rules, proselytizing, or other forms of religious expression, or refraining from certain activities. Whether a practice is religious depends on the individual’s motivation. The same practice might be engaged in by one person for religious reasons and by another person for purely secular reasons (e.g., dietary restrictions, tattoos, etc.).

Students shall complete a religious accommodation request form to be eligible for a religious accommodation. Faculty shall complete the appropriate areas of the form only after a student has submitted the form to them with the student sections completed. Faculty shall not make informal religious accommodations.

In addition to requiring students to fill out the Religious Accommodations Request Form, faculty shall preserve any email or other written communications and/or memorialize any verbal discussion concerning a request for accommodation for purposes of documenting activities to protect faculty and students, and to establish any student pattern of requests for accommodation.

When faculty receive a request for accommodation from a student based on sincerely-held religious beliefs and/or practices, faculty should engage in a reasonable and interactive process with the student in accordance with the guidelines outlined in this document.

Sincerely Held- Generally

In the spirit of inclusion and to protect faculty from allegations of religious harassment, faculty should not opine regarding the validity of or their personal opinion concerning the religion or the sincerely held belief of a student requesting an accommodation.

The belief or practice of such belief does not have to be required by a church or sect. Factors that might undermine an assertion about sincerity of religious belief include:

- Whether the individual has behaved in a manner markedly inconsistent with the professed belief
- Whether the accommodation is a particularly desirable benefit
- Whether the timing of the request is suspect (e.g. he/she requested the same benefit for secular reasons such as an extended spring break, missing exam week, or other critical assessments).

No factor is dispositive. An individual's beliefs can change, and a newly adopted religious practice may still be sincerely held.

Faculty should never require any student to furnish certification or proof of association with or membership in a religious group. However, faculty may make an inquiry to confirm the request stems from a sincerely-held religious belief or practice. For example, a professor might ask, "What are the religion-related requirements which conflict with the course expectations?"

Reasonable Accommodation- Generally

To be reasonable, the accommodation must resolve the conflict, not just lessen it. Accommodations should not result in an increased burden on the student. For example, a makeup exam or assignment shall not be more difficult than the originally scheduled exam or assignment.

Faculty should confer fully and promptly to the extent needed to share any necessary information about the student's religious needs and the available accommodation options.

Faculty should individually assess each request and avoid assumptions or stereotypes about what constitutes a religious belief or practice or what type of accommodation is appropriate.

Faculty shall consult with the Director of the Office for Equal Opportunity and Affirmative Action if they are inclined to deny a student's request for accommodation.

Faculty are not required to provide a student's preferred accommodation if there is more than one effective alternative to choose from. Faculty should, however, consider the student's proposed method of accommodation, and if it is denied after consultation with the Director of the Office for Equal Opportunity and Affirmative Action, explain to the student why their proposed accommodation is not being granted.

Undue Hardship – Generally

Any act that would require a faculty member to bear greater than a minimal burden in accommodating a student's religious beliefs. This entails concerns such as the faculty's burden in conducting its classes, unequal treatment of other students, devotion of time and resources beyond that required by the faculty's teaching contract, etc.

Accommodations can go beyond the minimum requirements of the law and faculty should be flexible in evaluating whether or not an accommodation is feasible. Keep in mind that there should be an individual assessment and determination rather than blanket approval or denial of certain religious practices.

Faculty should not automatically reject a request for religious accommodation just because the accommodation will interfere with the existing course assignments or schedule.

Reasonable accommodation may require making exceptions to classroom policies or procedures, but cannot fundamentally alter the academic or technical core requirements of the course.

Procedures for responding to a request

1. Once a student submits a Religious Accommodations Request Form to you, acknowledge receipt and explain to the student the request will be evaluated under UVU Policy 601 *Classroom Management*. Syllabus statements shall direct students to contact you via email or during office hours to avoid requiring them to disclose information in front of the class.
2. Review the request and determine if any further information is needed from the student. If so, request the information confidentially in a way that does not discourage the student from pursuing their request.
3. Evaluate the request in accordance with this guidance document.
4. If you are inclined to deny the request, consult with the Director of the Office for Equal Opportunity and Affirmative Action. If a denial is approved, deliver a written explanation of denial to the student. If the student has questions or concerns, the student should be referred to the EO/AA Office.
5. Participate in any appeal the student makes to the Department Chair and/or Dean.
6. If you choose to grant the accommodation, deliver written approval to the student explaining the parameters of the proffered accommodation. Retain a signed copy of the accommodation approval. Inform the student that accommodations must be requested each semester as dates and holidays change.
7. In both cases of denial and approval, you must deliver the completed Religious Accommodations Request Form to the Office of Equal Opportunity and Affirmative Action. You may keep a copy for your records.

Appropriate Inquiry Examples

A student requests to miss class during Ramadan.

Professor: To what religion do you belong that is associated with Ramadan?

What are the conflicts between Ramadan and the course requirements?

A Jewish student in Culinary Arts requests not to cook shrimp-stuffed pork chops.

Professor: What does Judaism require for meat preparation so that we may find an alternative, but similar, dish for you to prepare?

An athlete requests to fast for religious purposes during a physically demanding athletic competition series.

Professor: Is it required that the fast be conducted at a particular time?

A biology student requests to be exempt from showing competency in principles of Darwinism.

Professor: Which of your sincerely-held religious beliefs prohibit the study of the concept?

An art student requests not to be exposed to nude photos or models.

Professor: Is there any room for an exception for professional or academic situations?

A conference attendee requests Kosher food for lunch.

Professor: What are the specific requirements to meet “kosher”?

A student requests not to be photographed for a UVUID or the club photo.

Professor: What is the reason for your request not to be photographed?