

POLICY #5.68

SUBJECT: Religious Accommodations

I. PURPOSE

The purpose of this Policy is to provide processes by which University students, employees, or applicants can request Reasonable Accommodations for sincerely held Religious Beliefs, Practices, or Observances.

II. REFERENCES

- A. Southern Utah University [Policy 5.27 Non-Discrimination and Anti-Harassment](#)
 - B. Southern Utah University [Policy 6.0 Definition of Faculty](#)
 - C. Southern Utah University [Policy 6.30 Excused Absence](#)
 - D. Utah Code [§ 53B-27-405 Student religious accommodations](#)
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III. DEFINITIONS

- A. **Faculty or Faculty Member:** See SUU [Policy 6.0](#).
 - B. **Religious Belief, Practice, or Observance:** All aspects of religious observance and practice, as well as belief. A person's religious beliefs need not be confined in either source or content of traditional or parochial concepts of religion. A belief is religious if it is a sincere and meaningful belief that concerns ultimate ideas about life, purpose, and death; is comprehensive in nature; it consists of a belief system as opposed to an isolated teaching; and often can be recognized by the presence of certain formal and external signs. Social, political, or economic philosophies, as well as mere personal preferences, do not qualify as a "Religious Belief, Practice, or Observance," but there may be overlap between those and a "Religious Belief, Practice, or Observance."
 - C. **Reasonable Accommodation:** Any adjustment that will allow an employee, student, or applicant to carry out their Religious Belief, Practice, or Observance without creating an Undue Hardship for the University.
 - D. **Undue Hardship:** Occurs when a proposed accommodation for Religious Belief, Practice, or Observance would impose more than de minimis cost or burden on the University. In addition to the direct cost associated with providing the accommodation, the University also considers the burden on its ability and capacity to conduct its regular business functions and fundamental requirements of courses and other activities.
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IV. POLICY

A. Students

1. Students may request a University Excused Absence (see SUU [Policy 6.30](#)) or change to an academic requirement to accommodate their Religious Belief, Practice, or Observance. This may include student requests based on reasons of the student's faith or conscience or the student's participation in an organized activity conducted under the auspices of the student's religious tradition or religious organization.

- a. The University will make religious accommodations if:

- i. The time at which an examination or academic requirement is scheduled to occur creates an undue hardship for a student due to the student's Religious Belief, Practice, or Observance; AND

The student provides written notice to the Faculty Member of the course for which the student seeks the accommodation regarding the date and/or other relevant information, of the examination or academic requirement for which the student seeks the accommodation;

OR

- ii. As otherwise required by law to accommodate a student's free exercise of religion.

2. Process

- a. A student's first step should be to make a request to a Faculty Member of the relevant course or activity. If the student is seeking a waiver or substitution of an entire course as required by their program of study, the student should contact their program's Department Chair and not the Faculty Member assigned to that course. If step one is unsuccessful, a student shall make a request for a review of a religious accommodation request by using the University's [Religious Accommodation Request Form](#). The student should request any such accommodation at least two (2) weeks prior to the event, if applicable.
 - b. A Faculty Member who receives a written request from a student may provide a student the requested accommodation if it does not create an Undue Hardship. For example, the Faculty Member may schedule an alternative examination time before or after the regularly scheduled examination, or as applicable, the Faculty Member may make accommodations for other academic or other program requirements related to the requested accommodation.
 - c. The Faculty Member shall, to the extent necessary to accomplish the requested accommodation, keep confidential the student's request for accommodation and any related information.

- d. If the student's accommodation request is not granted by the Faculty Member or if the Faculty Member is uncertain as to how to respond to the request, the student or Faculty Member may refer the request to the designated Associate Provost for an evaluation using the University's [Religious Accommodation Request Form](#).
 - i. An Associate Provost or designee will evaluate the request and determine whether to approve the requested accommodation, in accordance with applicable laws.
 - ii. In evaluating the request, the Associate Provost will consider the requirements of this Policy and whether attendance or other academic requirements would create an Undue Hardship. This analysis includes taking into consideration fundamental academic and other requirements of the University.
 - iii. The Associate Provost or designee may engage in interactive dialogue with the student, and as necessary, the Faculty Member to gather information regarding the requested accommodation and academic requirements.
- e. Faculty Members shall adhere to accommodations approved by the Associate Provost.
- f. Accommodations provided by a Faculty Member or Associate Provost shall not adversely impact a student's academic opportunities.

3. Point of Contact

- a. The Provost's Office, through the designated Associate Provost, serves as the point of contact for information about student religious accommodation requests.
- b. For reference, the Utah System of Higher Education produces a non-exhaustive list of dates of generally recognized religious holidays for some religions. This list is not exhaustive and does not prohibit a student from requesting an accommodation related to a religious holiday not included on the published list.

4. Appeals

- a. If the student's accommodation request is not granted through the Associate Provost, the student may appeal in writing via email to the Provost within three (3) business days of receiving notice that the accommodation request is denied.
- b. The Provost will evaluate the appeal and all related documentation for compliance with this Policy and applicable law.
 - i. The Provost has discretion to determine whether to grant or deny accommodation requests, in accordance with applicable law.

- ii. Upon making a determination, the Provost will issue a written decision including the reason(s) and factual bases for the decision.
- iii. The Provost's decision is the final decision of the University regarding the accommodation and not subject to further appeal. However, a final decision on the accommodation may be the subject of grievance under SUU [Policy 5.27](#) if the challenge is within the scope of that policy.

B. Employees

1. University employees may request a Reasonable Accommodation for Religious Beliefs, Practices, or Observances that conflict with their job duties and responsibilities.
 - a. Applicants for employment with the University may also request an accommodation during the application and search process.
 - b. Requests for accommodation are reviewed by Human Resources in consultation with the employment supervisor or hiring official.
2. Process
 - a. To make a request for accommodation of Religious Beliefs, Practices, and Observances that conflict with job duties, employees or applicants should submit a request using the University's [Religious Accommodation Request Form](#).
 - b. Upon receiving the Religious Accommodation Request Form, the designated Human Resources administrator will facilitate an interactive process with the employee or applicant to determine whether a requested accommodation is reasonable and will allow the employee or applicant to fulfill their Religious Belief, Practice, or Observance while also meeting expectations associated with their regular work or the search process.
 - c. The designated Human Resources administrator may also consult with the relevant supervisor to determine job requirements and other impacts of the requested accommodation and/or other Reasonable Accommodations under consideration.
 - d. If the designated Human Resources administrator determines that the requested accommodation results in an Undue Hardship on the University, the University will seek to identify reasonable alternatives to the requested accommodation. If no Reasonable Accommodation can be identified, the designated Human Resources administrator may deny the request for accommodation.
3. Grievance Procedures
 - a. Employees and applicants that believe their request for a Reasonable Accommodation for their Religious Belief, Practice, or Observance was unfairly

reviewed and/or denied may file a grievance with the Office of Equal Opportunity using the procedural framework established by SUU [Policy 5.27](#).

- C. The University prohibits discrimination and harassment on the basis of religion, including a failure to provide Reasonable Accommodation that does not cause an Undue Hardship, interpreted under and consistent with applicable law. SUU [Policy 5.27](#) is the exclusive policy to review any such claims of discrimination and/or harassment.
- D. No Additional Rights. This Policy is implemented to comply with Utah Code 53B-27-405 and federal law requirements. It is not intended to and does not create any additional rights or contractual obligations beyond what is required by applicable law.

V. RELEVANT FORMS/LINKS

- [Religious Accommodation Request Form](#)

VI. QUESTIONS/RESPONSIBLE OFFICE

The responsible office for this Policy is the [Office of the Provost](#). For questions, contact the Office of the Provost, [Human Resources](#), or the [Office of Legal Affairs](#), as applicable.

VII. POLICY ADOPTION AND AMENDMENT DATES

Date Approved: [November 1, 2022](#) [temporary approval]; March 31, 2023 [permanent approval]

Amended: N/A