



**Official Policy
of
Ogden Preparatory Academy**

7. Students

7.26.POL Constitutional Freedoms

Effective/Revision Date: 03/21/2019

Page 1 of 2

It is the policy of Ogden Preparatory Academy that:

- Students are afforded personal rights guaranteed under federal and state constitutions and statutes.
- Students are informed of their legal rights and the legal authority of the OPA Board to make and delegate authority.
- Academy employees shall remain neutral in job related matters relating to religion, while striving to accommodate the religious beliefs and practices and the freedom of conscience of students and their parents.
- Academy employees shall not attempt to influence a student regarding the student's religious belief or lack thereof. Employees may respond in an appropriate and restrained manner to a spontaneous question from a student regarding the employee's personal beliefs and perspectives.
- Creation and implementation of curriculum with regard to religion, politics, and morality shall comply with Utah Administrative Rule.
- Academy operations and employee behavior shall be in compliance with Utah Administrative Rule for the protection and accommodation of individual rights.

Student Expression

A student shall not be prohibited from expressing personal beliefs in the school or during a school activity unless the expression interferes with order or discipline, threatens the well-being of persons or property, or otherwise violates school policy or procedures.

Student Requests for Waiver of Participation

- A guardian or student may request a waiver of participation in any curricular or school activity or program which is believed to be an infringement upon a right of conscience or the exercise of religious freedom.
- If a minor student requests a waiver, the guardian(s) shall be contacted, and the guardian's wishes shall prevail.
- Requests for a waiver of participation shall be in writing and given to the Academy's Administration.
- Requests may suggest alternatives for achieving the educational objective.

Administrative Responsibility for Requests

- Administration shall review waiver requests for compliance with Utah Administrative Rule and State and Federal Laws.
- Administration may provide alternate means of achieving the educational objective. The alternative shall not be unreasonably burdensome.
- Administration shall notify guardians and students of the decision for the waiver within 10 school days of receiving the request.
- Administration shall review any program or activity that receives repeated requests for waivers to determine if the educational objective may be achieved by other means.

Waiver Request Denial

Administration may deny the request if:

- Participation is the least restrictive means to achieve the identified educational objective.
- If the request is found to be without the parameters of Utah Administrative Rule and/or State and Federal Law.

Guardians and students have the right to appeal a request denial to the OPA School Board. Appeal requests should be made in writing to the current Board President. Student participation in the program or activity shall be suspended until the Appeal has been resolved.

Document History

Approved: 03/21/2019 Creation in compliance with State regulation.

Legal References

R277-105

UCA 53A-13-101

UC 53G-10-203

US Constitution, 1st Amendment

Utah Constitution