



ADMINISTRATIVE PROCEDURE STUDENTS, PARENTS AND COMMUNITY	
Effective:	February 2019
Last Revised:	December 2018

EQUITY AND INCLUSION: RELIGIOUS / SPIRITUAL ACCOMMODATION

1. PURPOSE

The Rainbow District School Board acknowledges and respects each individual's right to follow or not to follow religious/spiritual beliefs and practices, free from discriminatory or harassing behaviour and is committed to taking all reasonable steps to provide religious accommodations to students and staff.

Freedom of religion is an individual right and a collective responsibility. The board commits to work with the community it serves to foster an inclusive learning environment that promotes acceptance and protects religious freedom for all individuals. The board recognizes and values the religious diversity within its community and is committed to providing a safe, respectful and equitable environment for all.

While the board and its staff will take all reasonable steps to ensure freedom of religion and religious practices consistent with the *Ontario Human Rights Code*, it is expected that students and their families will help the board to understand their religious needs and will work with the board and its schools to determine appropriate and reasonable accommodations.

2. DEFINITIONS

Accommodation: The Ontario Human Rights Commission's Policy on Creed and the Accommodation of Religious Observances defines "accommodation" as a duty corresponding to the right to be free from discrimination. The duty arises when a person's religious beliefs conflict with a requirement, qualification, or practice. Accommodation may modify a rule or make an exception to all or part of it for the person requesting accommodation.

Undue Hardship: Accommodation will be made to the point of undue hardship as defined by the Ontario Human Rights Commission. A determination regarding undue hardship will be based on an assessment of costs, outside sources of funding, and health and safety. It will be based on objective evidence.

3. APPLICATION

This administrative procedure applies to students and staff members.

PROCEDURES

4. Religious/Spiritual Accommodation

- 4.1 The Rainbow District School Board will take all reasonable steps to provide accommodation to individual members of a religious group to facilitate their religious beliefs and practices.
- 4.2 The board will base its decision to accommodate by applying the *Ontario Human Rights Code* criteria of undue hardship with the board's ability to fulfill its duties under the *Education Act*.

5. Students/Parents

- 5.1 Parents should complete the Religious Accommodation Request Form specifying accommodation needs for their child/children relating to religious observances, including holy days on which they will be absent from school.
- 5.2 This notice should be made enough in advance (preferably at the beginning of each school year) to ensure that scheduling of major evaluations, such as tests, assignments or examinations, takes the religious observances into consideration. If a conflict arises between an evaluation and a religious observance, accommodations will be made.

6. The Staff

- 6.1 The person requesting accommodation should advise the administration enough in advance, preferably at the beginning of the school year, to the extent possible. If September notice is not feasible, the person should make the request as early as possible.
- 6.2 The absence of employees due to religious observances should be granted as determined by this administrative procedure and the appropriate collective agreement.

7. General Procedures for Religious Accommodation

- 7.1 Areas where the practice of religion/spirituality may result in a request for accommodation on the part of the school and/or board may include the following:

- 7.1.1 Observation of major religious/spiritual days and celebrations

All staff members and students who observe religious holidays may be excused from attendance, subject to the process for request for religious leave. The board will encourage members of different faith-based groups to identify their religious holy days enough in advance, preferably at the beginning of each school year. To the extent possible, conferences, workshops, co-curricular activities, and exams will not be scheduled on these significant faith days.

- 7.1.2 School opening and/or closing exercises

The Ontario Ministry of Education Policy/Program Memorandum No.108 states that if a student or parent/guardian objects to all or part of the opening or closing exercises due

to religious beliefs, the student will be exempted and given the option not to participate and to remain in class or in an agreed upon location through the duration of the exercise.

7.1.3 Prayer

Schools will make reasonable efforts to accommodate individuals' requirement for daily prayer by providing an appropriate location within the building for students and staff to participate in prayer. This may mean a quiet room or space in the library, an empty room, or wherever it is mutually satisfactory for the school and the student or staff member requesting the accommodation. Particular accommodation for prayer may include late school arrival, early school leaving or seasonal adjustment. Adult presence should be for supervision purposes only.

7.1.4 Diet

The board is sensitive to the different dietary restrictions of various religious groups. Such sensitivity includes attending to issues related to the menus provided by catering companies, snacks in elementary schools, and food provided within schools, at school-sponsored activities and community events.

Breakfast and lunch programs in both secondary and elementary schools will consider relevant dietary restrictions in their menu planning. Availability of vegetarian options is recommended as a form of inclusive design. Special attention needs to be given to overnight outdoor education/co-curricular activities, as well as field trips that extend over a mealtime period.

7.1.5 Fasting

The board is sensitive to religious periods of fasting. Schools will endeavour to provide appropriate space, other than cafeterias or lunchrooms, for individuals who are fasting in religious observance. The board recognizes that students who are fasting may need exemptions from certain physical education classes, and schools will make reasonable efforts to provide appropriate accommodations.

7.1.6 Attire

Appropriate dress procedures are established by the board, and will take into account common religious needs that may exist. The staff recognizes the need to reasonably accommodate students with regard to religious attire that is a requirement of religious observation, while ensuring student health and safety.

7.1.7 Modesty requirements in physical education

Special attention must be given to accommodations necessary for a student to participate in physical education and school organized sports. This can become a matter of concern when students are asked to wear the clothing used in physical education activities. Such policies should be designed inclusively, taking into account common religious needs that may exist.

7.1.8 Participation in daily activities and curriculum

The board will seek to reasonably accommodate students where there is a demonstrated conflict between a specific class or curriculum and a religious requirement or observance. Where academic accommodation is requested, the school should have an informed discussion with the student's parents/guardians to understand the nature and extent of the conflict.

Staff members will make it clear during the discussion that their role is to protect students from harassment and discrimination because of their religion and cultural practices. Where these conflict with the school routines and activities or curriculum, the school should consider accommodation. It cannot, however, accommodate religious values and beliefs that clearly conflict with mandated Ministry of Education policies and/or board policies and procedures.

It is important to note that when an individual requests an accommodation related to the curriculum, the accommodation applies to the individual in question and not to the whole class or to classroom practices in general.

The Ministry of Education recommends substitutions when there are exemptions requested related to specific curriculum (e.g., Ontario Secondary Schools, Grades 9-12, Program and Diploma Requirements). These issues can usually be resolved by an open discussion between the teacher, the student and his/her family.

Teachers should take opportunities to raise awareness of the diversity of cultures within our schools.

8. Staff Use of Personal Days

8.1 Board employees may request the use of a personal day(s) (if applicable) for the purpose of observation of major religious/spiritual celebrations.

8.2 Personal days in excess of three days would be a request for a leave without pay.

9. Limitations to Religious Accommodation

9.1 The Rainbow District School Board is committed to preventing and eradicating within its school community discrimination and harassment based on enumerated grounds set out in the *Ontario Human Rights Code*, including creed (religion). The board supports freedom of religion and an individual's right to manifest his/her religious beliefs and observances. The right to freedom of religion, however, is not absolute.

9.2 The board will limit practices or behaviour in its schools which may put public safety, health, or the human rights and freedoms of others at risk. As well, the board will limit practices or behaviours in its schools that are in violation of board policies and procedures. These decisions will be made in accordance with the principles of the *Code*.

REFERENCE DOCUMENTS

Legal:

Canadian Charter of Rights and Freedoms
Ontario Human Rights Code
Ontario Human Rights Commission—Policy on Creed and the Accommodation of Religious Observances
Ontario Occupational Health and Safety Act
Education Act, para. 8(1) 29.1 Equity and Inclusive Education
Education Act, Section 21(2) (g) Absence Excused for Holy Days
Education Act, Section 169.1 Positive School Climate
Ontario Regulation 298, Sections 27-29 Religion in Schools
PPM No.108 Opening or Closing Exercises in Public Elementary and Secondary Schools
PPM No.119 Developing and Implementing Equity and Inclusive Education Policies 2013
PPM No. 128 The Provincial Code of Conduct and School Board Codes of Conduct
Ontario Ministry of Education *Equity and Inclusive Education in Ontario Schools: Guidelines for Policy Development and Implementation. 2009*
Ontario Ministry of Education *Realizing the Promise of Diversity: Ontario's Equity and Inclusive Education Strategy 2009*
Ontario's Education, Equity Action Plan

Board:

Board Policy No. GOV-01 Vision, Mission, and Values
Board Policy No. GOV-11 Learning and Working Environment: Equity and Inclusive Education
Board Policy No. GOV-12 Learning and Working Environment: Safe Schools
Strategic Directions for Rainbow Schools
Rainbow District School Board Code of Conduct
Administrative Procedure Equity and Inclusive Education