AVON MAITLAND DISTRICT SCHOOL BOARD
ADMINISTRATIVE PROCEDURE
NO. 142

SUBJECT: **RELIGIOUS ACCOMMODATION**

Legal References: *The Canadian Charter of Rights and Freedoms (Section 15); The Ontario Human Rights Code; Education Act; PPM No 108, "Opening or Closing Exercises in Public Elementary and Secondary Schools", PPM No. 119, "Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools"; R.R.O. 1990, Ontario Regulation 298, "Operation of School-General" s 27-29, under the heading "Religion in Schools";*

Related References: *AP 138 Positive Workplace Environment; AP 351 Code of Conduct; AP 352 Promoting Positive Student Behaviour; AP 400 Recruitment, Hiring and Selection of Staff; AP 421 Staff Development*

1. Background

Staff of the Avon Maitland District School Board recognizes and values the religious diversity within its community and is committed to providing a safe, respectful and equitable environment for all, free from all forms of discriminatory or harassing behaviours based on religion.

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. While the board and its staff will take all reasonable steps to ensure freedom of religion and religious practices consistent with the *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. Definition of Creed

Creed is interpreted by the Ontario Human Rights Commission's 1996 Policy on Creed and the Accommodation of Religious Observances as "religious creed" or "religion." It is defined as a professed system and confession of faith, including both beliefs and observances of worship.

The existence of religious beliefs and practices are both necessary and sufficient to the meaning of creed, if the beliefs and practices are sincerely held and/or observed.

According to the Ontario Human Rights Commission, every person has the right to be free from discrimination or harassing behaviour that is based on religion or which arises because the person who is the target of the behaviour does not share the same faith. Atheists and agnostics are also protected under the Human Rights Code.

Creed does not include secular, moral, or ethical beliefs or political convictions. This policy does not extend to religions that incite hatred or violence against other individuals or groups, or to practices and observances that purport to have a religious basis, but which contravene international human rights standards or criminal law (Policy on Creed and the Accommodation of Religious Observances, Ontario Human Rights Commission, October 20, 1996, pg. 2).

3. Absence for Religious Holy Days

The board is committed to affirm and value equally the faith diversity in our schools. Section 21(2) (g) of the Education Act provides that a student is excused from school attendance in observance of a "holy day by the church or religious denomination to which he/she belongs." This requirement will be interpreted in accordance with the Human Rights Code. All staff who observe religious holidays in accordance with section 21(2) (g) of the Education Act may be excused from attendance, in accordance with the board's policy on religious leaves. The board will encourage members of different faith-based groups to identify their religious holy days at the beginning of each school year. The board will make reasonable efforts to acknowledge the different observances of their community when planning programs and events, such as board-wide tests and examinations. To the extent possible, conferences, meetings, workshops, co-curricular activities and exams/tests, will not be scheduled on significant faith days.

4. Prayer

All Avon Maitland 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.

5. Religious Dress

"Dress Code" is the appropriate dress policy established by a school, and may include a school uniform. Such policies should be designed inclusively, taking into account common religious needs that may exist.

6. 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. The school should make it clear during the discussion that its role is to protect students and staff 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 and board policies.

7. Limitations to Religious Accommodation

The board is committed to preventing and eradicating within its school community discrimination and harassment based on enumerated grounds set out in the Human Rights Code, including creed. 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. 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 other board policies. These decisions will be made in accordance with the principles of the Human Rights Code.