



**DISTRICT SCHOOL BOARD
ONTARIO NORTH EAST**

Policy No. 1.2.23

Section: System Policies and Procedures

Related References: *Ontario Ministry of Education Policy/Program Memorandum No. 119 (2009)*
Canadian Charter of Rights and Freedoms, the Constitution Act, 1982
Ontario Human Rights Code

Appendices: A

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Review Date:

TITLE: EQUITY AND INCLUSIVE EDUCATION POLICY

Rationale:

District School Board Ontario North East (the Board) upholds the principles of respect for human rights and fundamental freedoms enshrined in the *Canadian Charter of Rights and Freedoms, the Constitution Act, 1982* and confirmed in the *Ontario Human Rights Code* (the Code). The Board and its staff are also committed to the elimination of all types of discrimination as outlined in *Ontario's Equity and Inclusive Education Strategy (The Strategy)* and the Policy/Program Memorandum No. 119.

District School Board Ontario North East is committed to ensuring all students reach their full potential through leadership rooted in inclusion, innovation and collaboration.

District School Board Ontario North East acknowledges that groups in our communities face systemic and individual biases that may be related to race, colour, culture, ethnicity, linguistic origin, disability, socio-economic class, age, ancestry, nationality, place of origin, religion, faith, sex, gender identity, gender expression, sexual orientation, family status, and/or marital status. District School Board Ontario North East also recognizes the unique biases faced by First Nations, Métis, and Inuit communities.

District School Board Ontario North East recognizes that equity of opportunity and equity of access to the full range of programs, the delivery of services, and resources are critical to successful educational and social outcomes for all. To this end, the Board is committed to fairness, equity, and inclusive education as essential principles of the system. All Board policies, programs, operations, and practices will reflect these values.

District School Board Ontario North East values the contributions of diverse community members in strengthening educational opportunities for all students and ensuring a respectful, supportive, and welcoming learning and working environment for all students and employees.

DEFINITIONS:

The Ministry of Education and District School Board Ontario North East recognize the following definitions for the purposes of this policy:

Diversity: The presence of a wide range of human qualities and attributes within a group, organization, or society. The dimensions of diversity include, but are not limited to, ancestry, culture,

ethnicity, gender expression, gender identity, language, physical and intellectual ability, race, religion, sex, sexual orientation, and socio-economic status.

Equity: A condition or state of fair, inclusive, and respectful treatment of all people. Equity does not mean treating people the same without regard for individual differences.

Inclusive Education: Education that is based on the principles of acceptance and inclusion of all students. Students see themselves reflected in their curriculum, their physical surroundings, and the broader environment, in which diversity is honoured and all individuals are respected.

POLICY:

District School Board Ontario North East regards the following eight areas of focus as important in an equitable and inclusive education environment.

1. BOARD POLICIES, PROGRAMS, GUIDELINES AND PRACTICES

District School Board Ontario North East is committed to incorporating the principles of equity and inclusive education into all aspects of its operations, structures, policies, programs, procedures, guidelines, and practices. The Board is committed to the removal of systemic barriers to improve student learning, close achievement gaps, and to ensure equitable opportunities for students and staff.

2. SHARED AND COMMITTED LEADERSHIP

District School Board Ontario North East shall provide informed and committed leadership at all levels by assisting administrators, teachers, support staff, student leaders, trustees, and educational partners to develop the knowledge, skills, attitudes and behaviours required to implement this policy. District School Board Ontario North East is committed to building the capacity within leaders to improve student achievement and to close achievement gaps for students by identifying, addressing, removing, and preventing all forms of discrimination. District School Board Ontario North East will identify a contact person to liaise with the ministry and other boards to share challenges, informed practices, and resources.

3. SCHOOL-COMMUNITY RELATIONSHIPS

District School Board Ontario North East is committed to developing new relationships and building upon existing partnerships with diverse communities so that the perspectives and experiences of all students are acknowledged and valued. The Board recognizes that effective school-community partnerships enable representation and active participation from diverse communities and ensure the inclusion of many perspectives and experiences to enhance educational opportunities and equitable decision making.

4. INCLUSIVE CURRICULUM AND ASSESSMENT PRACTICES

District School Board Ontario North East is committed to implementing an inclusive curriculum through the development and review of resources, delivery of instruction, and assessment and evaluation practices, in order to identify and address discriminatory biases so that students may maximize their learning. Staff will align their practices to recognize and support students with diverse backgrounds and differing abilities.

5. RELIGIOUS ACCOMMODATION

District School Board Ontario North East acknowledges each individual's right to follow or not to follow religious and/or spiritual beliefs and practices free from discriminatory or harassing behaviour and is committed to taking all reasonable steps to provide religious and faith-based accommodations to staff and students.

6. SCHOOL CLIMATE AND THE PREVENTION OF DISCRIMINATION AND HARASSMENT

District School Board Ontario North East is committed to the principle that every person within the school community is entitled to a respectful, positive, and inclusive working and learning environment, free from all forms of discrimination and harassment.

7. PROFESSIONAL LEARNING

District School Board Ontario North East is committed to providing administrators, staff, students and other members of the school community with opportunities to acquire the knowledge, skills, attitudes, and behaviour needed to identify and eliminate discriminatory biases and systemic barriers under the *Code*.

8. ACCOUNTABILITY AND TRANSPARENCY

Through regular review of Board and School Improvement Plans, Strategic Plans, and the Equity and Inclusive Education policy, District School Board Ontario North East is committed to assess and monitor the Board's progress in implementing The *Strategy* and embedding the principles into all Board policies, programs, guidelines and practices. The Equity and Inclusive Education policy will be communicated to the community through the Board's website.

PROCEDURES

These procedures will fulfill the requirements of the Ministry to include an Implementation Plan associated with the Equity and Inclusive Education Policy. All action items, at both the Board and School levels, will be implemented to the best of our ability, in good faith and with good intention.

1. BOARD POLICIES, PROGRAMS, GUIDELINES AND PRACTICES

At the Board level

- 1.1. Establish the foundational framework that will inform the review and/or development and implementation of a comprehensive equity and inclusive education policy that recognizes and addresses biases related to race, colour, culture, ethnicity, linguistic origin, disability, socio-economic class, age, ancestry, nationality, place of origin, religion, faith, sex, gender identity, gender expression, sexual orientation, family status, and/or marital status.
- 1.2. Review existing equity and inclusive education policies and/or extend or develop such policies to fulfill the requirements of existing regulations, the *Strategy*, Policy/Program Memorandum No. 119, and the *Code*.
- 1.3. Ensure that principles of equity and inclusive education permeate all Board policies, programs, guidelines, operations, practices, and Board improvement plans.
- 1.4. Ensure all future policies, guidelines and practices are drafted and implemented in accordance with the Board's equity and inclusive education policy.
- 1.5. Collect information needed to monitor the effects of the implementation of the Equity and Inclusion Education policy by the Board.
- 1.6. Ensure persons with disabilities are accommodated appropriately and in a manner consistent with the *Code*.
- 1.7. Provide training for school leaders and hiring managers to facilitate equitable recruitment and hiring practices to reflect Ontario's diverse society
- 1.8. Provide opportunities for the diverse school community, including students, staff, parents, trustees and community members, to provide active input into Board policies and improvement plans on an ongoing basis.
- 1.9. Investigate in a thorough and timely manner any claims of discrimination and/or racism and take appropriate action, consistent with the principles of the *Code*.

At the School level

- 1.10. Review existing school policies, for example, codes of conduct and discipline procedures, to determine that they include the principles of equity and inclusive education.
- 1.11. Extend, develop, and implement strategies to actively engage students, parents, families, and the wider community in the review, development, and implementation of initiatives to support and promote equity and inclusive education.
- 1.12. Implement Board equity and inclusive education policies, programs and school improvement plans that are consistent with the *Code and* reflect the needs of their diverse students and school communities.

2. SHARED AND COMMITTED LEADERSHIP

At the Board level

- 2.1. Develop a system plan to build and sustain staff capacity in the areas of equity and inclusive education in curriculum and instruction, human resources and governance.
- 2.2. Provide ongoing education and training for students, administrators, teachers, support staff and trustees in implementing equity and inclusive education and leadership initiatives.
- 2.3. Establish selection criteria for leadership positions that prioritize demonstrated commitment, knowledge and skills related to equity and inclusive education implementation and inclusive leadership, and cognizance of *Code* compliance.
- 2.4. Provide ongoing training for all staff that reflects comprehensive attention to the principles of human rights and their fundamental role in an equitable and inclusive environment.
- 2.5. Strive to include members of communities that are underserved and /or marginalized in the shared leadership.

At the School level

- 2.6. Establish a collaborative culture to develop and implement equity and inclusive education goals.
- 2.7. Provide opportunities for student leadership related to equity and inclusivity.

3. SCHOOL-COMMUNITY RELATIONSHIPS

At the Board level

- 3.1. Review and/or initiate tools (e.g., school climate surveys) to determine stakeholders' views on school environments and act upon relevant next steps.
- 3.2. Review and /or deepen existing community partnerships to reflect the diversity of the community and the principles of equity and inclusive education.
- 3.3. Expand community outreach efforts to foster new partnerships that engage a cross-section of diverse students, parents, staff, community members and various community organizations, including business groups, to foster and support an inclusive environment.
- 3.4. Address systemic barriers that limit or prevent all sectors of the school community from opportunities to access Board representation and be involved in Board activity.

At the School level

- 3.5. Review existing community partnerships and make every effort to ensure that they reflect the diversity of the broader community.
- 3.6. Invite and support representation of diverse groups on school committees (e.g. Safe Schools Committee, Parent Advisory Council).

4. INCLUSIVE CURRICULUM AND ASSESSMENT PRACTICES

At the Board level

- 4.1. Review student assessment and evaluation policies and practices to identify and address bias that may exist in the way student work is assessed and evaluated in order to reduce the achievement gap.

- 4.2. Support the schools' review of classroom strategies that promote school-wide equity and inclusive education policies and practices.

At the School level

- 4.3. Review student assessment and evaluation policies and practices to identify and address systemic bias that may exist in the way students' work is assessed and evaluated.
 - 4.3.1. Provide for assessment and evaluation to support growth and learning with the belief that all students can achieve and be successful given the appropriate time and support. Such assessment and evaluation shall follow the guidelines outlined in *Growing Success, Learning for All*, and the *Ontario Curriculum for English Language Learners*.
- 4.4. Review and reflect upon classroom practices and revise them as needed to help ensure that they are aligned with school-wide equity and inclusive education policies.
- 4.5. Ensure resources and instructional strategies are respectful and inclusive (e.g. show people of different races, genders, and ages in non-stereotypical settings, occupations, and activities; explore the roles and contributions of all peoples in Canada, and the factors that shaped these roles; encourage open discussion of the prohibited grounds of discrimination under the *Code* (e.g., race, gender, disability, faith, sexual orientation) in society, the community, and the school).

5. RELIGIOUS ACCOMMODATION - SEE ALSO APPENDIX A

At the Board level

- 5.1. Review and revise existing religious accommodation guidelines on a regular basis, and communicate these guidelines to the school community.

At the School level

- 5.2. Implement religious accommodation practices to align with the Board's religious accommodation guideline.

6. SCHOOL CLIMATE AND THE PREVENTION OF DISCRIMINATION AND HARASSMENT

At the Board level

- 6.1. Implement strategies to identify and remove discriminatory barriers that limit engagement by students, parents, and the community, so that diverse groups and the broader community have access to Board-level representation and initiatives.
- 6.2. Comply with procedures in place (Safe Schools: Progressive Discipline Policy 2.1.15) that will enable students and staff to report incidents of discrimination and harassment safely and that will also enable Boards to respond in a timely and effective manner as required in PPM 145 (2009) Progressive Discipline and Promoting positive student behaviour.
- 6.3. Promote positive behaviour through initiating or strengthening proactive programs to reduce suspensions and expulsions and as required by PPM 144 (2009) Bullying Prevention and Intervention.

At the School level

- 6.4. Review and revise codes of conduct in consultation with students, staff, and parents, to address any evidence of racism or discrimination.

- 6.5. Use Progressive Discipline practices, which may include peer mediation and restorative justice.

7. PROFESSIONAL LEARNING

At the Board level

- 7.1. Support classroom strategies that promote school-wide equity and inclusive education policies and practices.
- 7.2. Provide ongoing opportunities for students, administrators, teachers, support staff, and trustees to participate in equity and inclusive education training and leadership initiatives.

At the School level

- 7.3. Review and revise classroom strategies to ensure they align with and reflect equity and inclusive education policies.
- 7.4. Promote collaboration among staff to select and implement informed practices in equity and inclusive education.
- 7.5. Build staff capacity through ongoing professional learning that is based on needs determined through results-oriented and evidence-based research.
- 7.6. Encourage and support students in their efforts to promote equity and inclusivity.
- 7.7. Undertake initiatives which promote a welcoming and respectful school environment and provide timely and specific feedback that will further school-wide equitable practices.

8. ACCOUNTABILITY AND TRANSPARENCY

At the Board level

- 8.1. Include the principles of equity and inclusive education into Board policies, programs, guidelines, and practices.
- 8.2. Share the equity and inclusive education policy with students, teachers, parents, staff, school councils, community partners, and volunteers and provide opportunities for feedback through the Board's public website.
- 8.3. Engage Board and school teams in school improvement planning with particular emphasis on identifying and removing barriers to student achievement.
- 8.4. Report on the progress of implementation of *The Strategy* and its impact on student achievement using specific criteria to the Ministry of Education (e.g. achievement of First Nation, Métis, and Inuit students).

At the School level

- 8.5. Review student contextual and achievement data annually and intervene at all levels to support the achievement and success of all students.
- 8.6. Develop and communicate evidence-based school improvement plans that are aligned with *The Equity and Inclusive Education Strategy*.
- 8.7. Review and reflect on the effectiveness of the school's equity and inclusive education plans and procedures and take action to improve in areas that are not meeting the needs of students, particularly those who are at-risk.

RELIGIOUS AND FAITH-BASED ACCOMMODATION OF STUDENTS

INTRODUCTION

District School Board Ontario North East (the Board) recognizes and values the diverse religions and faiths observed by members within its communities and is committed to providing a safe, respectful and equitable environment for all, free from all forms of discriminatory or harassing behaviours.

District School Board Ontario North East acknowledges each individual's right to follow or not follow religious and/or spiritual beliefs and practices and is committed to taking all reasonable steps to provide religious and faith-based accommodation to students as outlined within board policy.

Freedom of religion is an individual right and a collective responsibility. As outlined in the Ontario Human Rights Commission's Policy on Creed and the Accommodation of Religious Observances, the Board commits to work with the communities 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 Ontario Human Rights Code* (the *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.

I. LEGISLATIVE AND POLICY CONTEXT

All school boards exist within a broader context of law and public policy that protect and defend human rights. At the Board, a number of policy statements have been developed that reinforce both federal and provincial legislation, and also help ensure that the freedoms they set out are protected within the school system. The following policy statements and legislation are referenced throughout the Religious and Faith-Based Accommodation of Students:

- *The Canadian Charter of Rights and Freedoms* (Section 15)
- *The Ontario Human Rights Code*
- Ontario Human Rights Commission's *Guidelines on Developing Human Rights Policies and Procedures*
- Ontario Human Rights Commission's Policy on Creed and the Accommodation of Religious Observances
- Ontario Ministry of Education's *Equity Strategy*
- *The Education Act, section 21 (2)(g)*
- PPM No 108, "Opening or Closing Exercises in Public Elementary and Secondary Schools"
- R.R.O. 1990, Regulation 298, "Operation of School-General" s 27-29, under the heading "Religion in Schools"
- PPM No. 119, "Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools"

II. DEFINITIONS

1. Accommodation

The Ontario Human Rights Commission's Policy on Creed and the Accommodation of Religious Observances define "accommodation" as a duty corresponding to the right to be free from discrimination:

The Code provides the right to be free from discrimination, and there is a general corresponding duty to protect the right: the "duty to accommodate." 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.

(Policy on Creed and the Accommodation of Religious Observances, Ontario Human Rights Commission, October 20, 1996, pg. 5)

2. 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. Religion is broadly accepted by the OHRC to include, for example, a non-deistic body of faith such as the spiritual faiths and/or practices of Aboriginal Cultures.

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 *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. Undue Hardship

Accommodation will be provided to the point of undue hardship, as defined by the OHRC (for example, in the *Policy and Guidelines on Disability and the Duty to Accommodate*). 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. For more information about the evidence needed to prove undue hardship, see *Human Rights at Work*, p. 133-134 and Appendix E.

A determination that an accommodation will create undue hardship carries with it significant liability for the Board. It should be made only with the approval of the Board of Trustees.

Where a determination is made that an accommodation would create undue hardship, the person requesting accommodation will be given written notice, including the reasons for the decision and the objective evidence relied upon. The person requesting the accommodation shall be informed of his or her recourse under the Board's Equity and Inclusive Education Policy and under the Ontario *Human Rights Code*.

Where a determination has been made that an accommodation would cause undue hardship, the Board will proceed to implement the next best requested accommodation short of undue hardship, or will consider phasing in the requested accommodation.

III. ACCOMMODATION GUIDELINES

The purpose of this guideline is to ensure that all Board staff, students, parents and other members of the school community are aware of their rights and responsibilities under the *Code* with respect to religious accommodation of students and their families. It also sets out the Board's procedures for accommodation and the responsibilities of each of the parties within the accommodation process. In accordance with the *Equity Strategy*, the *Code* and OHRC's *Guidelines on Developing Human Rights Policies and Procedures*, it is intended that the accommodation process, as well as the accommodation itself, be effective and respectful of the dignity of the person seeking the accommodation.

The Board is committed to providing an environment that is respectful, inclusive and free of barriers based on creed (religion). Accommodation will be provided in accordance with the principles of dignity, individualization, and inclusion. The Board will work cooperatively, and in a spirit of respect, with all partners in the accommodation process.

School administrators will endeavour to recognize significant holy days or observances when developing the school calendar of events for the upcoming year. The Board website (Parent and Student Resources tab) will include information about the procedure for requesting an accommodation for religious or faith-based needs. Such information should be easy for staff, students, and parents to understand.

District School Board Ontario North East will provide assistance to schools in their work with students and their families.

1. Accommodation Based on Request

The Board's school administrators will take all reasonable steps to provide accommodation to students and staff to facilitate their religious or faith-based beliefs and practices. All accommodation requests will be considered respectfully.

If concerns related to beliefs and practices arise in schools, collaboration among the school, student, family, and religious community may be needed in order to develop appropriate accommodation. It is the role of the Board and its staff to ensure equity and respect for the diverse religious beliefs and practices of students and their families and other staff in the school system.

School administrators will ensure a climate of respect for religious and spiritual diversity but should not be placed in the position of monitoring a child's compliance with a religious obligation, and enforcing such practices.

2. General Procedures for Religious and Faith-based Accommodation

Staff

The person requesting accommodation should advise the administration 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.

The absence of employees due to religious observances should be granted as determined by this policy and the appropriate collective agreement.

Students

A parent/guardian or student (18 years of age or older) must present verbal or written notice specifying the request for religious or faith-based accommodation, including holy days on which they will be absent from school. 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 accommodations into consideration.

3. Unresolved Requests

The Board will take reasonable and timely steps to address the request for an accommodation. Students and their families who feel that their accommodation needs remain unmet, may seek recourse through the appropriate Superintendent of Schools.

IV. GENERAL GUIDELINES AND PROCEDURES

AREAS OF ACCOMMODATION

For many students and staff of the Board, there are a number of areas where the practice of their religion or faith will result in a request for accommodation on the part of the school and/or the Board. These areas include, but are not limited to the following:

1. School Opening and Closing Ceremonies

Pursuant to the Ontario Ministry of Education Policy/Program Memorandum No. 108 ("Memorandum No. 108"), 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 accommodated. This may include the option to not participate and to remain in class or in an agreed upon location through the duration of the exercise.

Memorandum No. 108 states the following:

1. All public elementary and secondary schools in Ontario must be opened or closed each day with the national anthem. "God Save the Queen" may be included.
2. The inclusion of any content beyond "O Canada" in opening or closing exercises is to be optional for public school boards.
3. Where public school boards resolve to include, in the opening or closing exercises in their schools, anything in addition to the content set out in item 1 above, it must be composed of either or both of the following:
 - a. One or more readings that impart social, moral, or spiritual values and that are representative of our multicultural society. Readings may be chosen from both scriptural writings, including prayers, and secular writings;
 - b. A period of silence.
4. Parents/guardians who object to part or all of the exercises may make a request to the principal to have their child(ren) exempted. Students who are 18 years of age or older may make a request for such an accommodation directly to the principal.

2. Absence for Religious Holy Days

The Board is committed to affirm and value equally the faith diversity in our schools.

All students who observe religious holy days in accordance with the *Education Act* section 21(2)(g) may be excused from school attendance. A schedule of recognized "G" days is available upon request.

(A multi-faith calendar, showing significant holy days, will be provided on a yearly basis to help schools make appropriate accommodations.)

Guidelines for Administrators

In accordance with their rights, all staff and students who request to observe a religious holy day should be allowed this right without having to undergo any unnecessary hardship.

Staff requesting a leave should advise the school administration at, or as close as possible to, the beginning of the school year and leave should be granted in accordance with the terms of the appropriate collective agreement.

A parent/guardian (or student, 18 years of age or older) requesting a leave must present verbal or written notice to the principal prior to the absence. Information about absences for holy days should be shared with teachers so that accommodations for assignments and assessments can be made around these absences.

Unresolved Requests

a. Employee

In the event that, after an employee's consultation with the school administration and the Superintendent of Schools, unresolved issues remain, then the matter will be referred to the Senior Manager of Human Resources.

b. Students

In the event that a student maintains that his or her rights under the Board's religious accommodation policy have been compromised, then the matter will be referred to the appropriate Superintendent of Schools.

3. Prayer

The Board recognizes the significance of prayer in religious practice. 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, or for storage of items. This may mean a quiet 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. An agreement regarding supervision must be made through discussion between the parent/guardian of the student requesting the accommodation and the school.

4. Smudging

District School Board Ontario North East recognizes that the inclusion of First Nations, Métis, and Inuit (FNMI) cultures and practices in our schools play a powerful role in supporting and engaging FNMI students and their families, as well as educating all students about FNMI cultural beliefs and practices. Smudging is a common practice among many FNMI people, and therefore, whenever possible, it is important for schools to accommodate FNMI students and/or visiting Elders or cultural teachers who wish to conduct this healing practice.

Smudging is the burning of tobacco and other sacred medicines such as sweet grass, cedar, and sage and is meant to purify, cleanse, and protect physical, emotional, and spiritual spaces and create harmony and balance.

Generally, only a small amount of medicine is burned, which does not affect alarms. Review the location of fire alarms and smoke detectors with the custodian. It is also practice to notify all staff in the building of the smudging in case there are extreme allergies. In some cases, it may not be

practical for the smudging to take place inside and accommodations should be made to find a suitable and mutually agreeable alternate location.

An agreement regarding supervision must be made through discussion between the parent/guardian of the student requesting the accommodation and the school.

5. Dietary Restrictions

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 dietary needs for overnight outdoor education activities, as well as field trips that extend over a mealtime period.

6. Fasting

The Board is sensitive to religious periods of fasting. Based on particular requests, schools will endeavour to provide appropriate space, away from students who are eating, for individuals who are fasting in religious observance. Schools must recognize that students who are fasting may need exemptions from certain physical activities and should make reasonable efforts to provide appropriate accommodations.

7. 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.

The Board recognizes that there are certain religious communities that require specific items of ceremonial dress. The Board understands that some religious attire, which is a requirement of religious observance, may not conform to a school's Dress Code. Schools will reasonably accommodate students with regard to religious attire. Religious attire is not cultural dress; it is a requirement of religious observation.

Religious attire that should be reasonably accommodated in Board schools includes, but is not limited to:

- Head covers: Yarmulkes, turbans, Rastafarian headdress, hijabs
- Crucifixes, Stars of David, etc.
- Items of ceremonial dress

Where uniforms are worn, administrators may ask the student to wear religious attire in the same colour as the uniform (e.g. the head scarves for females); however, there may be religious requirements of colour that cannot be modified.

Special attention must be given to accommodations necessary for a student to participate in physical education and school organized sports.

The Board seeks to foster an atmosphere of cultural understanding in order to be proactive in addressing potential harassment about religious attire. Schools should be aware that harassment about religious attire is a common type of harassment and bullying. The Board and its schools will not tolerate any negative comments directed at, or inappropriate actions taken against, an

individual's religious attire and there will be appropriate consequences for individuals who violate this rule.

There are religious communities that require specific items of ceremonial dress which may be commonly perceived as contravening Board policies, for example the use of the Kirpan by Khalsa Sikh students. For specific guidelines on the accommodation of Khalsa Sikh students wishing to carry a Kirpan, please see Schedule "A."

8. Modesty Requirements for Dress in Physical Education Classes

The Board recognizes that some religious communities observe strict modesty attire in respect of their religion. This can become a matter of concern when students are asked to wear the clothing used in physical education activities. School dress code policies should take into account common religious needs that may exist as well as safety requirements for students.

If a family has concerns that remain unaddressed, the school should discuss the modesty requirements with them and provide reasonable accommodations, taking into consideration the Ministry of Education's mandated expectations (OPHEA Safety Guidelines) in the physical education curriculum. The physical education curriculum should be respectfully explained to the family in order to provide sufficient information for informed discussion.

9. Participation in Daily Activities and Curriculum

The Board will seek to reasonably accommodate students where there is a demonstrated conflict between policy, 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 parent(s)/guardian(s) 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 religious and/or spiritual beliefs and/or 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.

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 (Ontario Secondary Schools, Grades 9-12, Program and Diploma Requirements).

In general, the Board recommends an informed, collaborative approach to questions of religion and curriculum. These concerns can be addressed through open discussion between the school, the student and the family.

V. LIMITATIONS TO RELIGIOUS ACCOMMODATION

The Board is committed to preventing and/or eliminating discrimination and harassment within its school community based on grounds set out in the *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 not condone 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 *Code*.

GUIDELINE FOR KIRPAN ACCOMMODATION

A Kirpan is a ceremonial sword that must be worn by all baptised Khalsa Sikhs. The Board seeks to accommodate Khalsa Sikhs who wear a kirpan under the following conditions as follows:

- At the beginning of the school year or upon registration, the student and parents/guardians must report to their respective school administration that they are Khalsa Sikhs and wear the five articles of faith, including a Kirpan.
- The principal, in consultation with the student and his/her parents/guardians will develop appropriate accommodations to allow the student to wear the Kirpan while ensuring the safety of others. These may include the following conditions
 - The Kirpan is six inches or less in length.
 - The Kirpan will be sufficiently secured with a stitched flap so it is not easily removed from its sheath.
 - The Kirpan will not be worn visibly, but under the wearer's clothing.
 - There is notification in writing to the principal by the parents/guardians and student and, where possible, from the Guardwara (place of worship), confirming that the student requesting accommodation is a Khalsa Sikh.
 - Students under the age of eighteen must be accompanied by parents/guardians when discussing the rules regarding the wearing of a Kirpan.