

YORK CATHOLIC DISTRICT SCHOOL BOARD



BOARD POLICY	
<i>Policy Section</i> Work Environment – Respectful Workplace	<i>Policy Number</i> 505
<i>Former Policy #</i> 808/810B	<i>Page</i> 1 of 14
<i>Original Approved Date:</i> March 1987	<i>Last Approval Date:</i> June 1999 July 6, 2010

POLICY TITLE: EQUITY AND INCLUSIVE EDUCATION

SECTION A

1. PURPOSE

The York Catholic District School Board (the “Board”) recognizes that all people are created equal, and in the image of God, each with inimitable characteristics deserving of dignity (Genesis: 1:27). The Board recognizes that any form of social or cultural discrimination is incompatible with Catholic moral principles and is in violation of the Ontario Human Rights Code. The Board also recognizes that the school system gives pre-eminence to the tenets of the Catholic faith, congruent with the protection afforded in the Ontario *Human Rights Code (the Code)*, the *Constitution Act*, and confirmed in the *Canadian Charter of Rights and Freedoms*.

The Board and its staff are committed to the elimination of discrimination as outlined in Ontario’s Equity and Inclusive Education Strategy (the Strategy) and the Ontario Ministry of Education (the “Ministry”) Policy/Program Memorandum No. 119, in a manner which is consistent with the exercise of the Board’s denominational rights under section 93 of the *Constitution Act*, and as recognized at section 19 of the Ontario *Human Rights Code*.

The purpose of this policy is to provide direction and guidance with respect to the implementation of the Equity and Inclusive Education Strategy.

2. POLICY STATEMENT

It is the policy of the York Catholic District School Board in accordance with the Church’s teachings to provide in all its operations an educational environment which supports diversity within its Catholic community by adhering to the Guiding Principles of the Equity and Inclusive Education Strategy.

3. PARAMETERS

3.1 The principles of equity and inclusive education are consistent with Catholic denominational rights and shall be incorporated into all aspects of policies, programs, procedures, and practices.

19/07/2010

- 3.2 Partnerships with all members of our diverse Catholic community shall be established and maintained so that the perspectives and experiences of all pupils, families, and employees are recognized and the specific learning needs of all pupils are met.
- 3.3 Schools shall implement an inclusive curriculum based on Catholic values and review resources, instruction, and assessment and evaluation practices in order to identify and address discriminatory biases so that each pupil may maximize her or his learning potential.
- 3.4 Freedom of religion and freedom from discriminatory or harassing behaviours based on religion is valued by the Board.
- 3.5 Every person within the school community is entitled to a respectful, positive and Christ-centred school climate and learning environment, free from all forms of discrimination and harassment.
- 3.6 The entire school community, shall be provided with opportunities to acquire the knowledge, skills, attitudes, and behaviours needed to identify and eliminate discriminatory biases and systemic barriers under the Code.
- 3.7 The Board shall assess and monitor the progress in implementing the Strategy as required.

4. RESPONSIBILITIES

- 4.1 Director of Education/Designate
 - To oversee the development and implementation of the policy and guidelines.
 - To ensure system awareness and compliance with this policy.
 - To report annually on the progress of the implementation of this policy.
- 4.2 Superintendents of Education/Senior Managers/School Administrators
 - To ensure system awareness and compliance with this policy.
 - To implement the Equity and Inclusive Education Strategy.
 - To ensure the prompt investigation and satisfactory resolution of claims of human rights violations.
- 4.3 Schools
 - To develop and implement strategies, programs and action plans in compliance with the equity and inclusive education policy and guidelines.
- 4.4 Community Partners
 - To comply with this policy in all interactions with any and all agents of the York Catholic District School Board.
- 4.5 Employees
 - To be aware of and comply with this policy and guidelines
- 4.6 Parents/Pupils
 - To inform school administrators of the need for accommodations (educational or religious) as required by this policy and guidelines.
 - To support the development of values that support and respect the dignity of all.

5. DEFINITIONS

5.1 Guiding Principles (of the Equity and Inclusive Education Strategy)

Equity and inclusive education:

- Is a foundation of excellence;
- Meets individual needs;
- Identifies and eliminates barriers;
- Promotes a sense of belonging;
- Involves the broad community;
- Builds on and enhances previous and existing initiatives;
- Is demonstrated throughout the system;
- Is congruent with Catholic teaching

5.2 Discrimination

- Unfair or prejudicial treatment of individuals or groups on the basis of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status, or disability, as set out in the Ontario Human Rights Code, or on the basis of other, similar factors.
- Discrimination, whether intentional or unintentional, has the effect of preventing or limiting access to opportunities, benefits or advantages that are available to other members of society.
- Discrimination may be evident in organizational and institutional structures, policies, procedures, and programs, as well as in the attitudes and behaviours of individuals.

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

5.4 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.

5.5 Inclusive Education

- Education that is based on the principles of acceptance and inclusion of all pupils. Pupils see themselves reflected in their curriculum, their physical surroundings, and the broader environment where diversity is honoured and all individuals are respected.

5.6 Ontario Human Rights Code (“the Code”)

- A provincial law that gives everyone equal rights and opportunities, without discrimination, in specific areas such as education, jobs, housing, and services. The goal of the Code is to address and ultimately prevent discrimination and harassment.

Note: An expanded Glossary of terms is available at the following link:
<http://www.edu.gov.on.ca/eng/policyfunding/inclusiveguide.pdf>

6. CROSS REFERENCES

Education Act

Canadian Charter of Rights and Freedoms.

Equity and Inclusive Education in Ontario Schools: Guidelines for Policy Development and Implementation, Ontario's Equity and Inclusive Education Strategy (the Strategy)

Policy/Program Memorandum No. 119 "Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools"

Constitution Act, 1982

Ontario Human Rights Code (the Code)

Ontario Catholic School Graduate Expectations

Approval by Board	_____
	<i>Date</i>
Effective Date	_____
	<i>Date</i>
Revision Dates	_____
	<i>Date</i>
Review Date	June 2015

	<i>Date</i>

POLICY TITLE: EQUITY AND INCLUSIVE EDUCATION

SECTION B

GUIDELINES

1. BOARD POLICIES, PROGRAMS, PROCEDURES AND PRACTICES

Purpose:

The Board recognizes the importance of maintaining a Catholic educational and working environment which fosters equity and inclusivity.

The Board will ensure that its policy review cycle will result in the alignment and integration of the requirements of Policy/Program No. 119 and the Strategy with all Board policies, programs, procedures, and practices. The perspectives of the entire diverse Catholic school community will be reflected in all areas of the teaching, learning and administrative culture. Every effort will be made to identify and remove discriminatory biases and systemic barriers within the context of the denominational rights of Catholic school boards.

Parameter:

The Board is committed to serving pupils, families, and staff in its diverse Catholic community by incorporating the principles of equity and inclusive education into all aspects of its policies, programs, procedures, and practices that are consistent with Catholic denominational rights.

The Board will:

- 1.1. Establish the foundational framework that will guide the review, development and implementation of a comprehensive equity and inclusive education policy that recognizes and eliminates biases related to race, class, ethnicity, gender, sexual orientation, disability, family status, religion and linguistic differences as well as socio-economic factors.
- 1.2. Review existing equity and inclusive education policies and/or extend such policies to fulfill the requirements of existing regulations, the Strategy, Policy/Program Memorandum No. 119, and the *Code*, in accordance with the denominational rights afforded to the Catholic school system.
- 1.3. Ensure that principles of equity and inclusive education permeate and are explicitly stated in 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. Monitor the impact of the implementation of the Equity and Inclusion Education policy.
- 1.6. Ensure all persons with disabilities are accommodated appropriately and in a manner consistent with the *Code*.
- 1.7. Provide training for school and system leaders to facilitate equitable recruitment and hiring practices.
- 1.8. Provide opportunities for the diverse school community, including pupils, 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 harassment and take appropriate action consistent with the principles of the *Code*.

Our Schools will:

- 1.10. Review existing school policies and practices, to determine that they reflect the principles of equity and inclusive education.
- 1.11. Extend, develop, and implement strategies to actively engage pupils, 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 consistent with the *Code* and that reflect the needs of their diverse Catholic school community.

2. SHARED AND COMMITTED LEADERSHIP

Purpose:

The Board subscribes to an informed leadership philosophy that inspires, empowers, and supports all stakeholders in our Catholic community to join together to implement institutional practices and behaviours that cultivate equity and inclusion.

The Board is committed to improving student achievement and to closing achievement gaps for pupils by identifying, addressing, and removing all barriers and forms of discrimination.

The Board recognizes the critical connection between student leadership and improved student achievement and will strive to include student voice in all aspects of the implementation of equity and inclusive education.

In accordance with the Ministry's Ontario Leadership Strategy, Board and school leaders will encourage and promote a collaborative approach to all dimensions of equity and inclusive education, which ensures the participation of pupils, parents, parishes, employees, associations, unions, colleges and universities, service organizations and other community partners.

Parameter:

The Board is committed to establishing and maintaining partnerships with all members of our diverse Catholic community so that the perspectives and experiences of all pupils are recognized and their needs are met.

The Board will:

Share in the life and mission of the Church by developing a system plan to build and sustain Board and staff capacity in the areas of equity and inclusive education in curriculum and instruction, human resources and governance.

- 2.1. Appoint a contact person to liaise with the Ministry and other Boards to share effective practices and resources and identify challenges in implementation.
- 2.2. Provide ongoing education and training for pupils, administrators, teachers (including guidance counsellors), support staff and trustees in implementing equity and inclusive education and leadership initiatives.
- 2.3. Establish selection criteria for leadership positions that include demonstrated commitment, knowledge and skills related to equity and inclusive education

implementation and inclusive leadership, and consistent with proactive *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 ensure that members of communities that are underserved and /or marginalized are included in shared leadership opportunities.

Our Schools will:

- 2.6. Establish a collaborative culture where the collective capacities and voices of all stakeholders are used to develop and implement equity and inclusive education goals.
- 2.7. Promote pupil leadership opportunities with a focus on equity and social justice issues.
- 2.8. Develop and promote initiatives that support and promote diversity of pupil voice and experience.
- 2.9. Demonstrate leadership in setting the tone for the positive and proactive implementation of the Equity Strategy within the school.

3. SCHOOL-COMMUNITY RELATIONSHIPS

Purpose:

The Board recognizes that the effective review, development, implementation and monitoring of equity and inclusive education policies and practices requires the involvement of all members of the entire Catholic school community. The Board further recognizes the importance of engaging specialized expertise in developing and implementing its equity and inclusive education policy.

The Board will seek collaboration with and active engagement from pupils, parents, staff and community partners to create and sustain a positive school climate reflective of Catholic values that supports pupil achievement.

The Board will identify, examine, and remove any barriers that exist, that are part of systemic discrimination under the *Code*, and that prevent full, participatory, school-community relations.

Parameter

The Board is committed to establishing and maintaining partnerships with all members of our diverse Catholic community so that the perspectives and experiences of all pupils, families, and employees are recognized.

The Board will:

- 3.1. Develop a database that establishes the diversity of communities.
- 3.2. Review and/or initiate tools to determine stakeholders' views on school environment and act upon relevant next steps.
- 3.3. Take proactive steps that will facilitate existing committees to represent the diversity of the wider community.
- 3.4. Review and deepen existing community partnerships to ensure that they reflect the principles of equity and inclusive education.

- 3.5. Expand community efforts to foster new partnerships that engage a diverse cross-section of pupils, parents, staff, community agencies and services and business groups to ensure inclusion.
- 3.6. Establish processes to identify and address systemic barriers that limit or prevent representation and access to Board initiatives.
- 3.7. Identify under-represented communities and facilitate their participation and involvement in Board activities
- 3.8. Gather and use the knowledge, skills, and experience of Board community partners to enrich the total educational and career experiences of staff, pupils, and volunteers.

Our Schools will:

- 3.9. Review existing community partnerships to ensure that they reflect the diversity of the broader community.
- 3.10. Invite and support representation of diverse groups on school committees, including the school improvement planning process.
- 3.11. Engage school stakeholders in community forums.
- 3.12. Reflect the approaches described above in their outreach to the broader community.

4. INCLUSIVE CURRICULUM AND ASSESSMENT PRACTICES

Purpose:

The Board endorses inclusive curriculum and assessment practices that consider both the content and context of curriculum in the classroom and in the lives of the pupils. Educators must consider both the content of the curriculum and how it is received as pupils learn both the explicit and implicit curricula. Inclusive curriculum in content, context and methodology of delivery seeks to recognize our commitment to Catholic values and our respect for all pupils, regardless of race and ethnicity, gender, place of origin, religion, cultural and linguistic background, social and economic status, sexual orientation, age, and ability/disability.

Pupils must be represented in the curriculum and in assessment and evaluation. Effective assessment and evaluation includes the use of best practices that reflect differentiated instruction and assessment. These would include multiple opportunities for assessment and co-construction of learning goals and success criteria.

Parameter:

The Board is committed to implementing an inclusive curriculum based on Catholic values and to reviewing resources, instruction, and assessment and evaluation practices in order to identify and address discriminatory biases so that each pupil may maximize her or his learning potential.

The Board will:

- 4.1. Review pupil assessment and evaluation policies and practices to identify and address systemic bias that may exist in the way pupils' work is assessed and evaluated in order to reduce the achievement gap. The principles of such a review will be consistent with the *Code*.
- 4.2. Support the review and implementation of resources and strategies that promote school-wide equity and inclusive education policies and practices specifically addressing areas of discrimination (e.g., race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or disability).

Our Schools will:

- 4.3. Review pupil assessment and evaluation policies and practices to identify and address systemic bias that may exist in the way pupils' work is assessed and evaluated; the principles of such a review will be consistent with the *Code*.
 - 4.3.1 Ensure that assessment and evaluation support growth and learning, with the belief that each and every pupil can achieve and be successful given the appropriate time and support.
 - 4.3.2 Provide education and training based on the belief that all pupils can learn and ensure that it is reflected in the expectations of assessment and evaluation practices, counselling about available program options, and other counselling practices.
 - 4.3.3 Use a variety of assessment strategies and instruments to inform short- and long-range planning to reduce gaps in pupil achievement and improve pupil learning.
 - 4.3.4 Provide multiple opportunities for assessment (self, peer, teacher, pupil led conferencing and /or parent/pupil and teacher interviews).
 - 4.3.5 Adjust instruction based on the results of formative assessment and provide specific and timely feedback to promote further learning.
 - 4.3.6 Ensure consistent monitoring of the growth of pupils who are on Individual Education Plans and/or are English Language Learners to ensure that the specific needs of pupils are addressed through the accuracy of appropriate programming, modifications and accommodations based on best practices in instruction and assessment.
 - 4.3.7 Utilize varied opportunities and techniques to enhance pupil assessment. (eg. an oral response for a reading comprehension task or a mind map in lieu of an essay or a dramatic performance that demonstrates the pupil's learning).
- 4.4. Implement instructional strategies and classroom practices that promote school-wide equity and inclusive education policies and practices;
 - 4.4.1 Ensure collaborative learning structures recognizing the variety of learning styles and multiple intelligences.
 - 4.4.2 Ensure access and use of assistive technologies for pupils who require accommodations to support achievement and success.
 - 4.4.3 Engage pupils as active participants in their learning and assessment (for example, pupils seeing and hearing themselves in the curriculum; gender specific teaching practices; culturally relevant and responsive pedagogy; research based practices in assessment and evaluation).
 - 4.4.4 Review and reflect upon classroom practices and revise them as needed to help ensure that they are aligned with school goals and the school-wide equity and inclusive education policy.
 - 4.4.5 Ensure that instructional resources and strategies are in accordance with Catholic teachings, the provisions of the Code and the principles of equity and inclusivity.
 - 4.4.6 Provide opportunities for pupils to experience 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; and facilitate open discussions about social justice within the school, the community and society.

- 4.5 Ensure that parents (and pupils where appropriate) are invited to attend and be actively involved in identification and placement decisions, including those required by the Identification, Placement and Review Committee.

5 RELIGIOUS ACCOMMODATION

Purpose:

The Board, in keeping with its commitment to the mission of the Church, provides a learning and working environment in which all individuals are treated with respect and dignity regardless of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, record of offences, marital status, family status or disability, in accordance with the Ontario *Human Rights Code* and all other pertinent legislation.

Within the framework of the gospel values and traditions, the Board will provide reasonable accommodation for the religious beliefs and practices of pupils and staff, while also protecting its denominational rights. (Refer to Appendix A)

Parameter:

The Board is committed to the values of freedom of religion and freedom from discriminatory or harassing behaviour based on religion and will take all reasonable steps to provide religious accommodations within the legal rights afforded to the Catholic school system.

The Board will:

- 5.1 Consult with a variety of individuals and groups who represent the religious diversity of the Board in the implementation of this policy.
- 5.2 Inform pupils and their parents/guardians and staff of their right to request accommodation for religious beliefs and practices.
- 5.3 Prepare a religious accommodation guideline in keeping with the Code (see Appendix A).
- 5.4 Provide religious accommodation for pupils and staff, where reasonable and consistent with *the Code* and Catholic denominational rights.

Our Schools will:

- 5.5 Implement religious accommodation practices that are in alignment with the Board religious accommodation guideline.

6 SCHOOL CLIMATE AND THE PREVENTION OF DISCRIMINATION AND HARASSMENT

Purpose:

The Board recognizes that a positive Christ-centered school climate, free from discriminating or harassing behaviour, provides a safe and welcoming learning and working environment where all members of the school community feel safe, welcomed, respected and celebrated.

The principles of equity and inclusive education support a healthy school environment and promote positive pupil behaviour. These principles are consistent with Catholic doctrine and must be considered and applied in employing consequences for inappropriate behaviour particularly in the context of mitigating and other factors.

Parameter:

The Board is committed to the principle that every person within the school community is entitled to a respectful, positive and Christ-centred school climate and learning environment, free from all forms of discrimination and harassment.

The Board will:

- 6.1 Implement strategies to identify and remove discriminatory barriers that limit engagement of pupils, parents, and the community, so that diverse groups and the broader community have representation and access to Board initiatives.
- 6.2 Implement procedures that will enable pupils and staff to report incidents of discrimination and harassment safely and ensure a timely and appropriate response.
- 6.3 Cultivate a climate in which excellence is continually promoted and respect for all permeates the environment.
- 6.4 Communicate and reinforce the expectations that administrators will use progressive discipline and professional discretion when dealing with inappropriate behaviour, and accommodate pupils with disabilities in those circumstances.

Our Schools will:

- 6.5 Ensure that school codes of conduct reflect the Board Code of Conduct and where necessary, are revised to address issues of discrimination, and harassment.
- 6.6 Ensure the use of progressive discipline and restorative justice.
- 6.7 Welcome, respect and validate the contributions of all pupils, parents, and other members of the school community.
- 6.8 Strive to meet the learning needs of every pupil and inspire all pupils to succeed in a culture of high expectations for learning.
- 6.9 Ensure that school codes of conduct reflect the needs of the diverse Catholic community served by the school and are developed with active consultation.
- 6.9 Review and/or develop equity and inclusive education guidelines and procedures to address issues of discrimination and harassment as they may apply to pupils, staff, and others in the Catholic community.
- 6.10 Ensure that procedures established in keeping with the Code will enable pupils and staff to report incidents of harassment and discrimination safely and to have confidence that they will receive a timely and appropriate response.
- 6.11 Ensure that all information about the new or revised procedures involving equity and inclusive education is communicated to all pupils, staff, families, and others in the school community.

7. PROFESSIONAL LEARNING

Purpose

The Board celebrates and affirms the role of staff in cultivating a learning environment where pupils maximize their learning potential, grow in their knowledge of Catholicism and develop values that support and respect the dignity of all. As such, ongoing professional learning is essential to nurture a foundation for the development of Catholic values, ecclesial and cultural identity, human rights education and effective instructional practices.

Parameter:

The Board is committed to providing the entire school community with opportunities to acquire the knowledge, skills, attitudes, and behaviours needed to identify and eliminate discriminatory practices and systemic barriers under the *Code*.

The Board will:

- 7.1 Provide resources and ongoing opportunities for pupils, administrators, teachers, support and Board staff, as well as trustees, to participate in equity and inclusive education training and leadership initiatives:
 - 7.1.1 Provide equity and diversity training that promotes respect, courtesy and virtuous conduct in all interactions, (including training in prevention and early intervention strategies).
 - 7.1.2 Ensure that training includes information on diversity, and promotes a deeper understanding of exceptionalities and mitigating factors.
 - 7.1.3 Train staff to identify and mitigate discipline for pupils with disabilities when confronted with discriminatory issues.
- 7.2 Ensure that the principles of equity and inclusive education are modelled and incorporated in professional learning programs.
- 7.3 Support schools' review of classroom strategies that promote school-wide equity and inclusive education policies and practices.
- 7.4 Identify a Board equity and inclusive education contact to liaise with the Ministry of Education and other Boards in order to share promising practices, exemplary resources and challenges.

Our Schools will:

- 7.5 Review classroom practices and revise as needed to ensure that they are aligned with and reflect school-wide equity and inclusive education expectations.
- 7.6 Encourage and support pupils in their efforts to promote social justice, equity, inclusion, and diversity in schools and classrooms.
- 7.7 Develop and implement initiatives that will promote school-wide equitable practices.

8 ACCOUNTABILITY AND TRANSPARENCY

Purpose:

The Board acknowledges and assumes the responsibility for its policies, actions, and decisions. In the pursuit of greater transparency and accountability, the Board, in respectful collaboration and communication with the whole Catholic school community, will report on its goals and progress in the areas of policy review, school improvement planning and the implementation of the *Strategy*.

Parameter:

The Board is committed to: assessing and monitoring its progress in implementing the Strategy; to embedding the principles of Equity and Inclusive Education into all Board policies, programs, guidelines and practices; and to communicating these results to the community.

The Board will:

- 8.1 Embed the principles of equity and inclusive education into all Board policies, procedures, programs, guidelines, and practices.
- 8.2 Actively communicate the equity and inclusive education policy to pupils, teachers, parents, staff, school councils, community partners, and volunteers and post it on the Board's website.
- 8.3 Seek and use feedback to improve the Equity and Inclusive Education policy and guidelines.
- 8.4 Engage Board and school teams in school improvement planning with particular emphasis on: using data to identify and remove barriers to pupil achievement; raising awareness about discriminatory practices; and encouraging conversations and collaborative actions about equity and inclusion.
- 8.5 Establish processes to monitor progress and assess effectiveness of policies, programs, and procedures.
- 8.6 Report on the progress of implementation of the Strategy and its impact on pupil achievement using specific criteria.
- 8.7 Ensure the transparency of the Identification Placement and Review Committee (IPRC) process and support parents through this process.

Our Schools will:

- 8.8 Report pupil achievement data annually to the Board and intervene at all levels to ensure the achievement and success of all pupils.
- 8.9 Develop and communicate evidence based school improvement plans that are aligned with the *Strategy*.
- 8.10 Use self-reflection and self-assessment tools to determine the effectiveness of the school's equity and inclusive education procedures and plans.

RELIGIOUS ACCOMMODATION GUIDELINE

INTRODUCTION

The York Catholic District School Board (the Board) believes in the dignity of all people and their equality as children of God. The Board acknowledges the importance of freedom of religion and strives to recognize, value and honour the many customs, traditions and beliefs that make up society at large, as well as the Catholic community.

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 individuals from discrimination and harassment on the basis of their religion.

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

The purpose of the Religious Accommodation Guideline is to reflect the Board's commitment to protecting freedom of religion in accordance with the teachings of the Catholic Church and to provide direction to staff and the community with respect to providing religious accommodation in schools of the Board.

1. LEGISLATIVE AND POLICY CONTEXT

The York Catholic District School Board, as with all school boards, exists within a broader context of law and public policy that protects and defends human rights. Board policies and guidelines are intended to reinforce both federal and provincial legislation, and to help ensure that the freedoms they set out are protected within the school system.

The Board and its staff are committed to the elimination of discrimination as outlined in legislation in a manner that is consistent with the exercise of its denominational rights under section 93 of the *Constitution Act*, and as recognized in section 19 of the Ontario *Human Rights Code* ("the Code").

2. DEFINITIONS

2.1 **Accommodation** - (*Policy on Creed and the Accommodation of Religious Observances - Ontario Human Rights Commission*)

- 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 that right; i.e. the "duty to accommodate." The duty arises when a person's religious beliefs conflict with a requirement, qualification or practice. The Code imposes a duty to accommodate based on the needs of the group of which the person making the request is a member. Accommodation may modify a rule or make an exception to all or part of it for the person requesting accommodation.

- The duty to accommodate is an obligation that arises when requirements, factors, or qualifications, which are imposed in good faith, have an adverse impact on, or provide an unfair preference for, a group of persons based on a protected ground under the Code. The duty to accommodate must be provided to the point of undue hardship. In determining whether there is undue hardship, section 24(2) of the Code provides that reference should be made to the cost of accommodation, outside sources of funding, if any, and health and safety requirements.

2.2 Creed - (Policy on Creed and the Accommodation of Religious Observances - Ontario Human Rights Commission)

- Interpreted as “religious creed” or “religion”.
- 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.
- 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.

2.3 Undue Hardship (Ontario Human Rights Commission)

- Accommodation will be provided to the point of undue hardship.
- A determination regarding undue hardship will be based on objective evidence including an assessment of costs, outside sources of funding, and health and safety.
- A determination that an accommodation will create undue hardship carries with it significant liability for the Board and should be made only with the approval of the appropriate Supervisory Officer.

3. RELIGIOUS ACCOMMODATION GUIDELINES AND PROCEDURES

The purpose of this guideline is to ensure that Board staffs, pupils, parents and other members of the school community are aware of their rights and responsibilities under the Code with respect to religious accommodation. It also sets out the Board’s procedures for accommodation and the responsibilities of each of the parties to 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 those seeking accommodation.

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 accommodation seeker 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 accommodation short of undue hardship, or will consider phasing in the requested accommodation.

School administrators are not responsible for monitoring a child's compliance with a religious obligation, and enforcing such practices.

3.1 Areas of Accommodation

There are a number of areas where the practice of their religion will result in a request for accommodation by pupils and staff of the Board on the part of the school and/or the Board.

These areas include, but are not limited to the following:

- i. Leave of Absence for Religious Holy Days;
- ii. Prayer;
- iii. Dietary requirements;
- iv. Fasting;
- v. Religious dress;
- vi. Modesty requirements in physical education.

3.2 Responding to Accommodation Requests

The Board will take all reasonable steps to provide accommodation to individuals to facilitate their religious beliefs and practices. All accommodation requests will be taken seriously and no person will be penalized for making an accommodation request.

The Board will base its decision to accommodate by applying the Code's criteria of undue hardship and the Board's ability to fulfill its duties under Board policies and the Education Act.

When concerns related to beliefs and practices arise in schools, collaboration among the staff, pupil, family, and religious community may be required in order to develop appropriate accommodation. It is the responsibility of the Board and its staff to ensure equity and respect for the diverse religious beliefs and practices of pupils, their families and other staff in the school system.

3.2.1 Accommodating Employees

Staff requesting accommodation should advise the administration at the beginning of the school year, to the extent possible. If early notice is not feasible, the person should make the request as soon as possible.

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

3.2.2 Accommodating Pupils

Pupils must present written notice from their parents/guardians specifying their accommodation needs relating to religious observances, 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 religious observances into consideration.

Pupil handbooks and parent newsletters shall include information about the procedure to follow to request an accommodation for religious observances and/or holy days. Such procedures shall be easy for staff, pupils and parents to understand.

3.3 Unresolved Requests

Should an individual feel that discrimination based on religion has occurred, the Board will take reasonable and timely steps to address the unresolved issues raised by the affected person.

3.3.1 Employees

In the event that, after an employee's consultation with the Superintendent of Education, unresolved issues remain, then the matter will be referred to the Superintendent of Human Resources.

3.3.2 Pupils

In the event that a pupil 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 Education.

3.4 Absence for Religious Holy Days

Section 21(2) (g) of the *Education Act* provides that a person is excused from school attendance in observance of a "holy day by the Church or religious denomination to which he/she belongs". Any staff and those pupils who observe religious holidays in accordance with the *Education Act* may be excused from attendance, subject to following the procedures for requesting religious leave.

The Board will encourage members of diverse groups to identify their religious holy days at the beginning of each school year. Reasonable efforts will be made to acknowledge the observances of different creeds 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 these significant faith days:

(Examples of) Significant Holy Days	
<i>Bahai</i>	Ridvan
<i>Buddhist</i>	Lunar New Year/Chinese
<i>Western Christian</i>	Good Friday
<i>Eastern Christian</i>	Christmas Holy Friday
<i>Hindu</i>	Diwali
<i>Jewish</i>	Rosh Hashanah (2 days) Yom Kippur Passover (first day)
<i>Muslim</i>	Eid-ul-Fitr Eid-ul-Adha
<i>Sikh</i>	Baisakhi

(A multi-faith calendar will be made available to help schools make appropriate accommodations.)

Guidelines for Administrators

All staff and pupils who request a leave 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. Leave should be granted in accordance with the terms of the appropriate collective agreement.

Pupils requesting a leave should give written notice from their parent/guardian to the school at, or as close as possible to, the beginning of the school year.

Pupil agendas, school newsletters and announcements should include information about the procedures for requesting leaves.

Staff acting on behalf of/representing the Board on other organizations, which in partnership with the Board are planning events or activities that involve pupils and/or staff of Board schools, have the responsibility to bring the requirements of this policy to the attention of these organizations.

For consultation or further clarification of questions, administrators and managers should contact the Human Resources Office.

3.5 Prayer

The Board recognizes the significance of prayer in religious practice. Schools will make reasonable efforts to accommodate requests to meet the requirement for daily prayer by providing an appropriate location within the building for pupils/staff to participate in prayer. This may mean a quiet space in the library, an empty room, or wherever it is mutually satisfactory for the school and the pupil or staff member requesting the accommodation.

Adult presence should be for supervision purposes only.

Note: Refer to Section 4 below for use of the chapel in schools.

3.5 Dietary Restrictions

The Board is sensitive to the different dietary restrictions of various religious groups. Such sensitivity includes being responsive to issues related to the menus provided by catering companies, snacks in elementary schools, and food provided 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 activities, as well as field trips that extend over a mealtime period.

3.6 Fasting

The Board is sensitive to those religions which require religious 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 pupils who are fasting may need exemptions from certain physical education classes. Schools should make reasonable efforts to provide appropriate accommodations.

3.7 Religious Dress

“Dress Code” is the school dress code as determined by Board policy and may include a school uniform.

The Board also recognizes that there are certain religious communities that require specific items of ceremonial dress as a requirement of religious observation which may not conform to a school’s dress code. Schools will reasonably accommodate pupils with regard to religious attire that includes, but is not limited to:

- Head covers
- Crucifixes, Stars of David, etc.
- Items of ceremonial dress

Where the dress code is a school uniform, administrators may ask the pupil 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 pupil 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. It is important to recognize that harassment about religious attire is one of the most common types of harassment and bullying. Teasing directed at, or inappropriate actions taken against, an individual’s religious attire will not be tolerated. Appropriate consequences will be applied for individuals who violate this expectation.

3.9 Accommodation of Khalsa Sikh pupils wishing to carry a Kirpan

Some religious creeds require the wearing of specific items of ceremonial dress which may be perceived as contravening Board policies – an example is the carrying of the Kirpan (a ceremonial sword) by Khalsa Sikh pupils.

The Board has approved the following guidelines for wearing/carrying the Kirpan.

- At the beginning of the school year, or upon registration, the pupil and the parents/guardian must inform the principal that they are Khalsa Sikhs and wear the five articles of faith, including a Kirpan.
- The principal in consultation with the pupil and his/her parents will develop the rules and appropriate accommodations to allow the pupil to wear the Kirpan while ensuring the safety of others.
- The accommodations will include the following conditions:
 - There is notification in writing to the principal by the parents or guardians and pupil and where possible, from the Gurdwara (place of worship), confirming that the pupil requesting accommodation is a Khalsa Sikh.
 - The Kirpan must be less than fifteen centimetres (six inches) in length.
 - The Kirpan will be sufficiently secured with a stitched flap so that it is not easily removed from its sheath.
 - The Kirpan will not be worn visibly but under the wearer's clothes.

3.10 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 pupils are asked to wear the clothing used in physical education activities. Requirements for dress in physical education classes should be designed taking into account common religious needs that may exist.

If a pupil/family has concerns, the school and parent/guardian should discuss the modesty requirements, and taking into consideration the mandated physical education curriculum expectations, provide reasonable accommodation. The curriculum requirements should be explained to the family so that they have sufficient information to understand the physical education curriculum and to select available curriculum alternatives.

4. LIMITATIONS TO RELIGIOUS ACCOMMODATION

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 and religious accommodation in our schools is carried out in the larger context of the Catholic education system and denominational rights of Catholic schools.

The Board, at all times, will seek to accommodate an individual's right to freedom of religion in a manner that not only respects the individual's beliefs but the principles of the Catholic Church.

Concerning the sharing of worship space in Catholic schools, a distinction needs to be made between baptized non-Catholics (i.e. members of recognized Christian denominations) and members of other faith traditions.

- 4.1 With respect to baptized non-Catholics, the Directory for the Application of Principles and Norms on Ecumenism (published in 1993 by the Pontifical Council for the Promotions of Christian Unity) addresses the issue of Catholic schools and accommodation of baptized non-Catholic pupils and staff in paragraph #141:

“In Catholic schools and institutions, every effort should be made to respect the faith and conscience of pupils or teachers who belong to other Churches or ecclesial Communities. In accordance with their own approved statutes, the authorities of these schools and institutions should take care that clergy of other Communities have every facility for giving spiritual and sacramental ministrations to their own faithful who attend such schools or institutions. As far as circumstances allow, with the permission of the diocesan Bishop these facilities can be offered on the Catholic premises, including the church or chapel.”

- 4.2 Members of other faith traditions should NOT be using the chapel as their own place of prayer. The Catholic school should provide another space for other faith traditions.

A meeting room in the school library or an unused classroom would be appropriate for this purpose.