



Multifaith Guidelines

“The Ontario *Human Rights Code* (*Code*) has always recognized the importance of protecting religious freedom. Under the Code, organizations, including education providers, have a duty to maintain environments free from discrimination and harassment based on creed. Education providers are responsible for accommodating creed-related needs to the point of undue hardship.”

Ontario Human Rights Commission Policy statement on religious accommodation in schools

“Kawartha Pine Ridge District School Board believes that excellence in education is founded on respect for the dignity and humanity of all individuals and the development of human potential, enabling individuals and groups to contribute fully within a diverse society. The education system’s continuous improvement requires the creation and maintenance of safe, fair, nurturing, positive and respectful learning and working environments. Equity of opportunity and equity of access to Kawartha Pine Ridge District School Board’s programs, services and resources are central to educational excellence and effective human resource, business, and administrative services, enabling us to achieve our potential as individuals, as an organization and as a society.” **KPR Policy B-3.2 Equity, Diversity, and Inclusion**

KPR Values



How to Navigate This Document

This guideline is divided into four sections. Click on any of the sections below to be taken directly to its place in the document.

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Part I: Key Terms and Concepts

This section contains information summarized from the Ontario Human Rights Commission’s (OHRC) Policy on preventing discrimination based on creed. To view the full policy, visit OHRC’s website, ‘policy on preventing discrimination based on creed’ by [clicking here](#).

Background

This document establishes guidelines for religious/faith accommodations, including the provision of suggestions and guidance to support religious/faith accommodations in KPR schools and workplaces.

The formal term used in the Ontario Human Rights Code is “Creed”. Under the Code, creed includes, but is not necessarily limited to, “religious creed” or “religion.”

Legislative and Policy Context

All school boards exist within a broader context of law and public policy that protect and defend human rights. Such context includes, but is not limited to:

- The *Canadian Charter of Rights and Freedoms*, protecting freedom of religion.
- The *Ontario Human Rights Code*, protecting an individual’s freedom from discriminatory or harassing behaviour based on religion.
- The Ontario Ministry of Education’s Equity and Inclusive Education Strategy, identifying the shared mandate of all publicly funded school boards to ensure the development, implementation, and monitoring of equity and inclusive education policies, board policies, programs, guidelines, and practices.
- PPM 119, discussing the importance of shared and committed leadership, inclusive curriculum and assessment practices, school community relationships, religious accommodations, school climate and the prevention of discrimination and harassment, the importance of professional learning, and accountability and transparency.



Applicable KPR Policies and Regulations

- Equity, Diversity and Inclusion (B-3.2)
 - Policies, Guidelines, and Practices (B-3.2.1)
 - Leadership (B-3.2.2)
 - School-Community Partnerships (B-3.2.3)
 - Educational Program, Evaluation, Assessment, and Placement (B-3.2.4)
 - Guidance (B-3.2.5)
- Human Rights: Code-Based Discrimination and Harassment (B-3.3)
 - Board and Community (B-3.3.1)
- Workplace Harassment (HR-4.2)
- KPR Principles of Indigenous Education

Understanding the Term “Creed”

Creed is a prohibited ground of discrimination under the Ontario Human Rights Code. While the Code does not define the term “creed”, over time the human rights protections under the Code ground of creed have been extended to an increasingly broad range of people’s beliefs and practices, including those that are not connected to any organized formal religion, sacredly held scriptures, official doctrines or institutional authorities. For some people, including some Indigenous peoples and others belonging to minority cultural and spiritual traditions, “religion” or “creed” were not terms they would use to describe their beliefs, despite being protected under this Code ground.

The following characteristics are relevant when considering if a belief system is a creed under the Code. A creed:

- Is sincerely, freely and deeply held
- Is integrally linked to a person’s self-definition and spiritual fulfilment
- Is a particular and comprehensive, overarching system of belief that governs one’s conduct and practices
- Addresses ultimate questions of human existence, including ideas about life, purpose, death, and the existence or non-existence of a creator and/or a higher or different order of existence
- Has some “nexus” or connection to an organization or community that professes a shared system of belief.

If uncertainty still exists after considering the above criteria, the overall purpose of the Code and statutory human rights law more generally should be considered.



Understanding the Duty to Accommodate

The duty to accommodate is made up of several overlapping and mutually reinforcing principles including respect for dignity, individualization, integration and full participation, inclusive design, and appropriate accommodation.

Along with designing inclusively and removing barriers, organizations must also respond to individual requests for accommodation. The duty to accommodate requires that the most appropriate accommodation be determined and provided, short of undue hardship.

Accommodation is considered appropriate if it results in equal opportunity to enjoy the same level of benefits and privileges experienced by others, or if it is proposed or adopted to achieve equal opportunity and meets the individual's creed-related needs. The most appropriate accommodation is the one that most:

- Respects dignity (including autonomy, comfort, and confidentiality)
- Responds to a person's individualized needs
- Allows for integration and full participation.

Under the Code, the school board has a legal duty to accommodate the sincerely held creed beliefs and practices of staff and students up to the point of undue hardship. This applies where such creed beliefs and practices are being adversely affected by a school board requirement, rule or standard. Creed accommodations enable people affiliated by a creed to fully and equally take part and contribute in areas like the workplace and/or accessing services when they might otherwise have faced barriers because of their creed.

Understanding the Term “Undue Hardship”

The school board has a duty to accommodate to the point of undue hardship. Some degree of hardship may be expected – it is only if the hardship is “undue” that the accommodation will not need to be provided.

The Code prescribes only three considerations when assessing whether an accommodation would cause undue hardship:

- cost
- outside sources of funding, if any
- health and safety requirements, if any.

No other considerations can be properly taken into account under Ontario law. Therefore, factors such as business inconvenience, employee morale and customer and third-party preferences are not valid considerations in assessing whether an accommodation would cause undue hardship.

Part II: Accommodating Creed

Overview

The school board may engage in proactive and responsive actions to ensure students and staff are able to observe the tenets of their faith.

Proactive Accommodations

Accommodations can be achieved through “inclusive design” or “universal design”, defined as design with everyone in mind. It also means being aware of differences that characterize people from Code protected groups when making design choices to avoid creating barriers.

Some strategies include, but are not limited to:

- Considering what data is available to learn more about the demographics and diverse identities of the school community (e.g., examining demographic data from climate surveys)
- Engaging students and families in sharing their voices and perspectives
- Reviewing the Holy Days, Holidays, and Days of Significance Calendar, avoiding days that are designated as “diamond” days, and avoiding “circle” days as much as possible
- Planning events, extracurriculars, and trips that are accessible to all students
- Providing a variety of options when considering food choices in schools (e.g., including a variety of options when offering healthy lunch programs/cafeteria offerings, such as vegetarian, halal, kosher, etc.)
- Identifying a multifaith space where students and staff can pray if needed; ensuring that access to this space is communicated to staff, students, and the community
- Considering learning opportunities and lessons for students to learn more about different cultures
- Collaborating and building relationships with faith groups in the community
- Avoiding scheduling school events on Friday evenings, as this is a significant day for many religious/faith groups
- Accessing resources from the Equity, Diversity, and Inclusion tile to support professional learning and development



Accommodations Responsive to Individual Needs

There are several common areas where the practice of religion/faith may result in a request for individualized accommodation on the part of the school and/or the school board.

These areas may include (but are not limited to) the following:

- Observation of major religious holy days and celebrations
- School events and extracurricular activities
- Opening or closing exercises
- Prayer
- Dietary requirements
- Fasting
- Modesty requirements
- Participation in daily activities and curriculum

Asking for information about a person's creed beliefs, practices and related accommodation needs has implications for their privacy and dignity. At the same time, organizations must have enough information to allow them to meet their duty to accommodate.

The duty to accommodate includes both procedural and substantive duties. The procedural duty involves the considerations, assessments and steps taken to respond to an accommodation need. The substantive duty is about the appropriateness or reasonableness of the chosen accommodation as well as the reasons for not providing an accommodation, including proof of undue hardship.

Process for Determining Accommodation

A person seeking accommodation must inform the school board that they have a creed belief or practice that requires accommodation. The type of information they may generally be expected to provide includes:

- The needs associated with the creed belief or practice
- Whether the person can perform the essential duties or requirements of the job, or of being a service user, with or without accommodation
- The type of accommodation(s) that may be needed to allow the person to fulfill the essential duties or requirements of the job, or of being a service user, etc.

When the school board receives an accommodation request, they may need to ask for more information. As a general rule, the accommodation provider should:

- Take requests for accommodation in good faith (unless there is evidence the request is not genuine), and
- Limit requests for information to those reasonably related to establish legal responsibilities, assess needs, limitations or restrictions, and make the accommodation.

Where more information about a person's creed belief or practice is needed, the information requested must be the least intrusive of the person's privacy while still giving the school board enough information to make an appropriate accommodation. The school board should be able to explain and clearly justify why the additional information is needed.

The school board has a duty to accommodate to the point of undue hardship. There are responsibilities on the school board, unions, and individuals in respect of participation in the accommodation process.

It is important to note that when an individual requests accommodation, the accommodation is only applicable for the individual, and not a general accommodation for that particular religion/faith.

Limitations to Religious Accommodation

Religious accommodation in KPR is carried out in the larger context of the secular public education system. While the school board works to create a school system free from religious discrimination, this freedom is not absolute. The school board will limit practices or conduct in its schools that may put public safety, health, or the human rights and freedoms of others at risk. In addition, the school board will limit practices or conduct in its schools that are in violation of other Board policies.

Additional Considerations

When questions related to beliefs and practices arise in schools, collaboration among school, student, family, and religious community is often needed in order to develop appropriate accommodations. Building trust and mutual respect is an important aspect of accommodation, and it is the role of all KPR staff to ensure fairness and respect for the diverse religious beliefs and practices of students and staff in the school system.

School administrators and educators should not be placed in the position of monitoring a child's compliance with a religious obligation. Enforcing religious practices is not the responsibility of the school.



Part III: Support for Common Areas Requiring Accommodation

Overview

The following are general guidelines to help schools and worksites in providing accommodations to staff and students in respect of some common areas. Each individual is unique, and consequently, individual accommodations may differ from the guidelines contained in this section.

1. Observation of Major Religious Holy Days and Celebrations

The Education Act, Section 21:2(g) establishes that “A person is excused from attendance at school if the person is absent on a day regarded as a holy day by the church or religious denomination to which they belong.”

Collective agreements and applicable Board policies and guidelines provide for the accommodation of employees wishing to observe holy days.

Staff

The person requesting leave for religious observances should discuss with their supervisor when the dates are known. The absence of employees due to religious observances should be granted as determined by appropriate Board policies and collective agreements.

Students

Families can share with the school the reason for their child(ren)’s absence, often recorded through Aspen. If school teams are aware that students will be away for a holy day, school secretaries can enter the absence as a ‘G’ day, selecting the ‘Holy/Cultural Day (HC)’ as the reason code.

In the case of an absence for religious holy day reasons, tests, exams, and/or assignments should be rescheduled for the student.

2. School Events and Extracurricular Activities

Schools must not schedule school events or extracurricular activities on “diamond” days, as designated by the Board’s Holy Days, Holidays, and Days of Significance Calendar.

Schools are encouraged to avoid scheduling on “circle” days when possible.

Please consult the calendar provided to schools for further information.

3. Opening and Closing Exercises

Under section 304 of the Safe Schools Act, 2000, school boards must ensure that opening and closing exercises are held in all of their schools. The exercises required by the Safe Schools Act include the playing or singing of “O Canada” and may include the recitation of a pledge of citizenship. Students can be excused from participating in the exercises in the circumstances set out in the regulations.

If a student or parent/caregiver objects to all or part of opening or closing exercises, the student will be exempted and given the option not to participate and to remain in class or in an agreed-upon location throughout the duration of the exercise. This includes students having the option to sit during the playing or singing of “O Canada”.

4. Prayer

Schools should make every reasonable effort to accommodate the requirement for daily prayer by providing an appropriate location within the building for prayer. This may mean a quiet space in the library, a meeting room, or wherever it is mutually satisfactory for the school and the student or staff member requesting the accommodation. For some religions/faith groups, the time for prayer changes with the seasons, or is based on the lunar calendar.

Questions to Consider

- Does the school have a designated prayer space?
- Is the space clearly labeled (e.g., Multifaith room)?
- Are staff and students aware that the room exists?
- What consideration has been given to the materials posted on the walls in the room?
- What does the setup of the room look like (e.g., is the room organized and accessible)?
- For First Nation, Métis, and Inuit students is there a space where students can smudge safely and with supervision? Please contact the Indigenous Education Department.

5. Dietary Requirements

Schools and workplaces should be aware of the different and diverse dietary restrictions of the students and staff in their schools and worksites. Consideration should be given to providing a variety of food options that are accessible to students and staff when considering events or fundraising opportunities (e.g., healthy lunch programs). Faith-based dietary requirements, such as halal and kosher, are often available through food vendors.

Special considerations should be given to extended day and overnight events/trips to ensure dietary requirements are met for all participants.

6. Fasting

Schools and workplaces should consider how they accommodate those who are fasting.

Questions to Consider

- What alternative space has been provided for staff/students during lunch who are fasting?
- How might we best accommodate students who are fasting across contexts (e.g., tests and exams, field trips and excursions, physical education and athletics, graduation ceremonies, etc.)

Detailed resources created by the Equity, Diversity, and Inclusion department, such as how to support students during Ramadan, are available on the EDI Tile on KPR on the Web.

7. Modesty Requirements

Some religious communities observe strict modesty in attire. Accommodations may be required in subject areas such as Physical Education to support students.

8. Participation in Daily Activities and Curriculum

Please note: As per PPM 162, there is a clear process for Exemption from Instruction related to the Human Development and Sexual Health Expectations. Please access [KPR's Guide](#) for this process. For all other curriculum accommodation requests, please see the information below.

When accommodation is requested related to the contents of a curriculum in which there is a perceived conflict with a religious requirement, the school should have an informed discussion with the parent/caregiver and student to develop an understanding of the area(s) of curriculum that they believe presents a conflict. During this conversation, clarity in terms of what aspect of the curriculum is of concern can help identify potential avenues to accommodate or alleviate any misconceptions.

It is important to note that when an individual requests accommodation related to curriculum, the accommodation is only applicable for the individual, and is not a general accommodation for that particular religion/faith.

Accommodations should be discussed with the school principal, and with the FOS Superintendent, if needed, to plan how to best support the individual requesting accommodation. The Equity, Diversity, and Inclusion department can also support and provide guidance when accommodations are requested.

While the board aims to provide accommodations where possible, it cannot accommodate requests that are in conflict with Board and Ministry policies.

The Ministry of Education recommends substitutions when there are exemptions requested related to secondary school specific curriculum requirements. (Ontario Schools, Policy and Program Requirements, Section 6.2, 2016)

Part IV: How to Appeal an Accommodation Decision

Unresolved Requests

Despite the Board's commitment to accommodate, an individual may feel that discrimination based on religion has occurred. The Board will, through the appropriate policies and procedures, take reasonable steps to address the unresolved issue(s) raised by the affected person.

Individuals who have been denied their accommodation request can reach out to the Commissioner's Office – Human Rights, Equity & Accessibility by using the 'Report It!' button available on the [Kawartha Pine Ridge Website](#), or by accessing the button on any KPR school website. The review process is outlined in [Board Policy 3.3 - Human Rights: Code-Based Discrimination and Harassment](#)

