



**POLICY SECTION:** Students  
**SUB-SECTION:**  
**POLICY NAME:** Religious Accommodation  
**POLICY NO:** S. 22

<b>Date Approved:</b> December 4, 2012 - Board	<b>Date of Next Review:</b> <del>December 2015</del> <b>November 2023</b>	<b>Dates of Amendments:</b>
<b>Cross References:</b> Catholic Equity and Inclusive Education Policy H.M. 24 Ontario Ministry of Education Policy/Program Memorandum 119, <i>Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools</i> <b>Constitution Act, 1867 (U.K.)</b> <b>Canadian Charter of Rights and Freedoms, being schedule B to the Canada Act 1982</b>		
<b>Appendix</b>		

### **Purpose:**

This Policy recognizes that religious accommodation provisions are designed to promote a respectful learning environment for all members of the Toronto Catholic District School Board (TCDSB) consistent with the exercise of the Board's denominational rights under section 93 of the Constitution Act, 1867, and as recognized in section 19 of the Ontario Human Rights Code. The policy identifies the types of accommodations schools can reasonably provide to students and outlines the conditions under which a student's religious beliefs would be accommodated.

### **Scope and Responsibility:**

The policy extends to staff members, students and their families while in attendance at school or engaged at other TCDSB events. The Director of Education, with the assistance of Supervisory Officers and Principals, are responsible for this policy.



**POLICY SECTION:** Students  
**SUB-SECTION:**  
**POLICY NAME:** Religious Accommodation  
**POLICY NO:** S. 22

**Alignment with MYSP:**

Living Our Catholic values  
 Strengthening Public Confidence  
 Fostering Student Achievement and Well-Being

**Financial Impact:**

~~Generally, there is no significant financial impact.~~

**Legal Impact:**

-

~~Policy/Program Memorandum 119 requires school boards to develop an equity and inclusive education policy which, among other things, includes a guideline on religious accommodation in accordance with the Ontario Human Rights Code.~~

**Policy:**

The TCDSB is committed to the values of freedom of religion and freedom from discriminatory or harassing behaviours based on religion, and will take reasonable steps to provide religious accommodations within the legal and denominational rights afforded the Catholic school system as per Section 93 of the Constitution Act of 1867 **and Section 29 of the Constitution Act, 1982**. Such accommodations will be provided to staff members, students and their families.

**Regulations:**

1. The TCDSB supports freedom of religion and an individual's right to manifest his or her religious beliefs and observances. The right to freedom is not absolute, and religious accommodation in TCDSB is carried out in the larger context of the Catholic education system and denominational rights of Catholic schools.



**POLICY SECTION:** Students

**SUB-SECTION:**

**POLICY NAME:** Religious Accommodation

**POLICY NO:** S. 22

2. The TCDSB will, at all times, 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.
3. It is understood that all students registered in TCDSB schools acknowledge that the school community proclaims, celebrates and cherishes its Catholic identity and traditions and that staff will teach the curriculum from a Catholic perspective. At the same time, the school is enriched and is committed to providing an environment that is inclusive, safe and free of barriers based on religion.
4. In respect of religious accommodation, TCDSB acknowledges that all students, in accordance with what the Catholic Church offers in its social teachings and reflective practice, are entitled to their rights and responsibilities under the Ontario Human Rights Code.
5. TCDSB will work cooperatively and take all reasonable steps to provide accommodation to individual requests from students to facilitate his/her religious beliefs and practices.
6. Areas of religious accommodation include, but are not limited to:
  - a. school opening and closing exercises;
  - b. leave of absence for Religious Holy Days;
  - c. prayer;
  - d. dietary requirements;
  - e. fasting; religious dress;
  - f. modesty requirements in physical education; and
  - g. participation in daily activities and curriculum.
7. Chapels in Catholic schools are specifically designed and furnished in the Catholic tradition for prayer and liturgy, and are not to be considered multi-faith chapels. The chapel is open to all people for individual silent prayer or meditation, but it is not appropriate for non-Catholic liturgies or group prayer



**POLICY SECTION:** Students  
**SUB-SECTION:**  
**POLICY NAME:** Religious Accommodation  
**POLICY NO:** S. 22

to be held in the chapel. In following the general custom of the Roman Catholic Church, non-Catholics are welcome to join in prayers services and liturgical celebrations of the Catholic Church community, while honouring restrictions, such as sharing Holy Communion.

8. Should the need arise, the principal, in consultation with the Chaplaincy team leader, will designate another appropriate space within the school other than a chapel for religious celebrations held by other Christian denominations or faith traditions.
9. Religious Accommodation with respect to elementary students will be made so that it applies to elementary schools consistent with the Admission Policy.

### **Definitions:**

#### **Constitution Act, 1867, Section 93**

The ~~general~~ Act created the Dominion of Canada in 1867, and provided powers to the provinces to exclusively make laws for education. ~~Those denominational rights granted to separate (Catholic) schools prior to the Constitution Act would be guaranteed.~~ **The Act provides that no law may be enacted in Ontario which prejudicially affects any right or privilege with respect to Catholic schools.**

#### **Ontario Human Rights Code, Section 19**

While the Human Rights Code prohibits discrimination and provides equal treatment for all people in Ontario with respect to a number of categories, Section 19 recognizes that the Code will not be construed to adversely affect any right or privilege respecting separate schools enjoyed by separate school boards or their supporters under the constitution Act, 1867 and the Education Act.

#### **Canadian Charter of Rights and Freedoms, 1982**

**Nothing in this Charter abrogates or derogates from any right or privilege guaranteed by or under the Constitution of Canada in respect of Catholic schools.**



**POLICY SECTION:** Students  
**SUB-SECTION:**  
**POLICY NAME:** Religious Accommodation  
**POLICY NO:** S. 22

### **Evaluation and Metrics:**

The effectiveness of the policy will be determined by measuring the following:

1. Implementation of the religious accommodation policy is the responsibility of the school principal in consultation with the Area Superintendent.
2. ~~The consistent application of religious accommodation requests will be monitored and reported in an annual report to the Board of Trustees.~~ **Requests for religious accommodations will be monitored and reported to the Board annually.**
3. TCDSB staff will consult with other Catholic school boards in Ontario with respect to their implementation of religious accommodation policies.