

# ADVISORY COMMITTEE ON INTEGRATION AND REASONABLE ACCOMMODATION IN THE SCHOOLS

CHAired BY  
BERGMAN FLEURY

Report submitted to  
Michelle Courchesne  
Minister of Education, Recreation and Sports

## Inclusive Québec schools: dialogue, values and common reference points

November 15, 2007

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Ms. Michelle Courchesne  
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Dear Minister Courchesne,

It is an honour to submit to you the report entitled *Inclusive Québec Schools: Dialogue, Values and Common Reference Points*, which stems from the deliberations of the Advisory Committee on Integration and Reasonable Accommodation in the Schools, set up by your Ministère in October 2006.

Our mandate reflects questioning in Québec on pluralism and focuses, in particular, on an analysis of issues in Québec schools and the formulation of recommendations on managing diversity in the school systems, taking into account the questions of integration and reasonable accommodation. The committee members' expertise enabled us to engage in reflection enriched by data collected in all Québec schools and comments from players in the education system.

In our deliberations, we gave priority to the question of reasonable accommodation, which takes on different forms in the various services offered to students. We clarified this concept in light of its legal foundation and proposed common reference points applicable to the search for adapted solutions in order to foster education on how to live together in a democratic, pluralistic school system and society.

These reference points are directly linked to the educational practices adopted to face the challenge posed by linguistic, religious and ethnocultural diversity. They are accompanied by recommendations derived from a strategy aimed at supporting the school boards and the schools. We hope that players in the school systems and sectors can refer to a specific departmental framework and that they obtain broader access to the appropriate information and training tools and to environments suited to partnerships.

Given the variety of organizations that our committee represents and the importance and complexity of the questions examined, it is important to inform you of the calmness that prevailed during our discussions and the cordial unanimity that characterizes this report.

Yours sincerely,



Bergman Fleury  
Chair

 David Birnbaum	 Roger Boisvert	 Torben Borgers
 Bernard Bourboin	 Sonia Daoust	 Joe Cacchione
 R'ria Laroui	 Claire Deronzier	 Ginette Dion
 Jacqueline Dorman	 Charley Lévy	 Alain Guimont
 Maryse Malenfant	 Nathalie Marceau	 Marie Mc Andrew
 Pierre Meloche	 André Pofférier	 Konrad Muncs
 Claire Chamberland	 Jocelyne Veilleux	 Shirley Sarna

## ACKNOWLEDGEMENTS

The unstinting cooperation of its members and their dynamic participation throughout its deliberations facilitated the realization of the Advisory Committee's mandate. The members' interest did not waver despite the arid nature and complexity of the concepts and situations examined. This contribution was essential to the presentation of certain documents and the extensive discussions we conducted.

In a more personal vein, we wish to point out the outstanding support given to us throughout the mandate from the following individuals:

Professor Marie McAndrew, who gave the Advisory Committee the benefit of her extensive personal experience and made available to it numerous studies conducted by the Canada Research Chair on Education and Ethnic Relations;

Professor José Woehrling, who drafted briefs and examined the jurisprudence on reasonable accommodation in the realm of education;

Fernand Ouellet, who oversaw the collection of large amounts of data from school administrators;

Rachid Aït-Saïd, for his valuable collaboration in conducting statistical analyzes of the data;

Danielle Pageau from the Direction de la recherche, des statistiques et des indicateurs, for her indispensable collaboration in the data collection process;

Marc-Yves Volcy, who generously and patiently drafted all phases of the Advisory Committee's report;

Marcel St-Jacques, who drafted minutes of meetings and collected numerous comments on the different versions of the report;

Louise Fortin, Director, Services aux communautés culturelles, who generously coordinated the Advisory Committee's activities until the summer of 2007, and Claire Chamberland, who efficiently took over from her;

Pierrette Bureau, who put the finishing touches on the page layout of different versions of this report and generously supported the Advisory Committee's deliberations;

Direction des services aux communautés culturelles staff members, who offered the task force their support in addition to performing their usual duties.

Other perspectives or presentations also enriched the Advisory Committee's deliberations. We would like to thank Samia Amor, a doctoral student at the Centre de recherche en droit public, Université de Montréal, Denis Watters, who is in charge of the Éthique et culture religieuse program, and Alain Gauthier, Secretary General of the Commission scolaire Marguerite-Bourgeoys.

The Advisory Committee officially acknowledges receipt of briefs and opinions submitted by the Mouvement laïque québécois, the Conseil du statut de la femme du Québec, the Association multi-ethnique pour l'intégration des personnes handicapées, the Comité sur les affaires religieuses, Réginald Fleury, education consultant, and the Ligue des femmes du Québec.

## MANDATE OF THE ADVISORY COMMITTEE

Under its mandate, the Advisory Committee was asked to:

- propose to the Minister of Education, Recreation and Sports an intervention strategy aimed at integrating young people from the immigrant or various cultural, religious and linguistic communities into the education system and at managing diversity in the school systems, taking into account the questions of integration and reasonable accommodation;
- document emerging issues related to the adaptation of Québec schools to ethnocultural, religious and linguistic diversity;
- produce a clear, accessible definition of reasonable accommodation in the educational milieu, taking into account existing jurisprudence, and take stock of successful initiatives in this respect;
- inventory the information and training tools accessible to different categories of educators;
- propose the production of relevant documents and tools for the school systems.

## COMPOSITION OF THE ADVISORY COMMITTEE

Bergman Fleury, an education and intercultural relations consultant and professional advisor who retired in 2006 from the Commission scolaire de Montréal, chaired the Advisory Committee. Pierre Bergevin, Assistant Deputy Minister, Preschool, Elementary and Secondary Education, provided liaison with the Minister's office. In addition, the Advisory Committee has 23 other members from different milieus.

### Public school system

David Birnbaum, Quebec English School Boards Association

Bernard Bourboin, Association québécoise du personnel de direction des écoles

Torben Borgers, Fédération québécoise des directeurs et directrices d'établissement d'enseignement

Joe Cacchione, Association montréalaise des directions d'établissements scolaires

Alain Guimont, Fédération des commissions scolaires du Québec

Nathalie Marceau, Association des cadres scolaires du Québec

Pierre Meloche, Association des directeurs généraux des commissions scolaires

Diane Miron, Fédération des comités de parents du Québec (November 2006 to September 2007)

Jocelyne Veilleux, Centrale des syndicats du Québec

### Private school system

Sonia Daoust, Fédération des établissements d'enseignement privés

Charley Lévy, Association of Jewish Day Schools

### Universities

Professor R'kia Laroui, Département des sciences de l'éducation, Université du Québec à Rimouski

Professor Marie McAndrew, Canada Research Chair on Education and Ethnic Relations, Université de Montréal

### Government departments and agencies

Claire Deronzier, Ministère de l'Immigration et des Communautés culturelles

Shirley Sarna, Commission des droits de la personne et des droits de la jeunesse

### Ministère de l'Éducation, du Loisir et du Sport

Roger Boisvert, Secrétariat aux affaires religieuses

Ginette Dion, Direction de l'enseignement supérieur

Jacqueline Dorman, Service des affaires institutionnelles et autochtones

Louise Fortin (replaced by Claire Chamberland), Direction des services aux communautés culturelles

Maryse Malenfant, Direction de l'enseignement privé

Konrad Muncs, Secteur des services à la communauté anglophone

André Pelletier, Direction de l'éducation des adultes et de l'action communautaire

Marc-Yves Volcy, an advisor on services to the cultural communities, acted as secretary of the Advisory Committee.

## WORK SCHEDULE AND OPERATIONS

The Advisory Committee deliberated from October 2006 to November 2007. It held monthly meetings, with a break in July and August, which was offset by additional meetings at the conclusion of its deliberations. In all some 15 meetings were held, most of them lasting an entire day.

The Advisory Committee conducted its deliberations in plenary sessions, with each member being able to express his or her viewpoint on the questions examined and collaborate in the production of this report. In addition, subcommittees were established to examine specific facets of the questions examined and the entire committee then discussed the texts drafted accordingly.

The Advisory Committee benefited from the expertise and experience of its members from the standpoint of presentations, in particular on the origin and development of the legal concept of reasonable accommodation, the question of secularism, and case histories of how various requests for reasonable accommodation were dealt with in the education system. Outside resource persons were invited to participate in the presentation of these case histories, as well as to make presentations on the ethics and religious culture program, legal guidelines pertaining to reasonable accommodation, guidelines in government documents and data collection concerning diversity-related requests and adaptation initiatives that have arisen in the schools. The Advisory Committee also benefited from the reflection of an outside jurist on reasonable accommodation.

A delegation from the Advisory Committee engaged in working meetings with the Consultation Commission on Accommodation Practices Related to Cultural Differences, co-chaired by academics Gérard Bouchard and Charles Taylor. These meetings enabled participants to present their respective mandates and work schedules and to review the key operations planned. The mandate of the Consultation Commission is broader than that of the Advisory Committee, which is centred on the educational milieu.

Moreover, the Advisory Committee cooperated with the Canada Research Chair on Education and Ethnic Relations, some of whose research is directly related to the committee's concerns. Several committee members participated actively in three day-long study and reflection sessions that the Canada Research Chair on Education and Ethnic Relations organized in March and April 2007, bringing together 230 participants from the universities, schools, government and the community. The theme examined was reasonable recognition of religious diversity in the norms and practices of public schools. The Advisory Committee quickly benefited from the illuminating outcome of these sessions, which afforded it a worthwhile opportunity to enrich its reflection, devise solutions, and examine the relevance of some of the reference points propose with respect to reasonable accommodation.

It should be noted that the Advisory Committee was invited to participate in meetings organized by the Comité sur les affaires religieuses and groups interested in reasonable accommodation and integration. Briefs submitted by organizations and individuals also received special attention. The regularity of attendance of the representatives of the key partners of the Ministère de l'Éducation, du Loisir et du Sport in the Advisory Committee's meetings and their participation in the subcommittees are a noteworthy indication of their interest and desire to contribute to the success of the Advisory Committee's deliberations.



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## FOREWORD

The Advisory Committee on Integration and Reasonable Accommodation in the Schools, established in October 2006, presents in this document its final report submitted to the Minister of Education, Recreation and Sports pursuant to the mandate assigned to it. The report is intended to give an account of the outcome of the Advisory Committee's deliberations and to indicate the measures to be put forward concerning reasonable accommodation in conjunction with the overall recognition of ethnocultural, religious and linguistic diversity, from the standpoint of how to live together and integration into Québec schools.

The Advisory Committee first analyzed its mandate and delineated its meaning in order to define its work plan. It agreed to make of its mandate a vector that facilitates the use of practical means and tools to support the educational milieu with regard to reasonable accommodation.

Moreover, the Advisory Committee agreed that the integration into the education system of students attending schools that are not legally recognized (many of whom, according to estimates, belong to religious minorities) and reasonable accommodation are separate questions that warrant individual examination. The Advisory Committee decided to focus on the question of reasonable accommodation and to present in Appendix A of this report the outcome of its deliberations on integration of students attending schools that are not legally recognized and whose integration has hardly been documented to date.

The Advisory Committee has focused on the youth sector. However, it would be advisable to subsequently use this report as a guide to examine specific conditions in the realms of adult education, vocational and technical training, and higher education. It should be noted that the Advisory Committee did not examine the question of adaptation requests made by the employees of educational institutions.

The Advisory Committee conducted its deliberations in such a way as to offer the educational milieu relevant information on reasonable accommodation, its limitations and the reference points that must guide its implementation. The means proposed and the reference documentation are tools that should contribute to ensuring greater coherence in the initiatives of the school systems in relation to the recognition of diversity and the processing of requests that it engenders.

The Advisory Committee has acknowledged that the questions related to this multifaceted diversity pose challenges in the educational milieu, but questions related to religious beliefs appear to be more controversial or, at least, subject to broader media coverage. Religious diversity and the questions that it raises were at the heart of the discussions.

The Advisory Committee agreed that reasonable accommodation is not linked solely to the presence of immigrants, although it recognizes that such a presence plays a significant role. Indeed, individuals who request accommodation come from the religious, ethnocultural and linguistic groups that have for a long time made up Québec's population, as well as from new immigrant minorities.

During its meetings, the Advisory Committee devoted, in particular, a considerable amount of time to the definition of reasonable accommodation and general reference points for its adoption or rejection. This choice stems from the need to respond to the expectations of the educational milieu. It was also relevant to take stock of diversity-related requests for adaptation or exemptions submitted in recent years to school administrators. Furthermore, the Advisory Committee focused especially on the formulation of guidelines and recommendations with respect to measures that produce direct results in the educational milieu.

This report comprises four chapters. Chapter 1 examines the context and issues pertaining to reasonable accommodation and the recognition of diversity in the educational milieu in general. In particular, it emphasizes past and present diversity in the educational milieu and the questions raised by the accommodation cases reported. This questioning obviously implies the need to tackle the issues that Québec schools are currently facing.

Chapter 2 takes stock of accommodation requests and initiatives aimed at taking into account diversity in the schools. Are such requests and initiatives numerous? Do they affect schools in all regions of Québec? Who are the main parties requesting accommodation and what is the subject matter of their requests? What objectives have decision-makers adopted with respect to the processing of these requests and what has their response been? What concerns and expectations do managers have? These are the key facets that the Advisory Committee examined in this chapter.

Chapter 3 formulates an accommodation request management strategy. It first reviews certain essential principles that underpin the recognition of ethnocultural, religious and linguistic diversity. It then defines reasonable accommodation and reviews its legal framework and characteristics as well as reference points that can serve as guidelines for its implementation. An accommodation request processing approach is suggested. To conclude, the chapter indicates guidelines respecting common reference points, the training of educators, partnership and support for the educational milieu.

Chapter 4 is devoted to the recommendations formulated in the wake of the examination of information drawn from three key sources: (1) data collected from school administrators; (2) the expertise of members of the Advisory Committee based on a thorough knowledge of conditions in the educational milieu; (3) consultations, in particular the consultation conducted in conjunction with the day-long study sessions mentioned earlier, which provide a broader perspective of the perceptions and viewpoints of community groups and representatives of civil society.

Eight appendixes provide additional information on certain points covered in the report, such as successful practices, training and information tools, data collection in the educational milieu, and facets of jurisprudence pertaining to reasonable accommodation. As we noted earlier, a specific appendix examines the question of students attending schools that are not legally recognized.

# CHAPTER I

## CONTEXT AND ISSUES RESPECTING DIVERSITY AND REASONABLE ACCOMMODATION

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### 1.1 THE SCHOOLS AND DIVERSITY IN QUÉBEC

Québec defines itself as a French-speaking, democratic, pluralistic society, which allows, in particular, diversity to express itself in all of its forms, in a spirit of respect, of course, of recognized democratic values. This societal choice, examined, in particular, in the *Énoncé de politique en matière d'intégration et d'immigration – Au Québec pour bâtir ensemble (1990)*<sup>1</sup> in the form of a moral contract, is confirmed in Québec charters, statutes and institutions.

Since the 1960s, during which the democratization of Québec's education system took place, the schools have been asked to recognize diversity and foster its expression in keeping with the current rules. This openness to diversity affects the management of schools and the services offered to students.

The schools play a key role with respect to education in openness to diversity. They receive young people of different origins, religions, mother tongues and milieus to transmit to them teaching defined essentially in a program of studies and academic conditions established by the Ministère de l'Éducation, du Loisir et du Sport.

As part of their mission, the schools have an obligation to instruct and provide qualifications to all students throughout their learning path. Moreover, they must socialize students by teaching them the standards that govern society, the basic values that underpin it, and the heritage that enriches it. The schools are a place of learning about life in society and, in this respect, play an essential role in educating young people for citizenship in a pluralistic society. This mission also affects establishments in milieus that have not experienced very much ethnocultural diversification.

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1. Québec, Ministère des Communautés culturelles et de l'Immigration, *Au Québec pour bâtir ensemble. Énoncé de politique en matière d'immigration et d'intégration*, Direction des communications, (Québec: Gouvernement du Québec, 1990).

### The diversity of structures

Diversity is apparent in the very structures of our education system, comprising public and private systems, which in turn include French and English sectors.<sup>2</sup> The public education system also encompasses educational institutions stemming from the *James Bay and Northern Quebec Agreement* or the *Northeastern Quebec Agreement*, i.e. the Cree School Board for the Cree Indians, the Kativik School Board for the Inuit, and a school for the Naskapis. The languages of instruction are Cree, Inuktitut and Naskapi, respectively, and the other languages of instruction in use in the Naskapi community and the Cree and Inuit communities on the date of signing of the agreements, i.e. French and English. These organizations enjoy specific powers, in particular the power to develop courses, textbooks, instructional material and teacher training programs to preserve and pass on the language and culture of their nation, as well as the possibility of concluding agreements on post-secondary education.

The private school system, which is subject to the *Act respecting private education*, encompasses different types of establishments which may or may not be accredited for the purpose of subsidies, as well as heritage, religious or cultural establishments.

### The diversity of the school clientele

Québec's school clientele is made up of 79.8% French-speakers, 8.6% English-speakers, roughly 11% allophones, and just under 1% of students who have an aboriginal mother tongue (see Appendix H). Roughly 20% of the students come from immigrant communities, i.e. they were born abroad, have an immigrant mother or father, or speak a mother tongue other than French, English or an aboriginal language.

Aboriginal populations are dispersed almost entirely throughout Québec, from the Far North to the St. Lawrence Valley and gulf shores. While dispersed throughout the territory, the various communities are formed on the basis of the nation to which each one belongs. Of the 11 aboriginal nations in Québec, the Ministère de l'Éducation, du Loisir et du Sport serves the three nations covered by an agreement, i.e. the Inuit living around Ungava Bay, Hudson Strait and Hudson Bay, the Cree communities mainly settled around James Bay, and the Naskapi community, which is located in Kawawachikamach near Schefferville. Furthermore, the Québec school system also includes some 1000 students from the aboriginal nations not covered by an agreement, who attend schools operated by school boards in the Québec public education system or a private school under a service agreement<sup>3</sup> or because they live in the territory of a school board.

Students from immigrant families are unevenly spread over the territory. Most of them attend school in the Montréal area but a significant number also live in the Laval,

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2. It should be noted that, for over a century, the public schools were divided into Catholic and Protestant denominational schools, which were in turn divided into two linguistic sectors. The non-denominational education system was launched in 1998 with the establishment of linguistic school boards, followed by the adoption in 2000 of Bill 118, which, in particular, made provision for the withdrawal of the denominational status of public schools and the impossibility for the schools to adopt an educational project of a religious nature.

3. The agreement is reached between the band council of an aboriginal nation not covered by an agreement that is responsible for the education of aboriginals living on the reserve and a school board or a private school.

Outaouais and Montérégie regions (see Table 1). Fewer of them live in the other regions. The degree of multiethnicity varies depending on the school. Some schools have few students from immigrant families, while the proportion of such students in other schools can exceed 80%.

**TABLE I**  
**PERCENTAGE OF YOUTH SECTOR STUDENTS FROM IMMIGRANT FAMILIES, BY REGION**  
**2005-2006**

Region	Montréal	Laval	Outaouais	Montérégie	Other regions overall	Québec overall
Students from immigrant families	52.9%	34.3%	14.3%	11.7%	4.8%	19.1%

The range of countries of origin of students from immigrant families has broadened over the past 40 years. The recent flow of migration is mainly Asian, North African, South American and West Indian. A high proportion of immigrants also come from France, the United States and Romania (see Table II).

**TABLE II**  
**YOUTH SECTOR STUDENTS, QUÉBEC OVERALL**  
**(PUBLIC, PRIVATE AND GOVERNMENT SCHOOLS)**  
**2005-2006 SCHOOL YEAR**

Québec overall (1 088 270 students)	Main countries of origin																		
	Canada																		
	Québec	Other Canadian provinces	China	France	Haïti	Algeria	United States	Rumania	Morocco	Colombia	Mexico	Lebanon	Pakistan	Russia	Congo	Peru	Afghanistan	India	Germany
	989 905	28 703	6 770	4 868	4 645	4 220	3 804	2 890	2 740	2 415	1 818	1 650	1 588	1 408	1 223	1 164	1 050	906	871
	91.0%	2.6%	4.0%																
	93.6%																		
	Main mother tongues																		
	French	English	Arabic	Spanish	Italian	Amerindian or Inuktitut	Chinese	Creole	Vietnamese	Greek	Tamil	Portuguese	Rumanian	Russian	Urdu	Bengali	Tagalog or Filipino	Armenian	Punjabi
	868 584	93 181	19 793	18 290	10 337	9 995	7 876	7 268	4 374	3 613	3 221	3 140	2 963	2 816	2 221	2 089	2 044	1 912	1 907
	79.8%	8.6%	9.5%																

Source: Entrepôt des données ministérielles, May 2007.

For several decades, a combination of factors has broadened religious diversity in Québec (although this is not always apparent). Among these factors, a decline in religious practice among a majority of Quebecers has altered the landscape. Moreover, relatively recent religious groups, often of Christian affiliation, are attracting followers everywhere in Québec. Recent immigration is, in particular, increasing the presence of non-Christian religions.

It is hard to measure religious diversity in Québec schools since the Ministère de l'Éducation, du Loisir et du Sport does not collect data on students' religious affiliations. However, trends in the educational milieu likely reflect those of recent immigration. Indeed, while 60% of newcomers belong to Christian denominations, the proportion of non-Christian religions is growing (see Appendix H). This situation is also affecting the presence of non-Christian religions in the general populace.

From a linguistic standpoint, the diversity among students is striking: over 200 mother tongues, from a variety of linguistic families, are represented in the school system. Many of these languages have phonetic or writing systems that differ from French. However, mention should be made of the marked increase over the past five years in the number of students born abroad for whom French is the mother tongue or the language spoken at home.



## 1.2 RECOGNITION OF DIVERSITY IN THE EDUCATIONAL MILIEU

### The Educational Integration and Intercultural Education Policy Proposal<sup>4</sup>

In 1998, the Ministère de l'Éducation, du Loisir et du Sport developed a policy that established key areas for intervention intended to guide the educational milieu in fostering the integration into the schools of immigrant children and preparing school systems and sectors to participate in the building of a democratic, French-speaking, pluralistic Québec through intercultural education or by means of learning how to live together.

This policy confirms the importance that the Ministère attaches to the integration of newcomers into Québec schools. Such integration demands a reciprocal relationship between the implementation by educators of appropriate measures and a willingness by immigrants to adapt to their new society. In particular, the policy sets out guidelines respecting reception and francization services and innovative practices to be implemented with respect to students who, upon arrival, are three or more years behind in their education in relation to the Québec standard.

By making intercultural education the other component of its policy, the Ministère de l'Éducation, du Loisir et du Sport is emphasizing the need to focus on multifaceted differences in the educational milieu. Interactive openness to diversity is recognized as one of Québec society's values and will be reflected in school life in accordance with the rights and responsibilities recognized in the *Canadian Charter of Rights and Freedoms* and the *Québec Charter of Human Rights and Freedoms* and legislation and regulations governing education in Québec.

This openness must permeate initial and ongoing teacher training and the curriculum, which will highlight, from the standpoint of collective heritage, historic heritages and the contribution made by everyone who has lived and is living in Québec. The *Politique d'intégration scolaire et d'éducation interculturelle* already offers guidelines respecting the management of accommodation geared to reasonable recognition of diversity. The policy makes clear that reasonable accommodation must not call into question rights guaranteed by the charters, that it must comply with legislative provisions and must not unduly hamper the functioning of the schools. The policy is also accompanied by an action plan that includes measures aimed at making concrete guidelines concerning the reception of immigrant children and pluralism in Québec schools.

### The Program to Promote Intercultural Contact at School

Since 2005, the Ministère de l'Éducation, du Loisir et du Sport has implemented measures in conjunction with the interdepartmental Plan of Action for Educational Integration and Intercultural Education, aimed at young school-age children. The action plan, developed jointly with the Ministère de l'Immigration et des Communautés culturelles, the Ministère de la Culture et des Communications and the Ministère de la Famille, des Aînés et de la Condition féminine, seeks, in particular, to develop learning centred on living together among Québec students.

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4. Québec, Ministère de l'Éducation, *A School for the Future: Educational Integration and Intercultural Education Education, Policy Proposal* (Québec: Gouvernement du Québec, 1998).

### Welcoming Services and Assistance in Learning French

Schools that receive newcomers whose knowledge of French is insufficient may offer Welcoming Services and Assistance in Learning French, a program established by the Ministère. The program, which reflects acknowledgement of the linguistic and ethnocultural diversity of the student population, makes it possible to offer specific educational services to these students to facilitate their integration into regular classes. The mastery of French, the language of instruction and the common language of public life, on which these services are primarily based, underpins the linguistic, academic and social integration of immigrant children who, since the adoption of the *Charter of the French language* in 1977, must attend French-language schools.

### Measure to integrate students from immigrant families

The Ministère has implemented a measure to integrate students from immigrant families that allows for organizational and pedagogical backing in schools that receive large numbers of these students. This measure also takes into account diversity since it is aimed at schools with high concentrations of students from immigrant families. It makes provision for educational support, professional retraining for teachers, the development of instructional and evaluation tools, and resources to help draw closer together immigrant parents, the schools and families.

### The Programme d'enseignement des langues d'origine

The Ministère is also paying special attention to the linguistic and ethnocultural diversity of students through the Programme d'enseignement des langues d'origine (PELO). This heritage language program is taught outside regular hours and is geared to a basic knowledge of the heritage language used in the family, as the case may be. Such instruction helps learning of all subjects, including the second language, whether French or English, which becomes the student's target language. Moreover, PELO is fostering intercultural openness through the learning of third languages. It should be noted that both public and private schools offer their students the possibility of learning a third language.

### The educational success of aboriginal students

In 2005, the Ministère adopted a measure aimed at the educational success of aboriginal students attending Québec public schools to support intervention by the school boards focusing on the enhancement of the language skills of aboriginal students, upgrading subject skills, school adjustment, the development of self-esteem, and understanding of the culture of aboriginal students. In 2006, the Ministère also implemented a homework assistance program, in partnership with native friendship centres, to support learning among elementary aboriginal students attending Québec public schools.

### Programs of study

The pedagogical reform now under way in the Québec education system, which puts students at the centre of teaching, has led, among other things, to the revision of programs of study. In conjunction with this revision, the Ministère has sought to include openness to diversity. The schools are thus called upon to foster cohesiveness by contributing to learning how to live together and the emergence among young people of a feeling of belonging to

the community. The broad area of learning *Citizenship and Community Life* and citizenship education linked to the history or geography programs are specifically geared to the objective of training citizens who are able to play an active role in building a pluralistic society. All broad areas of learning contribute to building students' identity by exposing them to different environments, broadening their horizons and their knowledge of themselves and their origins, mobilizing their faculties, encouraging them to take a stand on key debates in society, and encouraging them to be receptive to moral and spiritual reference points in the community.<sup>5</sup>

Similarly, the new *Ethics and Religious Culture* program of study, to be introduced in all Québec schools at the start of the 2008-2009 school year, should facilitate the acquisition of skills related to openness to the world and democracy, which will further encourage students to act in a way that promotes the public interest.

### Instructional material and the skills expected of teaching staff

Instructional material has not been overlooked and its designers must also take into account diversity. The Ministère has developed a grid for school textbook publishers to evaluate sociocultural aspects of this material. The criterion adopted in this respect is a democratic, pluralistic society, which encourages publishers to focus, in particular, on a fair representation of characters from minority groups and the diversified, non-stereotypical representation of the characters' personal and social characteristics. Instructional material tends, by and large, to reflect pluralism today.

The same is true of teacher training. Indeed, certain skills that future teachers must acquire and that the Ministère prescribes by relying on the collaboration of university education faculties specifically concern the appropriate reception and treatment of diversity and the fight against discrimination. Moreover, to provide support for the educational approach of elementary school teachers to broach the territorial and social situation of the aboriginal peoples in Québec, the Ministère de l'Éducation, du Loisir et du Sport has contributed to the development and dissemination of a collection devoted to the First Nations that examines their current way of life. Nine aboriginal nations have been examined in a publication accompanied by an activity guide that proposes cooperative projects to be carried out in class to facilitate relations between several subjects.

### Intercultural training sessions

Each year, the Ministère offers the French-language public school system intercultural training sessions (see Appendix C) organized for staff focusing on a number of diversity-related themes. The training is intended to enable staff to manage the relationship to diversity in a pluralistic perspective. Some sessions centre on reasonable accommodation and are aimed, in particular, at school administrators who must respond to requests for adaptation of or exemptions from norms and practices submitted by students, their parents or staff. Specific training manuals have been developed for sessions devoted to reasonable accommodation. Another session, prepared by the Secrétariat aux affaires religieuses of the Ministère de l'Éducation, du Loisir et du Sport, proposes relevant material to foster reflection on questions pertaining to religious diversity in the educational milieu.

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5. Québec, Ministère de l'Éducation, du Loisir et du Sport, *Programme de formation de l'école québécoise* (Québec: Gouvernement du Québec, 2006).

### Initiatives of educational milieus

Over the years, heavily multiethnic educational milieus have undertaken initiatives in light of the diversity of their students. Preparatory classes were introduced in the late 1960s to facilitate, through intensive French language learning, the education of non-French-speaking immigrant students whose mother tongues were becoming increasingly diversified. Cultural plurality thus posed educational challenges that the school boards recognized as such and sought to meet. They developed instructional material to support the teaching of newcomers and in some instances organized intercultural training sessions for staff that welcomed and integrated these students.

The school boards with significant numbers of students from immigrant families adopted an integration and intercultural education policy and the relevant frame of reference. They developed their own reflection and training tools devoted to the question of reasonable accommodation. A number of Québec schools engaged in an array of educational, linguistic and social activities focusing on learning how to live together or the integration of newcomers into the schools.<sup>6</sup> Other public and private schools implemented educational projects centred on international education to foster multilingualism and openness to the community and the world.

In short, through this multifaceted mobilization, democratic, pluralistic Québec schools are fully engaged in taking into account diversity. However, changes in society and such diversity in different regions of Québec can raise questions about the integration methods and ways of taking into account ethnocultural, religious and linguistic diversity adopted by the schools.

### 1.3 CONTEXT OF QUESTIONING ON ACCOMMODATION

#### The kirpan in the schools and other issues

The Supreme Court of Canada judgment handed down in March 2006 confirmed the decision of the Québec Superior Court to allow, subject to certain conditions, the wearing of the kirpan (a religious object that resembles a dagger) by an orthodox Sikh student at the École Sainte-Catherine-Labouré, a public elementary school on Montreal's West Island.

At the same time, in the conclusion of an investigation that did not, however, concern elementary and secondary schools, the Commission des droits de la personne et des droits de la jeunesse proposed to the École de technologie supérieure to seek accommodation with Muslim students who were requesting a prayer room.

The two events combined gave rise to extensive questioning and interpretation in the realm of education. They sparked a new debate in the major news media and the public.

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6. Québec, Ministère de l'Éducation, du Loisir et du Sport, *Recueil de projets novateurs. Répertoire de projets favorisant l'intégration scolaire des élèves immigrants et le mieux-être ensemble dans les écoles* (Québec: Gouvernement du Québec, 2007). Sous-comité de réflexion en éducation interculturelle des commissions scolaires de l'île de Montréal, *Une école interculturelle : répertoire d'activités et de mesures*, 2007.

Indeed, the debate on reasonable accommodation in the educational milieu began, with less intensity, in 1994-1995, during the controversy over the wearing of the hijab in a Montréal public school, then was rekindled in 2003 in a private school. This topical social issue concerns commissioners, school administrators, teaching and non-teaching staff, members of school parents' committees, and so on.

### Debate elsewhere

Debate on the recognition of diversity in the educational milieu through reasonable accommodation is not confined to Québec. Such debate occurred several years ago in Ontario. It led to the development by the Toronto District School Board of a management guide on reasonable accommodation by a committee made up of representatives of religious groups and of the education system. The guide<sup>7</sup> was adopted in the wake of an extensive consultation of the milieus concerned. To varying degrees, debate is also under way elsewhere in Canada, the United States and Europe. It marks a stage in the development of the relationship to pluralism in many societies and in the development of normative frameworks.<sup>8</sup>

### Varied requests

In Québec, controversy over reasonable accommodation has crystallized in the media and regularly affords everybody an opportunity to point out or reveal cases of demands for the adaptation of or exemption from norms and practices, whose frequency or scope are subject to reserve, and the initiatives undertaken by the players in question. These demands are often of a religious nature and focus, for example, on exemption from swimming classes to avoid the mingling of the sexes, or from music classes to respect a religious prescription, a transfer to a class where the teaching staff is the same sex as the student, various religious holidays, the refusal to participate in Halloween activities, or the rejection of a woman's authority in her capacity as an interlocutor in the school administration, the elimination of Christmas carols, and so on.

Requests that affect other domains have also been reported: single-sex prenatal classes, the wearing of the hijab at a soccer competition, the modification of parking zones and times for religious reasons, exemption from wearing a safety helmet because of religious precepts, and so on.

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7. Toronto District School Board, *Guidelines and Procedures for the Accommodation of Religious Requirements, Practices, and Observances* (Toronto: Toronto District School Board, 2000).

8. As reflected, in France, in the establishment in 2003 of the Commission Stasi responsible for reflecting on the principle of secularism in the French Republic, the adoption of the law of March 15, 2004 prohibiting from public schools any clothing that clearly indicates a student's religious affiliation, which has not, however, achieved a consensus, especially at the international level, and the proposed *Charte de la laïcité dans les services publics* (charter of secularism in public services) (2007) drafted by the Haut Conseil à l'Intégration.

In Great Britain, the traditionally emphasized multicultural model is being called into question, especially by politicians. The recognition of differences has been encouraged for a long time there, but people are now asking themselves whether such recognition should not be guided more by a concern for social cohesion. The same question was raised in British Columbia, where some observers are worried about the maintenance in certain cultural communities of behaviour that appears to run counter to basic Canadian values. In the United States, where the Constitution guarantees the neutrality of institutions and freedom of religion, heightened security concerns since the September 11, 2001 terrorist attacks have led in certain quarters to a more restrictive interpretation of provisions applicable to requests for adaptation.

In Québec, the current period of questioning is characterized by markedly more diversified immigration from the standpoint of religious affiliation and religion is becoming a dividing line with the other.

This social climate, sustained by questions, in particular, concerning the presence of the religious in the public sphere, is underpinned by the adaptation and exemption requests that Québec educational institutions receive. Some of these requests can be complex and pose a management challenge for school administrators and teaching staff, which explains the need to establish guidelines to take into account threefold ethnocultural, religious and linguistic diversity, in a spirit of respect for the legislation and regulations in force.

#### 1.4 ISSUES STEMMING FROM REASONABLE ACCOMMODATION IN THE EDUCATIONAL MILIEU

Debate on reasonable accommodation is complex and raises issues about which not all experts are unanimous (see Appendixes E and G), a situation that leads in the schools to the adoption of varied and even conflicting stances. The integration and education of all students and openness to diversity are topics for discussion, as is the secularism of public schools, adherence to shared values and social cohesion. These issues raise as many questions to which Québec schools must respond in the existing democratic framework. They are divided here into five categories:

- A. reasonable accommodation and the schools' socialization mission;
- B. reasonable accommodation and the right to equality;
- C. reasonable accommodation and secularism;
- D. reasonable accommodation and the schools' ability to function;
- E. reasonable accommodation, school management and the training of players.

##### A. Reasonable accommodation and the schools' socialization mission

There is legitimate concern over reasonable accommodation and its possible effect of marginalizing minorities. Certain critics emphasize the risk of inadequate socialization in relation to shared values. According to this perspective, it is not inclusion, shared membership in a community and exposure to the practices and culture of the majority through the schools that appear to be developed but instead the marginalization of the collective identity. Reasonable accommodation thus seems to threaten the mission of the schools, which must socialize all students with respect to shared values and civic standards. The accomplishment of this mission is apparently hampered by adaptations and exemptions that are perceived as failed opportunities to allow young people of diverse origins, allegiances and affiliations to interact together and engage in the same social learning.

Other critics deem reasonable accommodation to be an appropriate way to recognize diversity and guarantee the right to equality. According to this viewpoint, reasonable accommodation contributes to the schools' mission by fostering academic and social learning such as tolerance and respect for individual differences. Reasonable accommodation appears to reflect a humanist opening in the Québec education system,

accompanied by principles of reciprocity and community commitment. By encouraging the educational and social inclusion of students of all origins, harmonization between the school and the family appears to contribute to learning how to live together, the development of a common democratic life, and a feeling of belonging to society.

Moreover, since the recognition of diversity is at the forefront of the Québec Education Program and various subjects, questions arise on the sometimes difficult relationship between reasonable accommodation and the critical function of initiation to knowledge for which the schools are responsible. Is the mission to instruct subject to cognitive relativism? To what extent can exemptions that dispense a student from certain facets of the curriculum be deemed reasonable accommodation? Are school programs and activities non-negotiable? If adjustments are possible, what criteria should we adopt? As we will see later, jurisprudence is hardly precise and does not seem to adequately answer questions pertaining to the specific context of the schools' mandates (see Appendixes E and G).

### **B. Reasonable accommodation and the right to equality**

In a different perspective, there exists a conception according to which the denial of diversity risks engendering a feeling of exclusion and discrimination among students who display certain specific characteristics in relation to the majority. Without the possibility of accommodation, these students might not be recognized for who they are and might feel unfavourably treated with respect to their right to equality and a normal education that allows them to gain access to the heritage of shared knowledge, the learning of the values that underpin democracy and the training necessary to become active, responsible citizens. Freedom of religion is a basic freedom and is enshrined in the charters. Thus, the schools should allow students, in a spirit of respect for existing rules, to express their religious affiliations.

Still in keeping with this conception that favours reasonable accommodation, the role that it can play is consistent with integration into Québec schools, which now receive 9 000 new young immigrants a year from varied cultural, religious and linguistic backgrounds. The welcoming of these students assumes certain adaptations of educational practices, which reflect the schools' openness and appear to facilitate the students' gradual integration into their new environment.

On the other hand, some people are concerned about the impact of certain forms of accommodation on gender equality. They fear that such forms are intended to deprive girls of their right to an education by exempting them from important subjects or by fostering socialization practices that can hamper their self-assertion or development. In this respect, it is important to avoid confusion between the direct attainment of equality with a simple practice deemed unacceptable from the standpoint of values but that contravenes neither legislation nor the charters.

Moreover, there is no consensus on the relevance of separating girls and boys for certain school activities to take into account cultural differences and religious beliefs with respect to the concept of modesty. In the opinion of some, requests for reasonable accommodation of this nature should be rejected automatically since they imply different, irrelevant treatment. Such requests appear to call into question mixing of the genders, a principle that is widely acknowledged in Québec schools, which are, in fact, responsible for helping

to educate students with respect to gender equality. However, an analysis of this question must not overlook the fact that non-mixing of students in various subjects is already widespread in Québec, with account being taken of factors such as the presence of students from minority religions. Single-gender groups are warranted by the concern to foster greater educational success among boys and girls in subjects where they do not succeed as well, but also by a concern to adjust to adolescent characteristics.

### C. Reasonable accommodation and secularism

Many people perceive certain requests for reasonable accommodation as a return to religious life in the schools, which they would like to be a private matter. While the schools are no longer organized on denominational lines, observers see in these requests concerning, for example, prayer rooms or exemptions from courses because of religious beliefs, a threat to a certain conception of secularism in the schools, which should be legally recognized. In this perspective, religious life does not appear to belong in the school environment, which seeks to be neutral, like the State.

Opposite opinions emphasize an open conception of the secularism of public institutions that does not imply that of the clientele. Since the spiritual dimension occupies an important place in the lives of young people and is, indeed, a facet of individual dignity, a pluralistic school should contribute to the students' integral development by acknowledging the religious diversity that affects this dimension.

### D. Reasonable accommodation and the schools' ability to function

The proliferation of requests for adaptation and exemption concerning the school's student code of conduct can engender management challenges and undermine the school's cohesiveness. The response to such requests may also in many instances demand additional resources, which the educational milieu does not necessarily possess, and would send an ambiguous message concerning the standards to be respected.

In a position that is open to the use of reasonable accommodation as an instrument that enables us to avoid the exclusion of students, in particular because of their religious practices, it is just as important to ask ourselves where the limitations of religious freedom lie according to the mission of the schools, program organization and the Québec Education Program.

At the conclusion of an examination recognizing the relevance of accommodation, it would be important to raise the question of the constraints to which the schools should be subject. Do such constraints call into play the school's mission, the students' success, the well-being of all students, and the normal functioning of the school, especially in milieus where religious diversity is particularly pronounced? What guidelines allow us to find fair solutions? Which partners in the schools and the community can help the school to find these solutions? How can we obtain from all players in the schools a shared understanding and acceptance of the solutions found to develop solidarity in order to better live together?



#### **E. Reasonable accommodation, school management and the training of players**

The corollary of reasonable accommodation is the adequate training of school administrators and teaching staff in anticipation of the implementation or rejection of accommodation in light of its relevance to the schools' mission. This training is an essential prerequisite to the establishment of reasonable accommodation, in particular the facet that concerns religious rites and symbols, on a solid foundation that respects basic values, the legal framework and common standards. A simple willingness to accommodate differences would be insufficient to properly handle requests for reasonable accommodation.

As for accommodation aimed at reconciling the basic rights of various players, the question for the schools is to ensure that players can analyze requests and situations to determine their legal basis and possible conditions for application, or choose alternate measures.

## CHAPTER 2

### PROGRESS REPORT ON REQUESTS AND INITIATIVES TO TAKE INTO ACCOUNT DIVERSITY

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Data were collected throughout Québec in the spring of 2007 from elementary and secondary school administrators in the French-language and English-language public and private school systems, including the administrators of schools serving the Cree, Inuit and Naskapi communities in Québec. This initiative was intended to take stock of requests for adaptation and exemption with respect to institutional norms and practices.

The undertaking also sought to inventory initiatives<sup>9</sup> in educational milieus to take into account the ethnocultural, religious and linguistic diversity of their students and to record the issues related to these initiatives.

School administrators were asked to answer an online questionnaire focusing on decisions related to this study and adopted in their schools during the three previous years, i.e. 2004-2005, 2005-2006 and 2006-2007. A series of interviews with targeted school administrators was conducted to obtain additional information to round out this progress report (see Appendix D).

In conjunction with the data collection, the Advisory Committee obtained testimony from a number of managers and professionals in the educational milieus and from partners. It also took advantage of the opportunity open to it to enrich its data during the day-long study and reflection sessions organized at the Université de Montréal by the Canada Research Chair on Education and Ethnic Relations.

#### 2.1 HIGHLIGHTS: DIVERSITY RAISES GENUINE QUESTIONS BUT HAS NOT REACHED CRISIS PROPORTIONS

Below are the key observations stemming from the data collected:

Two-thirds (1 511/2 271) of school administrators responded to the questionnaire (see Table III).

Only one-quarter of the school administrators who completed the questionnaire received requests for exemptions or adaptations during the years in question.

Just over one-third of the school administrators deem the taking into account of diversity as a very or fairly important professional challenge. However, in the Montréal administrative region, this is the case for roughly two-thirds of the respondents.

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9. The school administrators took such initiatives without receiving a request to do so.

Two school administrators out of 10 have taken their own initiatives to adapt to diversity without receiving any requests in this respect.

The requests are distributed throughout the regions, but school administrators in the Montréal region account for roughly one-third of the school administrators who had to respond to such requests.

Catholics, Protestants, Jehovah's Witnesses, Muslims and Jews are most frequently mentioned by school administrators as applicants.

Parents are the applicants most frequently mentioned by the school administrators, above all in the elementary schools.

Absenteeism because of religious holidays or certain teaching activities has been noted and warrants special attention.

Half of the requests for adaptation or exemption are accepted, one-quarter are rejected, and one-quarter are subject to alternate solutions.

Requests are formulated independently of the presence or absence of students from immigrant families.

The key objective of adaptation practices is as much the students' success as respect for their democratic rights.

The school's mandate is the frame of reference that school administrators most often consider to handle requests.

The number of requests is generally stable and varies according to conditions in educational milieus.

A number of adaptation practices are deemed to be a success from the standpoint of the desired objectives.

The school administrators' expectations mainly concern clarification of guidelines and access to decision-making and training tools.

The respondents formulated over 1 000 comments on successful practices or adaptations agreed upon amicably.

Schools in aboriginal communities use the aboriginal language and their practices are adapted to the culture of the milieu.

**TABLE III**  
**SCHOOL ADMINISTRATORS WHO COMPLETED THE QUESTIONNAIRE**

School system	Number of school administrators invited to answer the questionnaire per school system	Number of school administrators invited to answer the questionnaire per sector	Number of school administrators who completed the questionnaire per school system	Number of school administrators who completed the questionnaire per sector	Response rate per sector	Response rate per school system
Public	2 035	1 762 (French)	1 339	1 189 (French)	67.5	65.8
		241 (English)		142 (English)	58.9	
		32 (aboriginal) <sup>10</sup>		8 (aboriginal)	25.0	
Private <sup>11</sup>	236	236	172	172	–	72.9
<b>TOTAL</b>	<b>2 271</b>	<b>2 271</b>	<b>1 511</b>	<b>1 511</b>		<b>66.5</b>

## 2.2 OVERVIEW OF REQUESTS AND INITIATIVES WITH RESPECT TO DIVERSITY IN THE SCHOOLS OVERALL

### One-quarter of schools received requests

Requests for adaptations to diversity are not widespread. Roughly one-quarter of school administrators who completed the questionnaire, i.e. 351 out of 1 511,<sup>12</sup> received such requests for varied reasons (see Table IV). Furthermore, nearly 18% of them (263 out of 1 443) mentioned that they had taken initiatives to adapt to the situation.

### The number of requests and initiatives is stable

As for the perception of changes in requests that the schools receive, roughly seven out of 10 school administrators believe that the number has remained stable over the three reference years, while two out of 10 perceive an increase, and approximately one out of 10 is of the opinion that the number has declined. The school administrators have thus perceived no significant increase in requests.

Over half of the school administrators believe that the number of initiatives has not varied, four out of 10 think that it has increased, and a minority of roughly 5% that it has decreased.

10. Only the school administrators in Cree, Inuit and Naskapi communities covered by an agreement were asked to answer the questionnaire. However, it should be noted that several schools in the Québec school system receive aboriginal students from aboriginal nations not covered by an agreement. In the rest of the chapter, aboriginal school administrators are incorporated into the French-language or English-language sector.

11. We do not have available data by educational sector in the private school system.

12. The number of respondents can vary according to the number of questions with respect to which certain school administrators do not possess any data.

### **An important but not a key challenge for two-thirds of school administrators**

Among the array of professional challenges with which the school administrators who completed the questionnaires have to contend during the period in question, just over one-third (35.3%) are of the opinion that the recognition of ethnocultural, religious and linguistic diversity is a very important or fairly important issue. In the Montréal region, the rate stands at 59.6%, which may stem from the higher incidence of threefold diversity.

## **2.3 VARIATION IN REQUESTS AND INITIATIVES BY SCHOOL SYSTEMS, SECTORS, REGIONS AND LEVELS**

### **The public school system is affected as much as the private school system**

Roughly one-quarter of school administrators in both the public and private school systems who completed the questionnaire said they have received requests.

### **The English-language sector receives twice as many requests as the French-language sector**

Taking into account all school administrators by sector, just over 20% of school administrators in the public French-language sector received requests, compared with twice that percentage in the public English-language sector (see Table IV).

### **A phenomenon that mainly affects Montréal but that extends to many other regions**

The proportion of school administrators in the Montréal administrative region that received requests in relation to all of the school administrators in this region who completed the questionnaire stands at 39.5%, the highest figure in any administrative region in Québec. Indeed, the figure in the Nord-du-Québec is 33.3%, compared with 30.6% in the Abitibi-Témiscamingue region, and 27.7%, 27.5% and 26.7% in the Laval, Laurentides and Lanaudière regions, respectively.

**TABLE IV**  
**DISTRIBUTION OF SCHOOL ADMINISTRATORS WHO RECEIVED REQUESTS**  
**BY SCHOOL SYSTEM, SECTOR AND REGION**

School system	Number of school administrations	Rate <sup>13</sup> (%)	Sector	Number of school administrations	Rate <sup>14</sup> (%)	Region	Number of school administrations	Rate <sup>15</sup> (%)
Public	309	24.3	French	253	22.2	Montréal	70	36.8
						Other regions	183	19.3
			English	56	43.1	Montréal	23	48.9
						Other regions	33	39.8
Private	42	25.3		42	25.3	Montréal	28	40.6
						Other regions	14	14.4
TOTAL	351	–	–	351	–		351	–

**Requests are similarly distributed in the preschool, elementary and secondary sectors**

Overall, the response rate to requests is proportional from one level of education to the next. Indeed, the rate is 24.3% in the preschool and elementary sectors and 23.5% in the secondary sector, taking into account, by level, all of the school administrators who completed the questionnaire. Moreover, when the “school system” variable is cross-tabulated, the percentage of secondary school administrators who have received requests is higher in the public system.

**Trends that are confirmed with respect to initiatives undertaken by the schools**

School administrators who have taken adaptation initiatives without receiving requests to do so account for 17.3% of respondents in the public school system and 25.0% in the private school system (see Table V). In the public English-language sector, the figure is 47.7%, 33.8 percentage points higher than in the public French-language sector. As for the regions, the figure for Montréal is 29.5%, compared with 15.2% for the rest of Québec.

**TABLE V**  
**SCHOOL ADMINISTRATORS WHO HAVE TAKEN INITIATIVES**

Public network		Private network	All regions	
17.3%		25.0%	18.2%	
French	English		Montréal	Other regions
13.9%	47.7%		29.5%	15.2%

13. This rate is established in relation to all school administrators by school system who completed the questionnaire.

14. This rate is established in relation to all school administrators by school system who completed the questionnaire.

15. This rate is established in relation to all school administrators by region who completed the questionnaire.

## 2.4 CHARACTERISTICS OF APPLICANTS

### Requests are expressed independently of the presence or absence of students from immigrant families

Among the school administrators who have received requests, 7.2% do not have any students from immigrant families. As Table VI indicates, the other schools have widely varying percentages of this category of student.

Furthermore, among the Québec schools that receive students from immigrant families, only 25.4% have received requests over the past three years.

**TABLE VI**  
**DISTRIBUTION OF SCHOOL ADMINISTRATORS WHO HAVE RECEIVED REQUESTS**  
**BY PERCENTAGE OF STUDENTS FROM IMMIGRANT FAMILIES**

Percentage of students from immigrant families	Number of school administrators	Percentage (%)
None	25	7.2
Under 10%	179	51.9
Between 11% and 25%	47	13.6
Between 26% and 50%	43	12.5
Between 51% and 75%	31	9.0
Over 75%	20	5.8
<b>TOTAL</b>	<b>345<sup>16</sup></b>	<b>100.0</b>

### Christian, Jehovah's Witness and Muslim parents most often make requests

Among the school administrators who completed the questionnaire, 78.5% indicated that requests came from the parents, one-third (32.8%) from students, and just over one-third (37.1%) from staff.<sup>17</sup> In each of these categories of applicants, the percentages of school administrators who received requests is higher in the private school system than in the public school system, and higher in the public English-language sector than in the public French-language sector.

As for the "region" variable, school administrators in the Montréal region mentioned that parents, students and staff account for 80.3%, 37.9% and 63.9% of applicants, respectively, compared with 77.6%, 30.0% and 21.9% in the other regions. Requests from parents are more prevalent in elementary schools (79.3%, as against 75.0% in secondary schools), while requests from students are more prevalent in secondary schools (53.6%, compared with 21.7% in elementary schools).

16. The number of respondents can vary according to the number of questions with respect to which certain school administrators do not possess any data.

17. As noted in the foreword, the Advisory Committee did not analyze requests from staff.

Among the **351 school administrators who received requests**, 197 mentioned that they received requests from Protestants, Catholics, Orthodox and other Christian religions, 152 from Jehovah's Witness applicants, 153 from Muslim applicants, and 62 from Jewish applicants (see Table VII). When account is taken of the relative weight of religious denominations in the total population of Québec, Jehovah's Witnesses<sup>18</sup> are very highly over-represented, while Muslims are so to a lesser extent.

**TABLE VII**  
**SCHOOL ADMINISTRATORS WHO MENTIONED RELIGIOUS REASONS LINKED TO REQUESTS**

Religion	Number of school administrators who received at least one request from members of this religion	School system		Region	
		Public	Private	Montréal	Other regions
Catholic	55	48	7	20	35
Protestant	95	87	8	20	75
Orthodox Christian	19	11	8	15	4
Other Christian religions	28	21	7	7	21
Jehovah's Witnesses	152	145	7	35	117
Muslims <sup>19</sup>	153	126	27	89	64
Jews	62	45	17	43	19

## 2.5 LINGUISTIC, RELIGIOUS AND ETHNOCULTURAL MOTIVES

### Reasons linked to religious diversity predominate, especially the question of absences for religious holidays

Some 16.0% (see Table VIII) of school administrators mentioned requests for adaptation or exemption respecting linguistic diversity. These requests focus on the language of

18. There are 29 040 Jehovah's Witnesses out of a population of 7 125 580 (0.4%), compared with 5 930 380 Roman Catholics (83.2%) and 108 620 Muslims (1.5%).

Source: Statistics Canada, Population by religion, by province and territory (2001 Census).

19. The proportion of school administrators who received requests from Muslims was higher in the private school system (73.0%, compared with 45.0% in the public school system) and in the Montréal region (82.4%, as against 30.6% in the other regions of Québec overall). The opposite is true for Jehovah's Witnesses, i.e. 51.6% in the public sector compared with 19.4% in the private sector and 33.0% in the Montréal area, as against 55.5% in the other regions overall. In the case of Jews, the proportion is higher in the private school system (43.6%) and in the Montréal region (39.4%). There is no significant discrepancy in the rates recorded with respect to Catholics from the standpoint of school system and region.



communication with the parents. In the case of aboriginal schools, this is true of two school administrators out of eight (25%).

As for the frequency of requests related to religious diversity, the rate stands at 78.2%. These requests essentially concern authorizations to be absent for religious holidays (37.4%), facets of the program of study (20.5%), e.g. requests for the modification of teaching methods, requests for exemptions for religious reasons, and so on, the organization of services (9.4%), appropriate attire (9.1%), and disciplinary measures (1.8%).

Questions on ethnocultural diversity focus on other facets of the program of study and services (requests for emphasis on the contribution made by non-Western cultures to the development of the sciences, recognition of minority group perspectives in the teaching of history and citizenship education, and so on). Mention of ethnocultural diversity stands at 1.9%, and requests of other types, 3.9%.

**TABLE VIII**  
**FACETS AFFECTED BY THE REQUESTS**

Facets affected by the requests	Frequency of mention by type of diversity (%)
Linguistic diversity	16.0
Language of oral communication with parents	9.3
Language of written communication with parents	6.7
Religious diversity	78.2
Requests for permission to be absent	37.4
Appropriate attire	9.1
Program of study (certain aspects)	20.5
Organization of services	9.4
Disciplinary measures	1.8
Ethnocultural diversity	1.9
Program of study (certain aspects) and services	
Other types of requests	3.9

### Initiatives aimed at adjusting educational practices and organizational measures

Among the school administrators who took initiatives, roughly three-quarters (74.2%) indicated that such initiatives were of an educational or organizational nature. This proportion is approximately 10 percentage points below that in the private school system. Roughly four school administrators out of 10 (39.5%) mentioned that the initiatives focused on programs of study. The proportion is higher in the public English-language sector (52.5%) than in the public French-language sector (33.1%). Overall, the initiatives taken by one-third of the school administrators (32.0%) centred on standards and rules. However, the proportion is higher in the public French-language sector (34.4%) than in the public English-language sector (24.6%).

## 2.6 REQUEST PROCESSING PROCEDURE

### The school's mandate, the Québec Education Program and democratic values are the key frames of reference

According to the survey, a high proportion (85.6%) of school administrators refer to the school's mandate when they process requests, a proportion that reaches 97.9% in the public English-language sector. Three-quarters of the school administrators mentioned the Québec Education Program (98% in the public English-language sector). The democratic values of Québec society and legislation were mentioned by 70.8% and 68.4% of respondents, respectively. School administrators in the Montréal region have a greater tendency to rely on these frames of reference. The response rates by school administrators with respect to the consultation of "guidelines set forth in government policy," "program content," and "legal opinions" were 61.5%, 56.5% and 46.3%, respectively.

### The school team, above all, is consulted and, in the case of public institutions, the school board

Roughly eight school administrators out of 10 said they consulted their school team before responding to requests and the same proportion of school administrators in the public school system consulted their school boards. A higher proportion of school administrators in the public English-language sector consult their school team and school board. The tendency to consult the school board is greater in the Montréal region (85.7%, as against 70.9% in the other regions). Some 52.3% of school administrators consult their governing board or board of directors, a proportion that rises to 60.7% in the private school system. Moreover, 43.1% of school administrators have recourse to a professional; in the private school system, this proportion stands at 28.6%. On the other hand, school administrators in this school system consult other school partners (54.2%), compared with an average rate among respondents of 29.8%.

## 2.7 TYPES OF RESPONSES TO REQUESTS AND OBJECTIVES PURSUED

### Acceptance is frequent, but officials do not hesitate to reject requests or to propose alternate measures

Overall, the school administrators accepted 51.7% of requests, refused 21.9% and resorted to alternate measures in 26.4% of cases. These proportions apply to requests pertaining to both linguistic and religious diversity. As for ethnocultural diversity (as we noted earlier, there are markedly fewer requests in this respect), with 66.7% of requests being accepted.

The responses depend on a variety of factors, including the nature of the requests. Religiously motivated requests are more likely to be rejected. They focus, above all, on the physical organization of the school, prayer rooms, the withdrawal of girls from certain activities or the avoidance of mixed groups of girls and boys, the administration of more stringent disciplinary measures, and a strict definition of secularism in the school that excludes decorations or activities that reflect Christian religious holidays.

### Essentially two objectives are pursued: respect democratic rights and foster success

Three-quarters of the school administrators acknowledged that they received requests or took initiatives to respect the students' and parents' freedom of religion and rights. The same proportion of school administrators offer optimal conditions to foster the students' educational success, allow for their harmonious development, or encourage openness to ethnocultural, religious or linguistic diversity in the educational community. Over 90% of school administrators in the public English-language sector mentioned these objectives.

## 2.8 SUCCESSFUL PRACTICES MENTIONED IN NUMEROUS COMMENTS

Practices devoted to the recognition of diversity were deemed to be successful by school administrators throughout Québec in 1030 comments included in the responses to the questionnaire and expressed during 27 interviews conducted with a number of the administrators. Below are the practices that proved successful in specific milieus. They have been grouped together and summarized according to the type of diversity sought.

### Linguistic diversity

Linguistic diversity management practices are only meaningful if they are in keeping with the administration of the *Charter of the French language*. To foster successful learning of the language of instruction, several schools have resorted to organizational structures that facilitate decompartmentalization and interactive educational practices between children, parents or between the parent and the child.

The following practices are given as examples:

- intercycle exchanges between French-speaking and newly arrived allophone students;
- exchanges between French-speaking parents and newly arrived allophone parents; twinning of parents; a monthly school newspaper translated into several languages by volunteers and accessible in the school's voice mail system; reliance on interpreters and translation into several languages of the school's student code of conduct;
- presentation by parents in class of stories in their language of origin, accompanied by French translations, and comparison with Québec tales;
- organization of activities designed to consolidate the language of instruction to enhance the language skills of aboriginal students.

### Religious diversity

Successful religious diversity management practices must be in keeping with the administration of the *Education Act*, the Québec Education Program and the Québec and Canadian human rights charters. To ensure the students' educational success, many schools have taken initiatives such as the following:

- adaptation, on a case by case basis, of the school work requested while maintaining the work planned for all students;

- exemption of a student from an activity outside the school while ensuring that the student attends a class that it is not participating in the activity;
- temporary authorization granted to students to use a small, closed room in order to pray during Ramadan or to all students to use a room for the purpose of meditation or contemplation;
- in response to a request for an exemption from a class given at a swimming pool, a meeting was held with the reluctant parents, attended by a Muslim mother who explained the importance of the activity and proposed a model of bathing suit accepted by most parents.

### Ethnocultural diversity

Ethnocultural diversity management practices are meaningful when they are in keeping with the normative framework applicable to religious diversity. To foster knowledge and recognition of the Other and jointly achieve integration, several schools have adopted an interactive approach and a network of players that encompasses the school, the family and the community. These practices focus on organizational measures, standards and regulations, or educational practices.

#### *Intercultural educational approach:*

Organization of intercultural activities that emphasize citizenship instead of religion, some of which examine black cultures (Black History Month) or aboriginal cultures;

Presentation to staff of educational vignettes concerning aboriginal culture and its uniqueness in relation to the teachers' culture;

Development of a student code of conduct based on the Québec *Charter of Human Rights and Freedoms*.

#### *Pooling of resources:*

Weekly meetings with the members of the school team and members of the ethnocultural and religious communities;

Consultation of community leaders;

Establishment of an intercultural committee to serve as a community advisory group comprising the local church, the CLSC, the recreation department, and the seniors' centre;

Proposal for the immigrant student and his parents to use the services of the municipal library;

Collaboration with social services to develop parenting skills centred on the basic values of Québec society;

Initiation of dialogue by displaying receptiveness when a dispute arises with a parent, without ignoring democratic values recognized in Québec, such as gender equality.

The diversity management practices adopted over the past three years (2004 to 2007) underlie two key dimensions, i.e. recognition of intercultural otherness and the creation of a series of ties (resource network) that confirm that the school is part of its educational community and, reciprocally, that it is gradually fulfilling its integration mandate.

These practices reveal the school's ability to adapt to diversity and creatively learn how to live together. Appendix B lists an array of successful practices.

## 2.9 CONCERNS AND EXPECTATIONS OF SCHOOL ADMINISTRATORS

While the successful practices adopted indicate the school's genuine receptiveness to diversity, they nonetheless arouse in certain school administrators questions, concerns or anxiety. These administrators also formulate the expectations that must be met to encourage them to better manage the situation in the coming years.

### Concerns stemming from respect for the school's mission, school attendance, gender equality and the students' safety

While some school administrators have allowed a student to join another group or go to the library instead to avoid participating for religious reasons in an educational activity or a socialization activity involving the student's classroom group, the school administrators are wondering about educational or administrative management that must contend with a possible increase in the number of such requests.

While they have agreed for certain students, who are hardly numerous, to be excused from certain activities for religious reasons and to visit the library instead, school administrators are concerned about a possible increase in such requests and their impact on the integrity of the program of study and the impact of a refusal on the children's school attendance. Some school administrators made up of women find it unacceptable that male parents do not always recognize their authority.

The school administrators are concerned about the children's safety from the standpoint of their attire (the hijab and the kirpan) during certain educational activities such as physical education and laboratory work.

Some school administrators do not feel adequately equipped to apply provisions in the *Education Act* concerning student absences condoned by the parents but unauthorized by the school.

### Expectations centred essentially on the clarification of guidelines appropriate to management practices and better communication with parents

#### *Guidelines*

The expectations that the school administrators most frequently mention focus on the importance of the availability of clear guidelines respecting reasonable accommodation with regard to the status of religion and religious displays in public schools and the school

environment. These guidelines should imply the reciprocity that is essential to any successful integration.

More specifically, a number of school administrators would like to have at their disposal reference points concerning the obligation to attend school, religious holidays, unauthorized student absences, respect for the integrity of the program of study, and the wearing of clothing likely to jeopardize the children's safety.

Some school administrators expect Québec culture to be emphasized and for women's and men's authority to be recognized equally.

### *Professional retraining and the need for institutional support*

School administrators wish to have:

- access to professional retraining on reasonable accommodation, including legal aspects of the question;
- access to a common virtual reference centre to handle adaptation or exemption requests;
- access to a directory of tools and successful practices concerning accommodation, in the form of an interactive Wiki site.<sup>20</sup>

The school administrators rely on the support of their superiors when important decisions are made.

### *Francization and communications with parents*

A number of school administrators expect the francization of immigrant parents to be enhanced to allow for better communications and to thus foster the educational success of their children.

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20. Wiki: a Website or similar online resource that allows users to add and edit content collectively (*Grand dictionnaire terminologique* de l'Office québécois de la langue française).

## SUMMARY

The information obtained from school administrators in Québec's school systems and sectors and the testimony and reflection heard during the Advisory Committee's deliberations indicate that threefold linguistic, religious and ethnocultural diversity can be observed throughout Québec, but more markedly so in the Montréal region. Over the past three years, this situation has led to requests addressed to a minority of schools concerning the adaptation of their practices, mainly for religious reasons, and to the adjustments that the schools have introduced.

These requests for adaptation are usually taken into account to facilitate the students' educational success and protect as much as possible their democratic rights. Thus, certain requests may call for reasonable accommodation, as stipulated in the legislation, while others demand a response that calls into play the ability to adjust educational practices. Some requests are accepted, others are rejected, and still others are subject to alternate measures. A number of experiences are deemed to be a success because they are in keeping with the school's mission and build on appropriate activities and even the mediation skills of school staff, parents or the community.

However, because of the numerous educational and organizational questions involved, the schools are encouraged to acquire new know-how in the realm of diversity. To this end, they must have available specific reference points and tools adapted to various needs. The response of the Ministère de l'Éducation, du Loisir et du Sport should result in appropriate support for the public and private school systems, the French-language and English-language sectors and for aboriginal schools covered by an agreement.

## CHAPTER 3

### DIVERSITY INTERVENTION AND RECOGNITION STRATEGY

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The question of recognition of diversity in educational milieus and, in particular, of reasonable accommodation, raises complex issues that bring to the fore different viewpoints (Chapter I presents the main ones). The concerns and expectations expressed by school administrators examined in Chapter II reflect these issues that are linked, among other things, to the school's mission, gender equality, and the secularism of public schools. The testimony heard during the study and reflection sessions takes a similar stance.

The Advisory Committee proposes, in this chapter, an intervention strategy centred on the objectives that it deems to have priority, taking the situation into account. These objectives stem from two key guidelines, i.e. the common reference points that it is advisable to define and support in order for the educational milieus to learn how to live together.

#### TWO GUIDELINES

- **Guideline 1:** Share common reference points respecting reasonable accommodation and the recognition of diversity.
- **Guideline 2:** Support the school boards and the schools from the standpoint of reasonable accommodation and the recognition of diversity to foster living together.

#### 3.1 GUIDELINE 1: SHARE COMMON REFERENCE POINTS RESPECTING REASONABLE ACCOMMODATION AND THE RECOGNITION OF DIVERSITY

##### Sharing of reference points

The educational milieus wish to recognize the ethnocultural, religious and linguistic diversity of students in a pluralistic Québec and are being asked to respond to adaptation and exemption requests concerning the general application of norms and respect for institutional practices. As we noted earlier, we have observed a need for clarification in the realm of reasonable accommodation, despite the expertise that the educational milieus have acquired in recent years (see Appendix E).

Clarification is expected of the definition of the notion of reasonable accommodation that is sometimes equated with any kind of arrangement or adjustment to take into account diversity. The support points that managers must take into account when accepting or rejecting an accommodation request must also be clarified. Despite each request's specific nature, school officials wonder about disparities in the responses given.



School officials must be able to recognize legally justified requests and rely on clear, coherent reference points likely to guide their decision-making and day-to-day actions. It is necessary to offer them common reference points to ensure efficient management of accommodation requests and the harmonization of their initiatives (see Appendix F).

The Advisory Committee is including in this first guideline the following objectives:

- satisfy the expectations of the educational milieus with regard to a clear, accessible definition of reasonable accommodation;
- make better known the legal framework and characteristics of reasonable accommodation;
- propose reference points concerning decision-making in the realm of reasonable accommodation;
- propose an approach for handling accommodation requests.

The Advisory Committee is first proposing to provide a definition of reasonable accommodation to highlight the legal foundations of the notion and avoid abuses or possible errors of interpretation. Such a definition will also make it possible to distinguish this notion from that of voluntary adjustment.

The Canadian and Québec charters, which guarantee the exercising of basic rights, and jurisprudence in this domain, underpin the legal foundations of reasonable accommodation. It is, by and large, these legal instruments that must be used to propose to the educational milieu a definition of and reference points with respect to reasonable accommodation.

OBJECTIVE 1: SATISFY THE EXPECTATIONS OF THE EDUCATIONAL MILIEUS CONCERNING A CLEAR, ACCESSIBLE DEFINITION OF REASONABLE ACCOMMODATION

### Definition of reasonable accommodation<sup>21</sup>

The Supreme Court of Canada first adopted the notion of reasonable accommodation in the realm of religion in 1985. The notion was initially applied in the labour relations field, then extended to public- and private-sector suppliers of goods and services, lawmakers, and regulatory authorities. The *Multani v. Commission scolaire Marguerite-Bourgeois* judgment concerning the wearing of a kirpan to school (2006) confirms that it also applies to the field of education.

Reasonable accommodation means the adaptation of or exemption from, without undue hardship, the application of a norm or a practice of general intent by according differential, fair treatment to a person who would otherwise be penalized by the application of such a norm or such a practice.

Reasonable accommodation is a legal obligation stemming from the right to equality applicable in a situation that engenders discriminatory effects for a reason prohibited by the charters or that infringes the exercising of a basic right.<sup>22</sup> [FREE TRANSLATION]

The obligation to engage in reasonable accommodation may be limited since basic rights may be restrained by a legal rule if the justification for this rule is demonstrated in a free, democratic society and the accommodation implies undue hardship.

OBJECTIVE 2: MAKE BETTER KNOWN THE LEGAL FRAMEWORK AND CHARACTERISTICS OF REASONABLE ACCOMMODATION

### Legal framework

Reasonable accommodation is a legal obligation based on:

- the *Canadian Charter of Rights and Freedoms*, in particular sections 2 and 15 dealing, respectively, with fundamental freedoms and equality rights;

#### Section 2

Everyone has the following fundamental freedoms:

- a) freedom of conscience and religion;

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21. Reasonable accommodation refers to a legal obligation to seek accommodation when an infringement arises of the exercising of a basic right.

22. Definition that draws inspiration from the Commission des droits de la personne et des droits de la jeunesse. *Accommodement raisonnable : éviter les dérapages*, Québec, 2006.

- b) freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication;
- c) freedom of peaceful assembly; and
- d) freedom of association.

#### Section 15

(1) Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

- the Québec *Charter of Human Rights and Freedoms*, in particular section 3, which indicates basic freedoms, and section 10, which indicates prohibited grounds for discrimination.

#### Section 3

Every person is the possessor of the fundamental freedoms, including freedom of conscience, freedom of religion, freedom of opinion, freedom of expression, freedom of peaceful assembly and freedom of association.

#### Section 10

Every person has a right to full and equal recognition and exercise of his human rights and freedoms, without distinction, exclusion or preference based on race, colour, sex, pregnancy, sexual orientation, civil status, age except as provided by law, religion, political convictions, language, ethnic or national origin, social condition, a handicap or the use of any means to palliate a handicap.

Discrimination exists where such a distinction, exclusion or preference has the effect of nullifying or impairing such right.

Reasonable accommodation is also guided by the basic principles set forth in the charters:

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

##### Section 1

The *Canadian Charter of Rights and Freedoms* guarantees the rights and freedoms set out in it subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

#### *The Québec Charter of Human Rights and Freedoms*

##### Preamble

(...)

Whereas the rights and freedoms of the human person are inseparable from the rights and freedoms of others and from the common well-being;

(...)

## Section 9.1

In exercising his fundamental freedoms and rights, a person shall maintain a proper regard for democratic values, public order and the general well-being of the citizens of Québec.

In this respect, the scope of the freedoms and rights and limits to their exercise may be fixed by law.

### Characteristics of reasonable accommodation

Reasonable accommodation seeks to remedy an infringement of a fundamental freedom and to guarantee the right to equality by countering discrimination based on one of the grounds mentioned in section 10 of the Québec Charter and section 15 of the Canadian Charter.

The obligation to engage in reasonable accommodation centres on the remedying of the discriminatory effects of a seemingly neutral rule or practice, which, applied in the same manner to everyone, excludes or disproportionately puts at a disadvantage certain individuals, thus engendering an infringement of the right to equality or to one of the fundamental freedoms. Reasonable accommodation can take the form of an exception or an adaptation in the application of a norm.

Reasonable accommodation must also be put into practice fairly and respect democratic values, public order and general well-being. That is what is expressed when we confirm that accommodation must be reasonable. This means that, despite the compulsory nature of the search for accommodation, its application is not always achievable since it may engender undue hardship for the school.

Reasonable accommodation is in keeping with the objective of achieving neutrality in public schools and avoiding favouring specific religions or belief systems. Such neutrality would not suppress the students' freedom of religion, a freedom that includes the expression of their beliefs within the limits of the legal framework.

### Reasonable accommodation and voluntary adjustment

It is important to make a distinction between reasonable accommodation, which is an affirmative remedy because of discrimination on grounds prohibited by the charters or an infringement on the exercising of a fundamental freedom, on the one hand, and voluntary adjustment, which does not result from the violation of a fundamental freedom, on the other hand. Instead, voluntary adjustment is a form of arrangement and adaptation of practices that is not compulsory in nature.

Voluntary adjustment and reasonable accommodation are implemented, in particular, to take into account diversity, foster integration, good understanding and the student's harmonious development, participation, and learning how to live together. Moreover, it contributes to the accomplishment of the school's mission.

**OBJECTIVE 3: PROPOSE REFERENCE POINTS CONCERNING DECISION-MAKING IN THE REALM OF REASONABLE ACCOMMODATION**

**Reference points for reasonable accommodation**

The reference points to be considered in the search for reasonable accommodation can be of a psychosocial and educational or a legal and organizational nature.

- A. Reasonable accommodation is part of a strategy that prepares all students to exercise their citizenship and to integrate into a civic culture.
- B. Reasonable accommodation must, wherever possible, fit into a comprehensive strategy to recognize diversity aimed at fostering active participation by all students in the school.
- C. Reasonable accommodation can help to draw the school and the family closer together in a manner that supports the development of the student's identity and, consequently, his overall development.
- D. Reasonable accommodation should respect program organization and the Québec Education Program.
- E. Reasonable accommodation must not compromise the school in the fulfilment of its threefold mission to instruct, socialize and provide qualifications to the student to ensure equal opportunities (see Appendix G).
- F. Reasonable accommodation must not directly, overtly call into question the human rights and freedoms of students, parents and school staff guaranteed by the *Canadian Charter of Rights and Freedoms*, the *Québec Charter of Human Rights and Freedoms*, the *Charter of the French language*, the *Education Act*, the *Act respecting private education*, the *Education Act for Cree, Inuit and Naskapi Native Persons*, the *Youth Protection Act*, and other legislation.
- G. Reasonable accommodation centres on individual rights and is not a recognized collective right.
- H. Each request for accommodation must be analyzed in its genuine context taking into account the players and the specific nature of the request. Reasonable accommodation does not apply automatically.
- I. Reasonable accommodation must not compromise the school's ability to deliver to students the educational services stipulated in legislation.
- J. Reasonable accommodation must not call into question the school's ability to function. Among the factors that might engender an undue hardship, mention should be made of:
  - financial cost;
  - the responsibility to seek general well-being;
  - the need to ensure safety;
  - the diversity and number of requests;

- a specific educational project that may objectively demonstrate the need for exclusions or preferences while respecting the principles spelled out in the charters.

The genuine presence of these factors must be taken into account according to the practical organizational situation in each educational milieu.

All of these reference points pertaining to reasonable accommodation should apply equally to voluntary adjustment with a view to ensuring the coherence of the measures adopted.

#### OBJECTIVE 4: PROPOSE AN APPROACH FOR HANDLING ACCOMMODATION REQUESTS

##### Dialogue and mutual respect

*Approach suggested<sup>23</sup> to handle accommodation requests in the educational milieu*

Note: The following approach indicates the main stages in the response to accommodation requests and can be adapted to conditions in the educational milieus. It is in keeping with the definition and characteristics of reasonable accommodation and voluntary adjustment and the reference points presented earlier. It should be noted that this approach centres on values such as mutual respect, openness and dialogue.

##### *Prerequisites:*

- Ensure that a climate of mutual respect and openness prevails at the outset of the approach.
- Agree on recourse to dialogue to find a solution.
- Validate the approach through discussion, if necessary, by relying on the relevant resources (decision-making, professional and community resources, mediators, and so on).

##### *Stages in the examination of the request (see the diagram below):*

1. Make sure that all relevant data have been collected to ensure enlightened examination of the situation.
2. Clearly establish each party's expectations.
3. Ascertain whether the right to equality or a fundamental freedom has been infringed.

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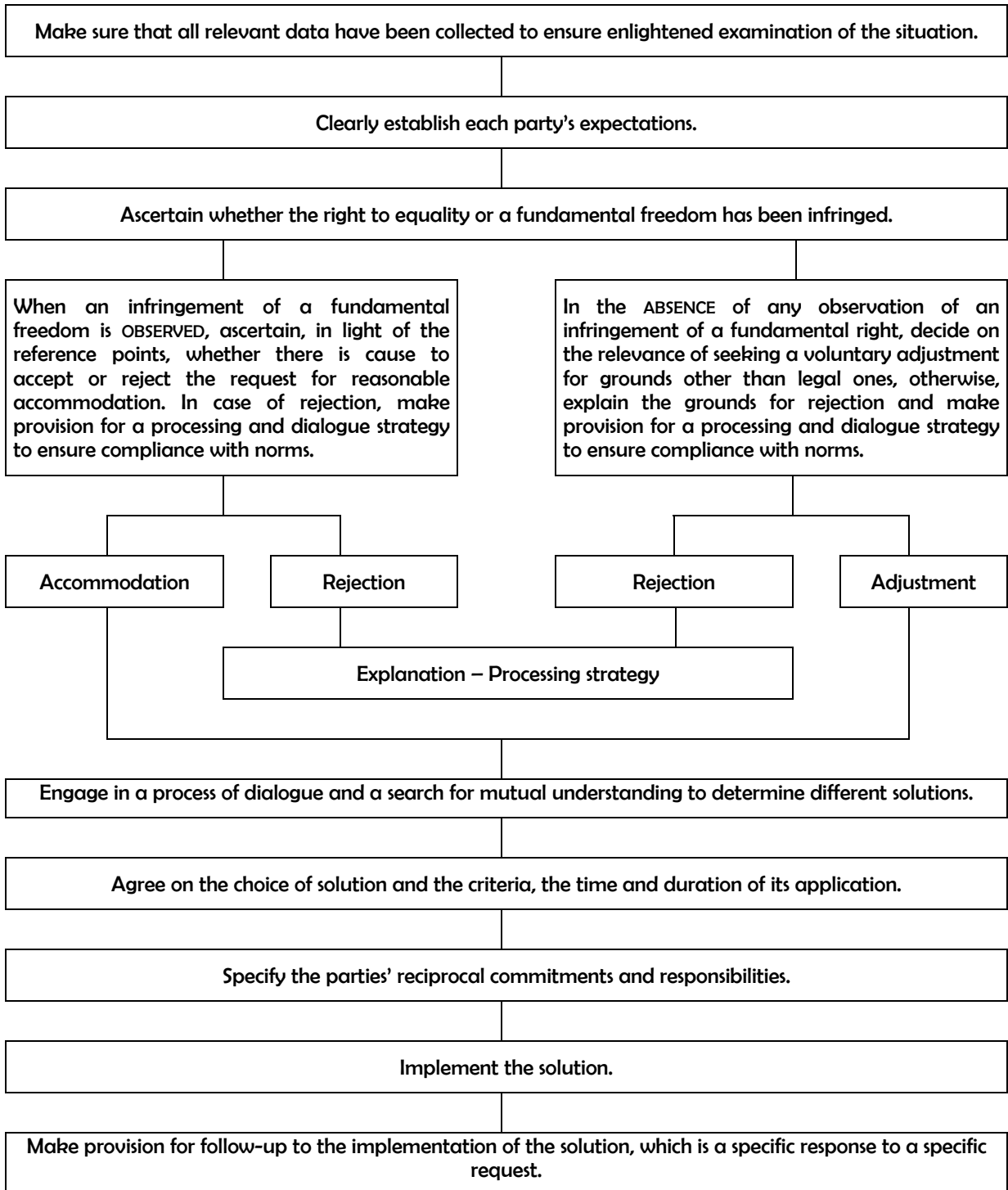
23. This approach draws inspiration from two documents: (1) Ministère de l'Éducation, du Loisir et du Sport, Marie McAndrew (1995, updated version to appear in 2008). *La prise en compte de la diversité culturelle et religieuse en milieu scolaire*, module de formation à l'intention des gestionnaires, cahier n° 8, Éducation interculturelle; and (2) Comité de gestion de la taxe scolaire de l'île de Montréal, Bergman Fleury. *Accommodements raisonnables et culture de la paix en milieu scolaire public – Traiter les demandes : Pourquoi, Quand, Comment?*, 2004.

4. When an infringement of a fundamental freedom is observed, ascertain, in light of the reference points, whether there is cause to accept or reject the request for reasonable accommodation. In case of rejection, make provision for a processing and dialogue strategy to ensure compliance with norms.
5. In the absence of any observation of an infringement of a fundamental right, decide on the relevance of seeking a voluntary adjustment for grounds other than legal ones. Otherwise, explain the grounds for rejection and make provision for a processing and dialogue strategy to ensure compliance with norms.

When action must be taken on the request:

6. Engage in a process of dialogue and a search for mutual understanding to determine different solutions.
7. Agree on the choice of solution and the criteria, the time and duration of its application.
8. Specify the parties' reciprocal commitments and responsibilities.
9. Implement the solution.
10. Make provision for follow-up to the implementation of the solution, which is a specific response to a specific request.

**DIALOGUE AND MUTAL RESPECT**  
**APPROACH SUGGESTED TO HANDLE ACCOMMODATION REQUESTS IN THE EDUCATIONAL MILIEU**





### 3.2 GUIDELINE 2: SUPPORT THE SCHOOL BOARDS AND THE SCHOOLS FROM THE STANDPOINT OF REASONABLE ACCOMMODATION AND THE RECOGNITION OF DIVERSITY TO FOSTER LIVING TOGETHER

#### Support for living together

The data collected reveal that school administrators respond to the adaptation or exemption requests submitted to them and that, in some instances, they take initiatives in this respect. Moreover, the data indicate a need for support to meet the management challenges that reasonable accommodation and the recognition of ethnocultural, religious and linguistic diversity engender.

The Advisory Committee believes that we must first emphasize training needs, access to tools and relevant solutions, and the establishment of partnerships. The pursuit of these objectives will help foster living together characterized by solidarity, dialogue and mutual respect.

The three objectives set with respect to this second guideline of the intervention strategy concerning the recognition of diversity are to:

- inform and train players in the school system with regard to the recognition of diversity;
- equip educational milieus to recognize diversity;
- step up partnerships between the school, the family and the community.

Before it describes these objectives, the Advisory Committee wishes to specify that it is aware of the many differences between the public and private school systems from both an administrative and a legal standpoint. For example, some establishments must answer for their actions to their governing board and their school board, while other independent establishments are managed by a board of directors.

The Advisory Committee thus believes that it is important to present the objectives pertaining to the support to be offered to the majority of establishments. It invites players in the private school system to take inspiration from them, especially as regards training, to carry out their own initiatives and fulfil their obligations in the realm of reasonable accommodation.

#### OBJECTIVE 1: INFORM AND TRAIN PLAYERS IN THE SCHOOL SYSTEM WITH REGARD TO THE RECOGNITION OF DIVERSITY

#### Diversity and questions related to reasonable accommodation

It is acknowledged that the training in reasonable accommodation of players in the education system should be supported. Since 1995, the Ministère de l'Éducation, du Loisir et du Sport and several multiethnic educational milieus have organized sessions to enable school administrators to enhance their capacity to respond to requests for the adaptation

of or exemption from existing norms or practices. However, such sessions are relatively few in number and most of the individuals who have joined school administrators in recent years have not yet received this training.

Furthermore, jurisprudence in the realm of reasonable accommodation is little-known and training or self-training tools are limited and not widely available. Intercultural training sessions, which are more common, do not necessarily include a section on reasonable accommodation in the educational milieu.

In addition, educational milieus that are not as multiethnic are less sensitive to training in reasonable accommodation even though they also receive requests in this respect. Categories of staff other than managers are hardly represented at these sessions, although they may also be asked to respond to these requests in their professional practice.

While the universities are making an effort to include the recognition of diversity in the teacher training curriculum, more needs to be done. This theme should be covered in a specific manner in initial teacher training programs but, above all, in master's programs aimed at school administrators, who are especially concerned by the management of diversity. In the realm of professional development, the same concern should be apparent to recognize ethnocultural, religious and linguistic diversity.

It has been agreed to make the most of teaching strategy and the activities of school life to support education in how to live together in a pluralistic context. The broad area of learning *Citizenship and Community Life* and the *Ethics and Religious Culture* program of study can be worthwhile training methods. In all educational milieus, education in how to live together, which includes training focusing on shared values, demands specific measures and cannot be assured by simple relationships between students of different origins in multiethnic milieus.

As for the parents, they should also benefit from this awareness initiative whose outcome is all the more important since it will reach all players in the school, who will share a common vision of the diversity surrounding them. Few of the parent members of governing boards have had an opportunity to engage in awareness building with respect to reasonable accommodation.

#### Avenues for intervention

- Encourage training and professional development for school staff on the recognition of ethnocultural, religious and linguistic diversity.
- Support citizenship education in a pluralistic context.
- Heighten awareness among parents, especially those who sit on governing boards, to reasonable accommodation and the recognition of diversity.

## OBJECTIVE 2: EQUIP EDUCATIONAL MILIEUS TO RECOGNIZE DIVERSITY

The *Plan of Action for Educational Integration and Intercultural Education* includes measures that could be intensified in order to recognize diversity. Among these measures, mention should be made of those that make it possible to support the development of local intercultural policies and that affect, more specifically, educational milieus with high ethnic density. However, all of the educational milieus should be asked to adopt a reference framework governing learning how to live together.

This action plan contains another clearly defined measure, which, for the Ministère de l'Éducation, du Loisir et du Sport, would consist in supporting the educational milieus in the search for initiatives pertaining to the management of accommodation and the promotion of Québec society's shared values. This concerted mobilization would be an objective to be integrated into the school's educational project.

The *Plan of Action for Educational Integration and Intercultural Education* mentioned in Chapter 1, includes worthwhile measures from the standpoint of the recognition of diversity in educational milieus. Mention should be made of the exchange and twinning program for students from different sociocultural milieus and support for schools that retain the services of specialized organizations with respect to activities that foster intercultural contact (sessions, workshops, exhibitions and other types of activities devoted to intercultural awareness and combatting racism and discrimination). It would be appropriate to engage in the intensive implementation of the measures in this action plan since intercultural contact, through the mutual knowledge that it instils and the barriers that it eliminates, serves the recognition of diversity and social solidarity.

This vast, complex field covers an array of approaches adapted to the schools. However, the schools must have at their disposal the relevant means to undertake such approaches. It is necessary to encourage the dissemination and production of tools (see Appendix C) that each school will use to respond to the requests for reasonable accommodation submitted to it, as the case may be. Some of these tools could be geared to communications designed to explain the school's choices to parents and the community.

### Avenues for intervention

- Update the Plan of Action for Educational Integration and Intercultural Education.
- Step up the implementation, aimed at young school-age children, of the Program to Promote Intercultural Contact at School.
- Make accessible to the educational milieus the means to facilitate recognition of diversity.
- Foster communication and exchanges between the public and private school systems and between the French-language, English-language and aboriginal sectors.

### OBJECTIVE 3: STEP UP PARTNERSHIPS BETWEEN THE SCHOOL, THE FAMILY AND THE COMMUNITY

The educational milieus have taken various initiatives to bring the school and the family closer together, with everyone recognizing the relevance of doing so. However, the outcomes observed have been uneven. Some educational milieus succeed in establishing a culture of collaboration with extensive positive impact, and others, less so. The process is an open one and calls for subtle intervention.

Drawing the school and the family closer together facilitates recognition of the family's situation and the ethnocultural, religious or linguistic diversity that affects the educational milieu. This recognition confirms the legitimacy of otherness and encourages, in return, the development of a feeling of belonging that will favourably influence the relationship between parents and the educational institution, and the relationship between the student and the learning being proposed.

When parents and teaching staff establish a genuine relationship as co-educators, they undertake a dialogue that benefits the student. Expectations are clarified on both sides and the family's and the school's educational values are revealed and are more readily reconciled. Reciprocal knowledge of these expectations and values help to broaden and consolidate collaborative ties between the players to ensure the student's educational success.

From the standpoint of accommodation requests, such contact is congruent insofar as it helps to prevent tensions and fosters the negotiation of agreements, taking into account each party's role and limitations. The school will benefit from the culture of dialogue that can, in some instances, help to reduce the number of requests for accommodation, examine such requests calmly and empathetically, and find an alternate solution. Similarly, contact between the school and the family paves the way for voluntary adjustments and heightens the school's awareness of the specific characteristics of a minority student. The school will voluntarily take such characteristics into account in its teaching and numerous activities.

Community agencies are another category of intervener to be considered in achieving the desired contact. Some types of collaboration established with such agencies are noteworthy and warrant broader application, given the networking that needs to be established between the school, the family and the community.

Through community agencies, the school can more readily reach certain parents with whom it has less frequent contact. These agencies can help the school to better understand the situation of such parents, some of whom are allophones or little accustomed to collaborating with the school, or who wonder about a number of its practices.

These agencies often play a beneficial role not only in fostering the integration of students and parents from immigrant families, but also in responding to requests for accommodation when the parties' positions sometimes seem to be markedly different. These agencies can simplify relations with religious groups and foster the development of interfaith understanding. Dialogue and communication are the appropriate means to

recognize diversity and learning how to live together in a spirit of respect for the school's mission.

It is not just partnerships between the school, the family and the community that should be fostered. The partnership that binds players within the school should also be encouraged. All staff should be invited to share their experience and know-how in order to support the recognition of diversity.

#### Avenues for intervention

- More broadly support initiatives aimed at increasing contact between the school and the family and test new avenues in this respect.
- Broaden the network of relations between the school and the community.
- Foster exchanges between the school and religious groups.

## CHAPTER 4

### RECOMMENDATIONS



The Advisory Committee fulfilled its mandate by devoting its deliberations to the conditions and issues related to ethnocultural, religious and linguistic diversity and to accommodation and adjustments that affect the services offered to students. This reflection has given rise, in this chapter, to the formulation of guidelines, objectives and solutions, and the recommendations that follow.

The conclusion of this report comprises all of the recommendations introduced by the following preliminary considerations:

- the legal framework in force in Québec and the current state of jurisprudence in the realm of rights and freedoms, in particular the legal obligation to engage in reasonable accommodation;
- the mission of Québec schools to instruct, socialize and provide qualifications to all students in the public and private school systems, a mission that is shaped, in particular, by the *Education Act*, the *Act respecting private education*, and the *Education Act for Cree, Inuit and Naskapi Native Persons*;
- the importance of applying the Québec Education Program to fulfil this mission;
- the findings drawn from the data collected from school administrators and the quantitative and qualitative data thus collected that demonstrate the relevance of emphasizing the definition of guidelines, objectives pertaining to information, training, support for the educational milieus and the development of diversified partnerships.

In a spirit of respect for the specific fields of jurisdiction of school authorities, the Advisory Committee on Integration and Reasonable Accommodation in the Schools recommends that:

- 1) note be taken of this report and that it be disseminated in the educational milieus and among the partners concerned;
- 2) a reference framework applicable to reasonable accommodation and voluntary adjustment be provided within a short timeframe to the school systems and that such a framework be based on guideline 1 (point 3.1 in Chapter 3) of this report. It would include a definition of the notions under study, the legal framework, the characteristics and relevant reference points, and a process for handling accommodation requests;
- 3) measures be implemented stemming from the guidelines, objectives and avenues for intervention related to the recognition of ethnocultural, religious and linguistic diversity in intervention practices aimed at preschool, elementary and secondary school students. Chapter 3 indicates these guidelines, objectives and avenues for intervention.

They are accompanied by common reference points and take into account three factors, i.e. information and training, support for the educational milieu, and partnership;

- 4) a support service be offered to the school boards and the schools with respect to recognition both of linguistic, religious and ethnocultural diversity and reasonable accommodation and to ensure coaching, if necessary, especially through:
  - the production and updating of a reference guide, decision support tools and information documents;
  - the coordination of a focus group made up of governmental, non-governmental, university and community partners to foster reflection and carry out joint initiatives;
  - monitoring of changes in ethnocultural, religious and linguistic diversity and related issues in the educational milieu and information on successful practices, in keeping with the school's mission;
  - the coordination of a virtual information and exchange site on aspects of diversity;
  - an inventory of mediation resources;
- 5) offers of service for training and professional development be developed and adapted to the needs of decision-makers, managers, teaching and non-teaching staff, substitute teachers or trainees, and parents;
- 6) reflection be pursued on the concept of undue hardship as it applies to the mandate of Québec schools and according to specific conditions in the educational institution;
- 7) the universities be made aware of the need for training in the recognition of linguistic, religious and ethnocultural diversity and reasonable accommodation through the school administrator training program;
- 8) the universities be made aware of the need to introduce or develop questions pertaining to the recognition of ethnocultural, religious and linguistic diversity and reasonable accommodation in training programs for teachers and other players in the educational milieu;
- 9) broader support be offered to the school boards and the schools to facilitate communications with parents, among other things by means of the francization of allophone parents;
- 10) the educational milieu be equipped to interact with the news media concerning intercultural relations in the schools and requests for accommodation in these milieus.

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# APPENDIXES

## APPENDIX A

### INTEGRATION OF STUDENTS ATTENDING SCHOOLS THAT ARE NOT LEGALLY RECOGNIZED

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In the fall of 2006, the media focused considerable attention on schools that are not legally recognized. The Minister of Education, Recreation and Sports at the time asked this committee to examine the question. However, in light of the intervention procedure that the Ministère de l'Éducation, du Loisir et du Sport had already adopted pursuant to the *Act respecting private education* and the *Education Act* and the impossibility of linking this topic to the handling of a request for reasonable accommodation, the committee decided not to make recommendations in this respect. This appendix nonetheless examines the context and issues, as well as the strategies that the Ministère de l'Éducation, du Loisir et du Sport has adopted as a means of intervening with respect to schools that are not legally recognized.

#### OVERVIEW

The *Act respecting private education* stipulates that no one may operate a private educational institution that delivers educational services at the elementary or secondary school level (or both) to children who are obliged to attend school unless he possesses a permit issued by the Minister of Education, Recreation and Sports.

In the past five years, 22 establishments of this kind have been brought to the Ministère's attention. These establishments, managed, in particular, by the evangelical, Jewish, Mennonite and traditionalist Catholic communities, are located in the Montréal, Estrie, Montérégie, and Laurentides regions.

When a school that is not legally recognized is reported to the Ministère, systematic intervention is triggered, aimed at one of the following outcomes:

- the voluntary closing of the school;
- the integration of the students into the official public or private school systems;
- the submission of an application for a permit pursuant to the *Act respecting private education*;
- the submission of the necessary applications to the school board to enable the children to be homeschooled, in accordance with the *Education Act*.

Following the Ministère de l'Éducation, du Loisir et du Sport's intervention with respect to the establishments reported, a number of establishments applied for a permit pursuant to the *Act respecting private education* or voluntarily closed the school and integrated the students into the official school systems. Some parents also applied to their school board to have their children homeschooled. Only four of the establishments that were reported to the Ministère continue to operate illegally, but they have taken steps to regularize their situation.

The Ministère's intervention can also result in the submitting of the file to the Attorney-General of Québec to launch legal proceedings if the administrators of the school that is not legally recognized are unable or unwilling to comply. The obligation to comply with the Québec Education Program and employ teachers who hold a teaching permit is an important change that these establishments should make.

Besides schools that deliver educational services in breach of the *Act respecting private education* with respect to which systematic intervention is carried out, guided by the Act, certain parents do not assume the responsibilities conferred on them by the *Education Act* and the *Education Act for Cree, Inuit and Naskapi Native Persons*. Pursuant to these statutes, they must do what is necessary to ensure that their child fulfils his or her obligation to attend school. Students attending a school that is not legally recognized do not satisfy these regulations.

The *Education Act* stipulates that any child residing in Québec must, in order to satisfy his or her obligation to attend school, attend between the ages of 6 and 16 a public school or a private school that possesses a permit issued pursuant to the *Act respecting private education* or be schooled in the home and receive there instruction and an educational experience, which, according to an evaluation conducted by the school board, are equivalent to those delivered in the school. The *Education Act for Cree, Inuit and Naskapi Native Persons* also includes the obligation to attend school, but between 6 and 15 years of age.

## ISSUES

The Québec *Charter of Human Rights and Freedoms* establishes the right of children to receive public education free. It also indicates that parents are entitled to choose for their children private schools, provided that these establishments comply with the norms prescribed or approved pursuant to the Act. An establishment that delivers educational services without possessing a permit issued pursuant to the *Act respecting private education* and a parent who enrolls his or her child in such an establishment may not rely on the Charter to justify their actions and may not request reasonable accommodation to evade their obligation.

When certain parents decide not to educate their children or to educate them in establishments that do not comply with the norms prescribed by the *Act respecting private education*, intervention by the Ministère de l'Éducation, du Loisir et du Sport is intended to ensure that every child in Québec receives the educational services to which he is entitled, in a spirit of respect for the legislation and regulations in force.

## STRATEGY

### Information

The greater visibility of information concerning parents' obligations under the *Education Act* or the *Education Act for Cree, Inuit and Naskapi Native Persons* might heighten their awareness of the situation and their responsibilities. Such information could be disseminated every year by means of:

- articles in local newspapers that remind parents of their obligations with respect to compulsory school attendance;
- a reference on the MELS Website;
- a brochure distributed in CLSCs, social services, immigration services, the Régie régionale de la santé et des services sociaux du Nunavik, the Conseil régional cri de la santé et des services sociaux, health centres, and so on.

### Identify the students

The problem posed by the monitoring of a student who is not being educated stems from the identification of the student and his parents. The Ministère de l'Éducation, du Loisir et du Sport does not possess any information on a child who has never been declared and to whom no permanent code has been assigned. The means of remedying this situation should be analyzed and, consequently, might be deemed to be the key intervention approach:

- the matching of computerized data between government departments and agencies, subject to authorization by the Commission d'accès à l'information et à la protection des renseignements personnels. Interdepartmental cooperation could lay the foundation for such an approach.

### Application of provisions respecting the obligation to attend school in the *Education Act* and the *Education Act for Cree, Inuit and Naskapi Native Persons*

The abovementioned statutes stipulate that a school board must ensure that the individuals under its jurisdiction receive the educational services to which they are entitled. Therefore:

- once children who are not educated have been identified, the school boards should intervene by meeting with the parents, sending them letters or formal requests or launching legal proceedings.

Moreover, when the parents fail to do what is necessary to educate their children, the situation can be reported to the director of youth protection,<sup>24</sup> whose subsequent intervention is guided by the report and its priorities:

- establish cooperation between the Ministère de l'Éducation, du Loisir et du Sport and the regional director of youth protection.

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24. Section 38 of the *Youth Protection Act*.

## APPENDIX B

### SUCCESSFUL PRACTICES



The third section of the mandate assigned to the Advisory Committee focuses on a review of successful practices. Chapter 2 of the final report submitted to the Minister highlights 17 diversity management practices that school administrators throughout Québec deem to be successful. Four of the practices are related to linguistic diversity, four others pertain to religious diversity, and nine are grouped together in the ethnocultural diversity category.

The list of practices has been reduced in light of the comments provided by school administrators on the online questionnaire and drawn from the 20-odd interviews conducted with a number of school administrators.

The limited space devoted in Chapter 2 to the presentation of diversity management practices warrants their inclusion in an appendix.

The appendix presents additional information on practices aimed at the socialization and integration of students from immigrant families in a perspective of living better together.

The additional information on practices is drawn from a document that the Ministère de l'Éducation, du Loisir et du Sport, produced in 2007, entitled "Répertoire de projets novateurs favorisant l'intégration scolaire des élèves immigrants et le mieux-vivre ensemble dans les écoles." To be selected, the practices must foster successful learning of the language of instruction, involve recourse to organizational decompartmentalization structures that foster the intercultural dimension or networking and interactive educational practices. This criterion-reference selection is based on the same characteristics as those listed in Chapter 2 of the report on successful practices. They have been adopted both in the elementary and secondary schools of 14 school boards. In the description of successful practices, only one of the objectives and one of the means adopted appear in the following list. To obtain complete information, interested readers can refer to the page indicated in the document that provides the name of the school and the school board's Website.

#### LINGUISTIC INTEGRATION

- Allow the immigrant student to interact orally and in writing in French through the production of a school newspaper (page 28).
- Emphasize the use of French in the homes of students from immigrant families through the organization of an improvisation tournament between French-speaking and allophone students (page 29).
- Emphasize the use of French through the organization of 20 scientific learning situations (page 39).



- Enable students from immigrant families to learn theatre techniques through the organization of a puppet show (page 52).
- Enable French-speaking and allophone students to learn about the different cultures in the French-speaking countries and communities of the world and become aware of the place that French occupies in the world through Web-based research on a culture in these countries and communities (page 57).
- Enable allophone students to discover the pleasure of writing in French through the production and launching of a book (page 58).
- Heighten the students' awareness of linguistic diversity through *Éveil au langage et ouverture à la diversité linguistique (ÉLODiL)* activities (page 88).
- Foster the successful integration of allophone newcomers into regular classes through teacher upgrading devoted to the principles of second language acquisition and the production of a training package containing basic vocabulary in different school subjects (page 106).
- Enable students from immigrant families who have fallen considerably behind in school to acquire in French basic educational skills through manual tasks (page 118).

#### INTERCULTURAL PRACTICES

- Foster the integration of students attending preparatory classes into regular classes with students of the same age through decompartmentalization activities every Friday afternoon and cooperation among the six teachers affected (page 22).
- Enable students in regular classes to develop empathy for students from immigrant families through the "Vers le Pacifique" program for the entire school (page 23).
- Carry out a project focusing on diet here and elsewhere by means of a visit to a neighbourhood grocery store, among others (page 27).
- Enable French-speaking students to discover the countries of students from immigrant families and to support these students through the creation of a souvenir album (page 33).
- Initiate allophone students (in French) to space and the universe along with French-speaking students through a visit to the Laval Cosmodôme (page 36).
- Enable French-speaking and non-French-speaking students to establish bonds through classroom learning and activities related to a visit to an ecological farm (page 40).
- Draw to the attention of allophone students a French-language television or radio station and related occupations through the production of a radio program (page 55).
- Emphasize French among students as a vehicle for culture through the presentation of four plays from different cultures, i.e. Haitian, Arab, Spanish and Québec (page 48).

## IMPLEMENTATION OF NETWORKS AND ETHNOCULTURAL DIVERSITY

- Heighten awareness of the school's ethnocultural diversity in the surrounding community through the creation of a newspaper distributed in local businesses (page 31).
- Draw closer together French-speaking and non-French-speaking students from two schools, one of which is multiethnic, through the production of an international recipe book (page 35).
- Draw to the attention of newly arrived students a cultural site in the neighbourhood during three visits to the local library (page 63).
- Enable students from immigrant families to engage in subject learning through pairing with other students who speak the same mother tongue enrolled in regular classes and through reading projects with older student tutors (page 94).
- Offer immigrant students and their families supervision and support by pairing students for activities and themes during lunchtime and the presentation to the parents of their project portfolio (page 101).
- Develop the professional skills of staff in the process of integrating students from immigrant families through personalized welcoming of students and their families, e.g. a meeting of the new student and his parents with the school administration, the homeroom teacher and the remedial teacher, the childcare service staff member and a parent interpreter. Present to the parents a welcome kit containing the school calendar, classroom timetable and specialty subject timetable, a list of school supplies, a city map and twinning with an immigrant family or a Québec family (page 103).
- Involve the parents in the students' educational success and school life and work with community partners through educational activities in French on Saturday, in partnership with neighbourhood organizations (pages 130 and 131).
- Establish collaboration between teachers in preparatory classes and homeroom teachers through team teaching (page 98).

## SOCIALIZATION

- Develop cooperation between French-speaking and non-French-speaking students through learning about the rules governing school life and the rules of games (page 30).
- Enable students from immigrant families to learn new board and other games and the vocabulary necessary to play in French through the formation of mixed teams and experimentation with a game (page 32).
- Enable newcomers to mix with other students at recess and to participate in mixed groups through the choice of a game for the week for each student in the school, including students in preparatory classes (page 90).
- Promote mutual aid and respect for differences through the introduction of mentoring (page 95).

- Explore the concept of tutoring as a foundation at the time of integration or through teaching in conjunction with the teacher's duties to offer students support with respect to all of their needs (page 107).
- Enable secondary school immigrant students to engage with young Quebecers in sharing and experience centred on values, through the international student café, which promotes interculturalism (page 109).

#### INTEGRATION INTO THE HOST SOCIETY

- Introduce newly arrived students to Québec culture through activities related to snow, ice and water (page 38).
- Heighten awareness among newly arrived students of vegetation in Québec through the discovery of the Montréal Botanical Garden (page 42).
- Explore one of Québec's resources through a visit to a hydroelectric power generation plant (page 43).
- Expose allophone students to the poetry and songs of Félix Leclerc through the production of a show devoted to Félix Leclerc (page 49).
- Initiate students from immigrant families to Québec's cultural heritage through participation in dance workshops organized by Les Sortilèges, a professional dance troupe (page 51).
- Draw to the attention of students from immigrant families Québec's cinema heritage through activities related to a visit to the National Film Board (page 54).
- Facilitate the integration of students from immigrant families and their parents through the discovery of the architecture and history of the neighbourhood during guided tours (page 66).
- Explore an understanding of Québec culture through the language by means of humour, e.g. word games, puns, and so on (page 73).
- Foster the use of French by allophone and French-speaking students during participation in cultural activities through learning of basic rhythms in music and hummed tunes, along with hip-hop and rap in French (p. 77).
- Enable newly arrived students in Québec to learn about historic Québec City through a trip there (page 82).
- Help allophone and French-speaking students better understand Québec's history and culture through the production of a musical comedy on the history of 50 years of life in Québec (1920 to 1970) in a working-class neighbourhood in Montréal (page 44).

## APPENDIX C

### TRAINING AND INFORMATION TOOLS

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This appendix is linked to the mandate of the Advisory Committee quoted in the introduction, i.e. to inventory the information and training tools accessible to different categories of educators in order to manage diversity in the school systems in which the questions of integration and reasonable accommodation arise.

The documents in this list are grouped under four headings that adopt, as much as possible, the two fields of application: reasonable accommodation and diversity management. Another list includes the Websites of departmental or other agencies.

#### TRAINING TOOLS

##### Reasonable accommodation

- *Accommodements raisonnables et culture de la paix en milieu scolaire public – Pourquoi, Quand, Comment?*  
Training guide  
Purpose: heighten awareness of the legal foundation of reasonable accommodation and propose a peaceful approach to handling accommodation requests in light of conditions in the schools.  
Comité de gestion de la taxe scolaire de l'île de Montréal, Bergman Fleury, 2004.
- *L'accommodement raisonnable. Pour un équilibre entre les droits et les responsabilités.*  
Educational tool (guide intended for managers of the Ville de Montréal).  
Purpose: heighten awareness of the legal foundation of reasonable accommodation, the framework for application and the notion's limits.  
Ville de Montréal, Rachida Azdouz, March 2007.
- *Les accommodements raisonnables : quoi, comment, jusqu'où?*  
*Des outils pour tous.*  
Collective work published under the direction of Myriam Jézéquel, Éditions Yvon Blais, Spring 2007.

##### Diversity management

- *La prise en compte de la diversité culturelle et religieuse en milieu scolaire.*  
*Module de formation à l'intention des gestionnaires.*  
*Cahier 8. Étude d'une dizaine de cas pratiques.*  
Purpose: help managers make enlightened, fair decisions when conflicts arise in the educational milieu over cultural and religious values.  
Gouvernement du Québec, Ministère de l'Éducation, Marie McAndrew, 1995, updated version to be published in 2008.
- *Analyse des marges de manœuvre.*  
*Cahier 8.1. Complément au module de formation, cahier 8.*

Purpose: propose for the 10 cases presented an interpretation of possible leeway within the limits of statutes governing education and the Québec *Charter of Human Rights and Freedoms*.

Gouvernement du Québec, Ministère de l'Éducation, Marie McAndrew, 1995, updated version to be published in 2008.

➤ *Guide d'autoformation.*

Purpose: foster the development of the necessary skills among childcare staff and lunchroom monitors pertaining to the role they play with regard to the social integration of non-French-speaking students.

Commission scolaire Marguerite-Bourgeoys, 2004.

➤ *Guide pratique de la gestion de la diversité interculturelle en emploi.*

Purpose: ascertain the parameters for application, understand the limits of application, manage areas of tension stemming from intercultural differences, values and norms, and resolve conflicts through negotiation.

Gouvernement du Québec, Emploi Québec, Section 7, Tool 16, 2005.

## INFORMATION SESSIONS

### Reasonable accommodation

➤ “Accommodements raisonnables et gestion des classes multiethniques : la portée et les limites du raisonnable”

Training

Purpose: the training centres on a theoretical framework and case studies to illustrate the implementation of accommodation.

Services offered to the school boards. MELS, DSCC training session.

➤ *Soyons raisonnables : les accommodements en matière de religion, Québec.*

Workshop guide

Purpose: establish guidelines; become familiar with the relevant sections of the Québec *Charter of Human Rights and Freedoms*; understand the notion, its legal foundations and the social function of reasonable accommodation; become familiar with useful resources and references in this respect.

Québec, Commission des droits de la personne et des droits de la jeunesse, March 2007.

### Diversity management

➤ “Droits et libertés de la personne et gestion des ressources humaines.”

Training

Purpose: heighten awareness through a one-day training session for human resources managers of the existence of legislative provisions that provide a framework for diversity management.

Fédération des commissions scolaires du Québec (FCSQ).

Reasonable accommodation

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### Diversity management

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#### DAY-LONG STUDY SESSIONS, SYMPOSIUM – DATA COLLECTION

##### Reasonable accommodation

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Department of Justice Canada (*Canadian Charter of Rights and Freedoms*)  
<http://lois.justice.gc.ca/en/const/index.html>

*Charter of the French language*  
<http://www.olf.gouv.qc.ca/charte/charte/index.html>

Conseil supérieur de l'éducation (publications, annual reports, research and briefs)  
<http://www.cse.gouv.qc.ca>

Ministère des Relations avec les citoyens et de l'Immigration (profile of the cultural communities, policies, action plan and programs)  
<http://www.mrci.gouv.qc.ca/index.asp>

Ministère de l'Éducation, du Loisir et du Sport  
<http://www.mels.gouv.qc.ca>

Direction des services aux communautés culturelles  
<http://www.mels.gouv.qc.ca/dscc/index.asp>

Ministère de l'Immigration et des Communautés culturelles  
<http://www.micc.gouv.qc.ca/fr/index.asp>

#### Diversity management

Conseil du statut de la femme  
<http://www.csf.gouv.qc.ca/fr/accueil/>  
Lexum/Université de Montréal (court judgments)  
<http://www.lexum.umontreal.ca/>

Bureau des relations interculturelles - Ville de Montréal, Calendrier des événements, des fêtes religieuses et des informations sur les communautés culturelles  
<http://interculturel.ville.montreal.qc.ca>

Calendriers interreligieux  
<http://www.enbiro.ch/shop>

Comité de gestion de la taxe scolaire de l'Île de Montréal (publications)  
<http://www.cgtsim.qc.ca/>

High Commissioner for Human Rights (Geneva Convention and other conventions)  
<http://www.unhchr.ch/html/menu3/b/91.htm>

INRS/Urbanisation, culture et société  
<http://www.inrs-ucs.uquebec.ca/>

Commission des droits de la personne et des droits de la jeunesse  
<http://www.cdpdj.qc.ca/fr/accueil.asp>

Section of the Website devoted to the place of religion in the public sphere

<http://placedelareligion.cdpdj.qc.ca>

An interactive model is available online (“La place de la religion dans l’espace public”)

<http://www.cdpdj.qc.ca>

## APPENDIX D

### DATA COLLECTION: METHODOLOGY, QUESTIONNAIRE AND TABLE



This appendix is related to Chapter 2 of the report, which takes stock of requests for adaptation, initiatives and issues stemming from these requests (the second section of the mandate assigned to the Advisory Committee covers these issues).

The Advisory Committee and the Direction des services aux communautés culturelles (DSCC) agreed, in keeping with the mandate that it received from the Ministère de l'Éducation, du Loisir et du Sport, to take stock of accommodation practices in all public and private preschool, elementary and secondary establishments and in schools serving the Cree, Inuit and Naskapi communities in Québec. These practices were adopted in the wake of requests for adaptation and initiatives focusing on the management of linguistic, religious and ethnocultural diversity. An online questionnaire and interviews were used to take stock of accommodation practices.

QUESTIONNAIRE	INTERVIEWS
<b>Objectives</b>	
<ul style="list-style-type: none"> <li>➤ Take stock of all requests for adaptation or reasonable accommodation submitted to Québec schools and the schools' initiatives with respect to linguistic, religious and ethnocultural diversity from the standpoint of norms and regulations, educational practices and organizational measures and the programs of study in effect in the schools.</li> <li>➤ Elucidate a rationale that accounts for and explains the school administrators' management practices.</li> <li>➤ Indicate avenues for intervention concerning the integration of young immigrants or young people from different cultural, religious and linguistic communities in the school system and the means of managing diversity that take into account current practices in the schools.</li> </ul>	<ul style="list-style-type: none"> <li>➤ Describe the statistical data provided by Québec school administrators and included in the online questionnaire.</li> <li>➤ Put into context the comments made by school administrators and included in the questionnaire.</li> <li>➤ Obtain from the school administrators selected answers to the following questions:               <ul style="list-style-type: none"> <li>○ Which of your practices are successful?</li> <li>○ What are your expectations of the Advisory Committee?</li> <li>○ What issues are you facing with regard to accommodation?</li> <li>○ What are the topics of debate?</li> </ul> </li> </ul>

QUESTIONNAIRE	INTERVIEWS
<b>Objectives</b>	
<p><b>Note:</b> Under its mandate, the Advisory Committee was to define the concept of accommodation in the educational milieu. When the questionnaire was administered, no questions were raised about the concept. The terms “requests for accommodation” and “initiatives” were used.</p>	
<b>Target population</b>	
<p>➤ All Québec school principals in the public and private, French-speaking and English-speaking sectors.</p>	<p>➤ Twenty-seven school administrators throughout Québec selected because they identified themselves and had received numerous requests for adaptation addressed to their schools.</p> <p>➤ In addition to these two criteria related to the school administration, four others focused on contextual facets, i.e. the school's ethnic concentration, its geographic location, the educational level and sector, and language.</p> <p><b>Note:</b> The initial sample covered 40 school administrators but was reduced to 27 because the end of the school year is not entirely suited to this type of activity.</p> <p>Montréal Island..... 15  Montérégie.....2  Laval.....1  Laurentides.....2  Lanaudière .....1  Estrie .....2  Capitale Nationale .....2  Chaudière Appalaches.....1  Outaouais .....1</p>
<b>Period observed</b> The questionnaire and the interviews covered the years 2004 to 2007	
<p><b>DISTRIBUTION OF THE QUESTIONS</b></p> <p>The questionnaire comprised 67 questions:</p> <ul style="list-style-type: none"> <li>▪ 36 on adaptation requests pertaining to linguistic, religious and ethnocultural diversity;</li> <li>▪ 11 on general information;</li> <li>▪ nine on the decision-making process;</li> <li>▪ seven on adaptation initiatives;</li> <li>▪ four on objectives and issues.</li> </ul>	<p><b>CHOICE OF QUESTIONS</b></p> <ul style="list-style-type: none"> <li>➤ Each interview was prepared in light of the school administration's comments in the online questionnaire.</li> <li>➤ In addition to the personalized interview, the 27 school administrators selected answered four recurring questions (mentioned in the objectives).</li> <li>➤ Telephone interviews lasted 35 minutes, on average.</li> </ul>

QUESTIONNAIRE	INTERVIEWS
<b>Data analysis</b>	
<p>Based on tables indicating the findings throughout Québec for the public and private school systems and the French-speaking and English-speaking sectors and 17 regional tables, we determined:</p> <ul style="list-style-type: none"> <li>➤ the response rate;</li> <li>➤ the number of schools that receive adaptation requests or take initiatives;</li> <li>➤ the regions most affected by requests;</li> <li>➤ the difference, if any, between public and private schools, between schools in the English-speaking and French-speaking sectors, and between elementary and secondary schools;</li> <li>➤ the aspects (ethnocultural, religious, linguistic) of diversity that are most affected;</li> <li>➤ the aspects (norms and regulations, educational practices and organizational measures, student programs) of school life that are most affected;</li> <li>➤ the members of the educational community who make the most requests (students, parents, staff);</li> <li>➤ the individuals and reference documents that school administrators consult before responding to requests;</li> <li>➤ the objectives that school administrators pursue in the management of adaptation requests;</li> <li>➤ the importance that school administrators attach to the management of threefold diversity;</li> <li>➤ the applicants' religions.</li> </ul>	<p>Based on the 1 030 comments made on the questionnaire and information collected during the 27 interviews, we determined:</p> <ul style="list-style-type: none"> <li>- the reasons that justify the decisions made by school administrators in the management of threefold diversity;</li> <li>- the circumstances under which the school administrators made their decisions;</li> <li>- the means adopted;</li> <li>- management practices deemed to be successful;</li> <li>- the issues at hand;</li> <li>- the school administrators' expectations with respect to better management of diversity.</li> </ul>

# ONLINE QUESTIONNAIRE

(reproduced as disseminated)

## Introduction

Under the terms of the mandate it received from the Minister of Education, Recreation and Sports, the Advisory Committee on Integration and Reasonable Accommodation in the Schools has joined with the Direction des services aux communautés culturelles of the Ministère de l'Éducation, du Loisir et du Sport (MELS) in conducting a survey of **religious accommodation** practices in Québec's elementary and secondary schools, particularly with regard to **requests and initiatives** having to do with **ethnocultural, religious and linguistic diversity**. The information gathered will make it possible to shed more light on the issue of reasonable accommodation in the schools, and to identify steps that could be taken to better support the schools in their mandate to integrate students.

## Target population

This questionnaire is intended for all elementary and secondary schools in the public and private school systems, both French and English, as well as for the schools serving Québec's Cree, Inuit and Naskapi communities.

We are counting on your usual collaboration in providing us with information that will enable us to draw up an accurate profile of reasonable accommodation practices currently in place in Québec's elementary and secondary schools. You will be informed of the results of this consultation, which will be made public.

## Instructions

You, as the school administration, should complete the questionnaire. The information you provide should reflect, as much as possible or **to the best of your knowledge**, decisions relating to reasonable accommodation that were taken in your school over the past three years (from 2004-2005 to 2006-2007). If you have been the School administration of this school since September 2006, you are an invaluable liaison since your answers will necessarily represent those given by the administration as a whole, the staff members and the governing board, as well as by the board of governors, where applicable.

**Place a check mark (✓)** in the box opposite your answer to each question and, where applicable, include the information requested in the space provided for this purpose. If you wish, you can also send additional information to the address provided at the end of the questionnaire.

If you, as School administration, are aware of any requests made or initiatives taken in your school outside the period covered by this consultation, or in other schools while you occupied other positions, you can, if you wish, tell us about these when you come to **Question 32**.

## Structure and Content of the Questionnaire

The questionnaire is divided into four sections:

Section I	General Information
Section II	Requests
	A- Standards and Regulations
	B- Teaching Practices and Organizational Measures
	C- Programs of Study
	D- The Decision-Making Process
Section III	Initiatives
Section IV	Goals and Issues

**Confidentiality**

All answers will be saved on a secure Web site. Moreover, the data gathered will be treated as confidential, in accordance with the policies of the Bureau de l'accès à l'information et à la protection des renseignements personnels of the MELS.

**Deadline**

The questionnaire will be online from May \_\_\_\_ to May \_\_\_\_, 2007.

**Section I – General Information**

- 1) Which level(s) of education does the school offer?

Preschool only	<input type="checkbox"/>
Elementary only	<input type="checkbox"/>
Secondary only	<input type="checkbox"/>
Preschool and elementary	<input type="checkbox"/>
Elementary and secondary	<input type="checkbox"/>
Preschool, elementary and secondary	<input type="checkbox"/>

- 2) How many students are registered at the school?

Fewer than 100	<input type="checkbox"/>
101 to 200	<input type="checkbox"/>
201 to 400	<input type="checkbox"/>
401 to 800	<input type="checkbox"/>
801 to 1200	<input type="checkbox"/>
Over 1200	<input type="checkbox"/>

- 3) For the 2006-2007 school year, what is the proportion of students coming from immigration at the school?

None	<input type="checkbox"/>
Below 10%	<input type="checkbox"/>
Between 11% and 25%	<input type="checkbox"/>
Between 26% and 50%	<input type="checkbox"/>
Between 51% and 75%	<input type="checkbox"/>
Over 75%	<input type="checkbox"/>
Do not know	<input type="checkbox"/>

- 4) For the 2006-2007 school year, what proportion of the school population comes from native communities?

None	<input type="checkbox"/>
Below 10%	<input type="checkbox"/>
Between 11% and 25%	<input type="checkbox"/>
Between 26% and 50%	<input type="checkbox"/>
Between 51% and 75%	<input type="checkbox"/>
Over 75%	<input type="checkbox"/>
Do not know	<input type="checkbox"/>

- 5) Are your students from different religious backgrounds?

Yes <input type="checkbox"/>	No <input type="checkbox"/>	Do not know <input type="checkbox"/>
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If you answered Yes, what proportion of students say they belong to each of the following religions:

Religious denominations	Proportion
Catholic <input type="checkbox"/>	None <input type="checkbox"/> Below 5% <input type="checkbox"/> 6% to 10% <input type="checkbox"/> 11% to 20% <input type="checkbox"/> 21% to 30% <input type="checkbox"/> 41% to 50% <input type="checkbox"/> 51% to 60% <input type="checkbox"/> 61% to 70% <input type="checkbox"/> Over 70% <input type="checkbox"/> Do not know <input type="checkbox"/>
Protestant <input type="checkbox"/>	None <input type="checkbox"/> Below 5% <input type="checkbox"/> 6% to 10% <input type="checkbox"/> 11% to 20% <input type="checkbox"/> 21% to 30% <input type="checkbox"/> 41% to 50% <input type="checkbox"/> 51% to 60% <input type="checkbox"/> 61% to 70% <input type="checkbox"/> Over 70% <input type="checkbox"/> Do not know <input type="checkbox"/>
Muslim <input type="checkbox"/>	None <input type="checkbox"/> Below 5% <input type="checkbox"/> 6% to 10% <input type="checkbox"/> 11% to 20% <input type="checkbox"/> 21% to 30% <input type="checkbox"/> 41% to 50% <input type="checkbox"/> 51% to 60% <input type="checkbox"/> 61% to 70% <input type="checkbox"/> Over 70% <input type="checkbox"/> Do not know <input type="checkbox"/>
Christian Orthodox <input type="checkbox"/>	None <input type="checkbox"/> Below 5% <input type="checkbox"/> 6% to 10% <input type="checkbox"/> 11% to 20% <input type="checkbox"/> 21% to 30% <input type="checkbox"/> 41% to 50% <input type="checkbox"/> 51% to 60% <input type="checkbox"/> 61% to 70% <input type="checkbox"/> Over 70% <input type="checkbox"/> Do not know <input type="checkbox"/>
Jewish <input type="checkbox"/>	None <input type="checkbox"/> Below 5% <input type="checkbox"/> 6% to 10% <input type="checkbox"/> 11% to 20% <input type="checkbox"/> 21% to 30% <input type="checkbox"/> 41% to 50% <input type="checkbox"/> 51% to 60% <input type="checkbox"/> 61% to 70% <input type="checkbox"/> Over 70% <input type="checkbox"/> Do not know <input type="checkbox"/>
Other Christian religions <input type="checkbox"/>	None <input type="checkbox"/> Below 5% <input type="checkbox"/> 6% to 10% <input type="checkbox"/> 11% to 20% <input type="checkbox"/> 21% to 30% <input type="checkbox"/> 41% to 50% <input type="checkbox"/> 51% to 60% <input type="checkbox"/> 61% to 70% <input type="checkbox"/> Over 70% <input type="checkbox"/> Do not know <input type="checkbox"/>
Buddhist <input type="checkbox"/>	None <input type="checkbox"/> Below 5% <input type="checkbox"/> 6% to 10% <input type="checkbox"/> 11% to 20% <input type="checkbox"/> 21% to 30% <input type="checkbox"/> 41% to 50% <input type="checkbox"/> 51% to 60% <input type="checkbox"/> 61% to 70% <input type="checkbox"/> Over 70% <input type="checkbox"/> Do not know <input type="checkbox"/>
Hindu <input type="checkbox"/>	None <input type="checkbox"/> Below 5% <input type="checkbox"/> 6% to 10% <input type="checkbox"/> 11% to 20% <input type="checkbox"/> 21% to 30% <input type="checkbox"/> 41% to 50% <input type="checkbox"/> 51% to 60% <input type="checkbox"/> 61% to 70% <input type="checkbox"/> Over 70% <input type="checkbox"/> Do not know <input type="checkbox"/>
Sikh <input type="checkbox"/>	None <input type="checkbox"/> Below 5% <input type="checkbox"/> 6% to 10% <input type="checkbox"/> 11% to 20% <input type="checkbox"/> 21% to 30% <input type="checkbox"/> 41% to 50% <input type="checkbox"/> 51% to 60% <input type="checkbox"/> 61% to 70% <input type="checkbox"/> Over 70% <input type="checkbox"/> Do not know <input type="checkbox"/>
Eastern religions <input type="checkbox"/>	None <input type="checkbox"/> Below 5% <input type="checkbox"/> 6% to 10% <input type="checkbox"/> 11% to 20% <input type="checkbox"/> 21% to 30% <input type="checkbox"/> 41% to 50% <input type="checkbox"/> 51% to 60% <input type="checkbox"/> 61% to 70% <input type="checkbox"/> Over 70% <input type="checkbox"/> Do not know <input type="checkbox"/>
Jehovah's Witnesses <input type="checkbox"/>	None <input type="checkbox"/> Below 5% <input type="checkbox"/> 6% to 10% <input type="checkbox"/> 11% to 20% <input type="checkbox"/> 21% to 30% <input type="checkbox"/> 41% to 50% <input type="checkbox"/> 51% to 60% <input type="checkbox"/> 61% to 70% <input type="checkbox"/> Over 70% <input type="checkbox"/> Do not know <input type="checkbox"/>
Other religions (specify)	None <input type="checkbox"/> Below 5% <input type="checkbox"/> 6% to 10% <input type="checkbox"/> 11% to 20% <input type="checkbox"/> 21% to 30% <input type="checkbox"/> 41% to 50% <input type="checkbox"/> 51% to 60% <input type="checkbox"/> 61% to 70% <input type="checkbox"/> Over 70% <input type="checkbox"/> Do not know <input type="checkbox"/>
	None <input type="checkbox"/> Below 5% <input type="checkbox"/> 6% to 10% <input type="checkbox"/> 11% to 20% <input type="checkbox"/> 21% to 30% <input type="checkbox"/> 41% to 50% <input type="checkbox"/> 51% to 60% <input type="checkbox"/> 61% to 70% <input type="checkbox"/>



	Over 70% <input type="checkbox"/> Do not know <input type="checkbox"/>
--	--

6) How many people are on the school staff?

Fewer than 25	<input type="checkbox"/>
26 to 50	<input type="checkbox"/>
51 to 75	<input type="checkbox"/>
76 to 100	<input type="checkbox"/>
Over 100	<input type="checkbox"/>

7) During which of the last three years were you the school administration?

2004-2005	<input type="checkbox"/>
2005-2006	<input type="checkbox"/>
2006-2007	<input type="checkbox"/>

8) In what administrative region of Québec is your school is located?

\_\_\_\_\_

9) Is it a public or private school?

Public

Specify if it is an Aboriginal school

Private

10) What is the name of your school board?

\_\_\_\_\_

11) What is the name of your school? (Optional)

## Section II – Requests

12) During the last three years (2004-2005 to 2006-2007), did the school respond to **requests** from members of the school community to adapt rules and regulations, teaching practices and organizational measures or programs to reflect ethnocultural, religious or linguistic diversity?

Yes <input type="checkbox"/>	No <input type="checkbox"/>	Do not know <input type="checkbox"/>
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**If you answered Yes, go to the next question.**

**If you answered No or Do not know, go directly to Question 24.**

### A – Rules and regulations

13) Indicate whether the school has received one of the following requests. If you answer Yes, check off the approximate number of requests that were accepted, rejected or



Over 10 <input type="checkbox"/>	Over 10 <input type="checkbox"/>	Over 10 <input type="checkbox"/>
Do not know <input type="checkbox"/>	Do not know <input type="checkbox"/>	Do not know <input type="checkbox"/>
Comment, or example of another solution:		
A request, made for religious reasons, to modify the school calendar in order to enable students to participate in religious holidays.		
<b>Yes</b> <input type="checkbox"/> <span style="margin-left: 150px;"><b>No</b> <input type="checkbox"/></span> <span style="margin-left: 150px;"><b>Do not know</b> <input type="checkbox"/></span>		
<b>Accepted</b>	<b>Rejected</b>	<b>Other solution</b>
None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>
Comment, or example of another solution:		
A request for a place of worship to set up.		
<b>Yes</b> <input type="checkbox"/> <span style="margin-left: 150px;"><b>No</b> <input type="checkbox"/></span> <span style="margin-left: 150px;"><b>Do not know</b> <input type="checkbox"/></span>		
<b>Accepted</b>	<b>Rejected</b>	<b>Other solution</b>
None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>
Comment, or example of another solution:		
A request, made for religious reasons, that the authorities not be notified in the case of mistreatment of a child.		
<b>Yes</b> <input type="checkbox"/> <span style="margin-left: 150px;"><b>No</b> <input type="checkbox"/></span> <span style="margin-left: 150px;"><b>Do not know</b> <input type="checkbox"/></span>		
<b>Accepted</b>	<b>Rejected</b>	<b>Other solution</b>
None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>
Comment, or example of another solution:		
A request, made for religious reasons, for authorization to wear clothing in accordance with one's religious beliefs (e.g.: hijab, yarmulke, turban, etc.)		
<b>Yes</b> <input type="checkbox"/> <span style="margin-left: 150px;"><b>No</b> <input type="checkbox"/></span> <span style="margin-left: 150px;"><b>Do not know</b> <input type="checkbox"/></span>		
<b>Accepted</b>	<b>Rejected</b>	<b>Other solution</b>
None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>

Comment, or example of another solution:

A request that **oral** communications with parents be in a language other than French in the French sector, other than English in the English sector, or in a language other than the one used in an Aboriginal environment.

**Yes**                       **No**                       **Do not know**

<b>Accepted</b>	<b>Rejected</b>	<b>Other solution</b>
None <input type="checkbox"/>	None <input type="checkbox"/>	None <input type="checkbox"/>
1 to 5 <input type="checkbox"/>	1 to 5 <input type="checkbox"/>	1 to 5 <input type="checkbox"/>
6 to 10 <input type="checkbox"/>	6 to 10 <input type="checkbox"/>	6 to 10 <input type="checkbox"/>
Over 10 <input type="checkbox"/>	Over 10 <input type="checkbox"/>	Over 10 <input type="checkbox"/>
Do not know <input type="checkbox"/>	Do not know <input type="checkbox"/>	Do not know <input type="checkbox"/>

Comment, or example of another solution:

A request that **written** communications with parents be in a language other than French in the French sector, other than English in the English sector, or in a language other than the one used in an Aboriginal environment.

**Yes**                       **No**                       **Do not know**

<b>Accepted</b>	<b>Rejected</b>	<b>Other solution</b>
None <input type="checkbox"/>	None <input type="checkbox"/>	None <input type="checkbox"/>
1 to 5 <input type="checkbox"/>	1 to 5 <input type="checkbox"/>	1 to 5 <input type="checkbox"/>
6 to 10 <input type="checkbox"/>	6 to 10 <input type="checkbox"/>	6 to 10 <input type="checkbox"/>
Over 10 <input type="checkbox"/>	Over 10 <input type="checkbox"/>	Over 10 <input type="checkbox"/>
Do not know <input type="checkbox"/>	Do not know <input type="checkbox"/>	Do not know <input type="checkbox"/>

Comment, or example of another solution:

### **B – Teaching practices and organizational measures**

- 14) Indicate whether the school has received one of the following **requests**. If you answer Yes, check off the approximate number of requests that were accepted, rejected or involved the school suggesting an alternative solution during the last three years. If you answer No or Do not know, go to the next question.

A request, made for religious reasons, that stricter disciplinary measures be adopted in order to ensure compliance with school regulations.

**Yes**                       **No**                       **Do not know**

<b>Accepted</b>	<b>Rejected</b>	<b>Other solution</b>
None <input type="checkbox"/>	None <input type="checkbox"/>	None <input type="checkbox"/>
1 to 5 <input type="checkbox"/>	1 to 5 <input type="checkbox"/>	1 to 5 <input type="checkbox"/>
6 to 10 <input type="checkbox"/>	6 to 10 <input type="checkbox"/>	6 to 10 <input type="checkbox"/>
Over 10 <input type="checkbox"/>	Over 10 <input type="checkbox"/>	Over 10 <input type="checkbox"/>
Do not know <input type="checkbox"/>	Do not know <input type="checkbox"/>	Do not know <input type="checkbox"/>

Comment, or example of another solution:

A request to have members of cultural communities better represented in pedagogical materials.

**Yes**  **No**  **Do not know**

<b>Accepted</b>	<b>Rejected</b>	<b>Other solution</b>
None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>

Comment, or example of another solution:

A request that teaching methods be changed for religious reasons.

**Yes**  **No**  **Do not know**

<b>Accepted</b>	<b>Rejected</b>	<b>Other solution</b>
None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>

Comment, or example of another solution:

A request, made for religious reasons, for authorization to be absent during activities taking place outside the school (e.g.: winter sports class, theme day activities).

**Yes**  **No**  **Do not know**

<b>Accepted</b>	<b>Rejected</b>	<b>Other solution</b>
None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>

Comment, or example of another solution:

A request from parents to have breakfast served before sunrise, to enable students observing Ramadan to participate in theme day activities.

**Yes**  **No**  **Do not know**

<b>Accepted</b>	<b>Rejected</b>	<b>Other solution</b>
None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>

Comment, or example of another solution:

A request that the school cafeteria provide food consistent with the religious convictions of all the students.

**Yes**                       **No**                       **Do not know**

<b>Accepted</b>	<b>Rejected</b>	<b>Other solution</b>
None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>

Comment, or example of another solution:

A request that a separate room (apart from the cafeteria) be made available at lunchtime for students observing Ramadan.

**Yes**                       **No**                       **Do not know**

<b>Accepted</b>	<b>Rejected</b>	<b>Other solution</b>
None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>

Comment, or example of another solution:

A request to arrange the school premises in a way that takes into account the religious convictions of all the students (e.g.: refraining from putting up or removing Christmas decorations).

**Yes**                       **No**                       **Do not know**

<b>Accepted</b>	<b>Rejected</b>	<b>Other solution</b>
None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>

Comment, or example of another solution:

A request, made for religious reasons, that a student be placed in a male teacher's class or, conversely, in the class of a female teacher.

**Yes**                       **No**                       **Do not know**

<b>Accepted</b>	<b>Rejected</b>	<b>Other solution</b>
None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>

Comment, or example of another solution:

A request from parents that their child be placed in a class taught by a teacher belonging to a particular ethnocultural group.

**Yes**  **No**  **Do not know**

<b>Accepted</b>	<b>Rejected</b>	<b>Other solution</b>
None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>

Comment, or example of another solution:

A request, made for religious reasons, that girls and boys be kept in separate groups.

**Yes**  **No**  **Do not know**

<b>Accepted</b>	<b>Rejected</b>	<b>Other solution</b>
None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>

Comment, or example of another solution:

A request, made for religious reasons, for an exemption from wearing the prescribed physical education outfit.

**Yes**  **No**  **Do not know**

<b>Accepted</b>	<b>Rejected</b>	<b>Other solution</b>
None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>

Comment, or example of another solution:

A request made by female students, for religious reasons, that they be shielded from male attention during their swimming test.

**Yes**  **No**  **Do not know**

<b>Accepted</b>	<b>Rejected</b>	<b>Other solution</b>
None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>

Comment, or example of another solution:

A request that the examination schedule be modified for religious reasons.		
Yes <input type="checkbox"/> No <input type="checkbox"/> Do not know <input type="checkbox"/>		
<b>Accepted</b>	<b>Rejected</b>	<b>Other solution</b>
None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>
Comment, or example of another solution:		

### C – The programs of study

- 15) Indicate whether the school has received one of the following **requests**. If you answer **Yes**, check off the approximate number of requests that were accepted, rejected or involved the school suggesting an alternative solution during the last three years. If you answer **No** or **Do not know**, go to the next question.

<b>English Language Arts</b>		
A request, made for religious reasons, that certain works be removed from the list of literary sources used in class.		
Yes <input type="checkbox"/> No <input type="checkbox"/> Do not know <input type="checkbox"/>		
<b>Accepted</b>	<b>Rejected</b>	<b>Other solution</b>
None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>
Comment, or example of another solution:		
<b>Mathematics, Science and Technology</b>		
A request, made for religious reasons, for exemption from instruction in the theory of evolution.		
Yes <input type="checkbox"/> No <input type="checkbox"/> Do not know <input type="checkbox"/>		
<b>Accepted</b>	<b>Rejected</b>	<b>Other solution</b>
None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>
Comment, or example of another solution:		



<b>Mathematics, Science and Technology</b>		
A request that the contribution of non-Western cultures to the development of mathematics and science (e.g.: algebra) be highlighted.		
Yes <input type="checkbox"/> No <input type="checkbox"/> Do not know <input type="checkbox"/>		
<b>Accepted</b>	<b>Rejected</b>	<b>Other solution</b>
None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>
Comment, or example of another solution:		
<b>Mathematics, Science and Technology</b>		
A request, made for religious reasons, for an exemption from classes given in laboratories where blood is handled.		
Yes <input type="checkbox"/> No <input type="checkbox"/> Do not know <input type="checkbox"/>		
<b>Accepted</b>	<b>Rejected</b>	<b>Other solution</b>
None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>
Comment, or example of another solution:		
<b>Mathematics, Science and Technology</b>		
A request, made for religious reasons, for an exemption from classes dealing with sexuality.		
Yes <input type="checkbox"/> No <input type="checkbox"/> Do not know <input type="checkbox"/>		
<b>Accepted</b>	<b>Rejected</b>	<b>Other solution</b>
None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>
Comment, or example of another solution:		
<b>Social Sciences</b>		
A request that the perspectives of minority groups be better integrated into history and citizenship education.		
Yes <input type="checkbox"/> No <input type="checkbox"/> Do not know <input type="checkbox"/>		
<b>Accepted</b>	<b>Rejected</b>	<b>Other solution</b>
None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/>

Do not know <input type="checkbox"/>	Do not know <input type="checkbox"/>	Do not know <input type="checkbox"/>
Comment, or example of another solution:		
<b>Social Sciences</b>		
A request that specific passages contained in instructional materials dealing with the students' culture, religion or country of origin be redefined.		
<b>Yes</b> <input type="checkbox"/> <span style="margin-left: 150px;"><b>No</b> <input type="checkbox"/></span> <span style="margin-left: 150px;"><b>Do not know</b> <input type="checkbox"/></span>		
<b>Accepted</b>	<b>Rejected</b>	<b>Other solution</b>
None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>
Comment, or example of another solution:		
<b>Arts Education</b>		
A request, made for religious reasons, that certain musical, pictorial or dramatic works be removed from the list of those taught in class.		
<b>Yes</b> <input type="checkbox"/> <span style="margin-left: 150px;"><b>No</b> <input type="checkbox"/></span> <span style="margin-left: 150px;"><b>Do not know</b> <input type="checkbox"/></span>		
<b>Accepted</b>	<b>Rejected</b>	<b>Other solution</b>
None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>
Comment, or example of another solution:		
<b>Arts Education</b>		
A request to be exempted from the music, art, dance or drama class for religious reasons.		
<b>Yes</b> <input type="checkbox"/> <span style="margin-left: 150px;"><b>No</b> <input type="checkbox"/></span> <span style="margin-left: 150px;"><b>Do not know</b> <input type="checkbox"/></span>		
<b>Accepted</b>	<b>Rejected</b>	<b>Other solution</b>
None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/> Do not know <input type="checkbox"/>
Comment, or example of another solution:		
<b>Personal Development</b>		
A request made by female students, for religious reasons, for an exemption from swimming class because they cannot permit boys to see them in bathing suits.		
<b>Yes</b> <input type="checkbox"/> <span style="margin-left: 150px;"><b>No</b> <input type="checkbox"/></span> <span style="margin-left: 150px;"><b>Do not know</b> <input type="checkbox"/></span>		
<b>Accepted</b>	<b>Rejected</b>	<b>Other solution</b>
None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/>	None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/>

Over 10 <input type="checkbox"/>	Over 10 <input type="checkbox"/>	Over 10 <input type="checkbox"/>																		
Do not know <input type="checkbox"/>	Do not know <input type="checkbox"/>	Do not know <input type="checkbox"/>																		
Comment, or example of another solution:																				
<b>Personal Development</b>																				
A request, made for religious reasons, for an exemption from classes dealing with religions other than that of the student.																				
<b>Yes</b> <input type="checkbox"/> <b>No</b> <input type="checkbox"/> <b>Do not know</b> <input type="checkbox"/>																				
<table border="1"> <thead> <tr> <th>Accepted</th> <th>Rejected</th> <th>Other solution</th> </tr> </thead> <tbody> <tr> <td>None <input type="checkbox"/></td> <td>None <input type="checkbox"/></td> <td>None <input type="checkbox"/></td> </tr> <tr> <td>1 to 5 <input type="checkbox"/></td> <td>1 to 5 <input type="checkbox"/></td> <td>1 to 5 <input type="checkbox"/></td> </tr> <tr> <td>6 to 10 <input type="checkbox"/></td> <td>6 to 10 <input type="checkbox"/></td> <td>6 to 10 <input type="checkbox"/></td> </tr> <tr> <td>Over 10 <input type="checkbox"/></td> <td>Over 10 <input type="checkbox"/></td> <td>Over 10 <input type="checkbox"/></td> </tr> <tr> <td>Do not know <input type="checkbox"/></td> <td>Do not know <input type="checkbox"/></td> <td>Do not know <input type="checkbox"/></td> </tr> </tbody> </table>			Accepted	Rejected	Other solution	None <input type="checkbox"/>	None <input type="checkbox"/>	None <input type="checkbox"/>	1 to 5 <input type="checkbox"/>	1 to 5 <input type="checkbox"/>	1 to 5 <input type="checkbox"/>	6 to 10 <input type="checkbox"/>	6 to 10 <input type="checkbox"/>	6 to 10 <input type="checkbox"/>	Over 10 <input type="checkbox"/>	Over 10 <input type="checkbox"/>	Over 10 <input type="checkbox"/>	Do not know <input type="checkbox"/>	Do not know <input type="checkbox"/>	Do not know <input type="checkbox"/>
Accepted	Rejected	Other solution																		
None <input type="checkbox"/>	None <input type="checkbox"/>	None <input type="checkbox"/>																		
1 to 5 <input type="checkbox"/>	1 to 5 <input type="checkbox"/>	1 to 5 <input type="checkbox"/>																		
6 to 10 <input type="checkbox"/>	6 to 10 <input type="checkbox"/>	6 to 10 <input type="checkbox"/>																		
Over 10 <input type="checkbox"/>	Over 10 <input type="checkbox"/>	Over 10 <input type="checkbox"/>																		
Do not know <input type="checkbox"/>	Do not know <input type="checkbox"/>	Do not know <input type="checkbox"/>																		
Comment, or example of another solution:																				
Have you received other requests concerning rules and regulations, pedagogical practices and organizational measures or programs?																				
<b>Yes</b> <input type="checkbox"/> <b>No</b> <input type="checkbox"/> <b>Do not know</b> <input type="checkbox"/>																				
If Yes, specify. Ex.:																				

### D – The decision-making process

- 16) During the last three years, how many **requests** has the school received from members of the school community asking that rules and regulations, pedagogical practices and organizational measures or programs be adapted to reflect ethnocultural, religious or linguistic diversity?

1 to 5 <input type="checkbox"/>	6 to 10 <input type="checkbox"/>	11 to 20 <input type="checkbox"/>	21 to 30 <input type="checkbox"/>	31 to 40 <input type="checkbox"/>	41 to 50 <input type="checkbox"/>
Over 50 <input type="checkbox"/> Do not know <input type="checkbox"/>					

- 17) Please indicate the groups or bodies that formulated the requests made during the last three years, and check off the box that matches the approximate number of people involved in making these requests?

<b>Students</b>		
Yes <input type="checkbox"/> No <input type="checkbox"/> Do not know <input type="checkbox"/>		
None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/>		
<b>Parents</b>		
Yes <input type="checkbox"/> No <input type="checkbox"/> Do not know <input type="checkbox"/>		

None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/>
Staff
Yes <input type="checkbox"/> No <input type="checkbox"/> Do not know <input type="checkbox"/>
None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/>
School board
Yes <input type="checkbox"/> No <input type="checkbox"/> Do not know <input type="checkbox"/>
None <input type="checkbox"/> 1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> Over 10 <input type="checkbox"/>
Others (specify)
Ex.:

- 18) Prior to responding to the **requests**, did the school consult individuals or groups? **If you answer No or Do not know, go to Question 20. If you answer Yes, go to the next question.**

<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Do not know</b> <input type="checkbox"/>
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- 19) Which **individuals or groups** were consulted?

The school team
Yes <input type="checkbox"/> No <input type="checkbox"/> Do not know <input type="checkbox"/>
A professional (e.g.: education consultant, psychoeducator, psychologist)
Yes <input type="checkbox"/> No <input type="checkbox"/> Do not know <input type="checkbox"/>
School board (e.g.: legal counsel, immediate supervisor)
Yes <input type="checkbox"/> No <input type="checkbox"/> Do not know <input type="checkbox"/>
The governing board, or, if applicable, the board of directors
Yes <input type="checkbox"/> No <input type="checkbox"/> Do not know <input type="checkbox"/>
Other school partners (specify)
Ex.:

20) When responding to requests, did the school take into account (you can check off more than one answer):

	<b>Yes</b>	<b>No</b>	<b>Do not know</b>
A position set out in written documentation produced by the school board or expressed by its board of governors?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Guidelines set forth in government policies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Laws?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Legal opinions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Program content?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Court judgments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Guidelines put forth in opinion papers or reference texts from various agencies? (e.g.: Commission des droits de la personne et de la jeunesse, Conseil des relations interculturelles, Fédération des établissements d'enseignement privés)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The democratic values of Québec society?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The Québec Education Program?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The school's mandate?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Others (specify)			

21) To the best of your knowledge, have the number of **requests** increased or decreased during the last three years?

<b>Increased</b> <input type="checkbox"/>	<b>Decreased</b> <input type="checkbox"/>	<b>Do not know</b> <input type="checkbox"/>
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22) Is there any **recorded information** in the school on the replies given to persons who have made a request?

<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Do not know</b> <input type="checkbox"/>
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23) Which religious denominations account for the majority of religiously motivated requests? Indicate the religions and the approximate number of requests for each.

Religious denominations	Proportion
Catholic <input type="checkbox"/>	None <input type="checkbox"/> Below 5% <input type="checkbox"/> 6% to 10% <input type="checkbox"/> 11% to 20% <input type="checkbox"/> 21% to 30% <input type="checkbox"/> 41% to 50% <input type="checkbox"/> 51% to 60% <input type="checkbox"/> 61% to 70% <input type="checkbox"/> Over 70% <input type="checkbox"/> Do not know <input type="checkbox"/>
Protestant <input type="checkbox"/>	None <input type="checkbox"/> Below 5% <input type="checkbox"/> 6% to 10% <input type="checkbox"/> 11% to 20% <input type="checkbox"/> 21% to 30% <input type="checkbox"/> 41% to 50% <input type="checkbox"/> 51% to 60% <input type="checkbox"/> 61% to 70% <input type="checkbox"/> Over 70% <input type="checkbox"/> Do not know <input type="checkbox"/>
Muslim <input type="checkbox"/>	None <input type="checkbox"/> Below 5% <input type="checkbox"/> 6% to 10% <input type="checkbox"/> 11% to 20% <input type="checkbox"/> 21% to 30% <input type="checkbox"/> 41% to 50% <input type="checkbox"/> 51% to 60% <input type="checkbox"/> 61% to 70% <input type="checkbox"/> Over 70% <input type="checkbox"/> Do not know <input type="checkbox"/>
Christian Orthodox <input type="checkbox"/>	None <input type="checkbox"/> Below 5% <input type="checkbox"/> 6% to 10% <input type="checkbox"/> 11% to 20% <input type="checkbox"/> 21% to 30% <input type="checkbox"/> 41% to 50% <input type="checkbox"/> 51% to 60% <input type="checkbox"/> 61% to 70% <input type="checkbox"/> Over 70% <input type="checkbox"/> Do not know <input type="checkbox"/>
Jewish <input type="checkbox"/>	None <input type="checkbox"/> Below 5% <input type="checkbox"/> 6% to 10% <input type="checkbox"/> 11% to 20% <input type="checkbox"/> 21% to 30% <input type="checkbox"/> 41% to 50% <input type="checkbox"/> 51% to 60% <input type="checkbox"/> 61% to 70% <input type="checkbox"/> Over 70% <input type="checkbox"/> Do not know <input type="checkbox"/>
Other Christian religions <input type="checkbox"/>	None <input type="checkbox"/> Below 5% <input type="checkbox"/> 6% to 10% <input type="checkbox"/> 11% to 20% <input type="checkbox"/> 21% to 30% <input type="checkbox"/> 41% to 50% <input type="checkbox"/> 51% to 60% <input type="checkbox"/> 61% to 70% <input type="checkbox"/> Over 70% <input type="checkbox"/> Do not know <input type="checkbox"/>
Buddhist <input type="checkbox"/>	None <input type="checkbox"/> Below 5% <input type="checkbox"/> 6% to 10% <input type="checkbox"/> 11% to 20% <input type="checkbox"/> 21% to 30% <input type="checkbox"/> 41% to 50% <input type="checkbox"/> 51% to 60% <input type="checkbox"/> 61% to 70% <input type="checkbox"/> Over 70% <input type="checkbox"/> Do not know <input type="checkbox"/>
Hindu <input type="checkbox"/>	None <input type="checkbox"/> Below 5% <input type="checkbox"/> 6% to 10% <input type="checkbox"/> 11% to 20% <input type="checkbox"/> 21% to 30% <input type="checkbox"/> 41% to 50% <input type="checkbox"/> 51% to 60% <input type="checkbox"/> 61% to 70% <input type="checkbox"/> Over 70% <input type="checkbox"/> Do not know <input type="checkbox"/>
Sikh <input type="checkbox"/>	None <input type="checkbox"/> Below 5% <input type="checkbox"/> 6% to 10% <input type="checkbox"/> 11% to 20% <input type="checkbox"/> 21% to 30% <input type="checkbox"/> 41% to 50% <input type="checkbox"/> 51% to 60% <input type="checkbox"/> 61% to 70% <input type="checkbox"/> Over 70% <input type="checkbox"/> Do not know <input type="checkbox"/>
Eastern religions <input type="checkbox"/>	None <input type="checkbox"/> Below 5% <input type="checkbox"/> 6% to 10% <input type="checkbox"/> 11% to 20% <input type="checkbox"/> 21% to 30% <input type="checkbox"/> 41% to 50% <input type="checkbox"/> 51% to 60% <input type="checkbox"/> 61% to 70% <input type="checkbox"/> Over 70% <input type="checkbox"/> Do not know <input type="checkbox"/>
Jehovah's Witnesses <input type="checkbox"/>	None <input type="checkbox"/> Below 5% <input type="checkbox"/> 6% to 10% <input type="checkbox"/> 11% to 20% <input type="checkbox"/> 21% to 30% <input type="checkbox"/> 41% to 50% <input type="checkbox"/> 51% to 60% <input type="checkbox"/> 61% to 70% <input type="checkbox"/> Over 70% <input type="checkbox"/> Do not know <input type="checkbox"/>
Other religions (specify) <hr/> <hr/>	None <input type="checkbox"/> Below 5% <input type="checkbox"/> 6% to 10% <input type="checkbox"/> 11% to 20% <input type="checkbox"/> 21% to 30% <input type="checkbox"/> 41% to 50% <input type="checkbox"/> 51% to 60% <input type="checkbox"/> 61% to 70% <input type="checkbox"/> Over 70% <input type="checkbox"/> Do not know <input type="checkbox"/>

	None <input type="checkbox"/> Below 5% <input type="checkbox"/> 6% to 10% <input type="checkbox"/> 11% to 20% <input type="checkbox"/> 21% to 30% <input type="checkbox"/> 41% to 50% <input type="checkbox"/> 51% to 60% <input type="checkbox"/> 61% to 70% <input type="checkbox"/> Over 70% <input type="checkbox"/> Do not know <input type="checkbox"/>
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**Section III – Initiatives**

24) During the last three school years (2004-2005 to 2006-2007), has the school taken any **initiatives** to adapt standards and regulations, teaching practices and organizational measures or programs of study to reflect the ethnocultural, religious or linguistic diversity of the school community?

Yes <input type="checkbox"/>	No <input type="checkbox"/>	Do not know <input type="checkbox"/>
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**If you answered Yes, go to the next question.**  
**If you answered No or Do not know, go to Question 30.**

25) During the last three years, how many initiatives did the school take in order to adapt standards and regulations, teaching practices and organizational measures or programs of study to reflect ethnocultural, religious or linguistic diversity?

1 to 5 <input type="checkbox"/> 6 to 10 <input type="checkbox"/> 11 to 20 <input type="checkbox"/> 21 to 30 <input type="checkbox"/> 31 to 40 <input type="checkbox"/> 41 to 50 <input type="checkbox"/> Over 50 <input type="checkbox"/> Do not know <input type="checkbox"/>
---

26) Please specify the areas affected by the school's **initiatives** and indicate the approximate number?

<b>The standards and regulations</b>			
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Do not know <input type="checkbox"/>	
None <input type="checkbox"/>	1 to 5 <input type="checkbox"/>	6 to 10 <input type="checkbox"/>	Over 10 <input type="checkbox"/>
<b>The teaching practices and organizational measures</b>			
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Do not know <input type="checkbox"/>	
None <input type="checkbox"/>	1 to 5 <input type="checkbox"/>	6 to 10 <input type="checkbox"/>	Over 10 <input type="checkbox"/>
<b>The programs of study</b>			
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Do not know <input type="checkbox"/>	
None <input type="checkbox"/>	1 to 5 <input type="checkbox"/>	6 to 10 <input type="checkbox"/>	Over 10 <input type="checkbox"/>
<b>Did any of the initiatives touch on other aspects?</b>			
<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Do not know</b> <input type="checkbox"/>	

If Yes, specify  
Ex:

27) Provide one or two examples of **initiatives** taken by the school to accommodate ethnocultural, religious or linguistic diversity?

Ex.:

28) To the best of your knowledge, have the number of **initiatives** increased or decreased during the past three years?

<b>Increased</b> <input type="checkbox"/>	<b>Decreased</b> <input type="checkbox"/>	<b>Do not know</b> <input type="checkbox"/>
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29) Is there any recorded information in the school on the **initiatives**?

<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input type="checkbox"/>	<b>Do not know</b> <input type="checkbox"/>
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#### Section IV – Goals and Issues

30) Which of the following objectives were targeted by your school's responses to **requests** and its **initiatives** (you can check off more than one answer)?

**Does not apply**

	<b>Yes</b>	<b>No</b>	<b>Do not know</b>
To respect the freedom of religion and the rights of both students and parents.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
To ensure that children are able to develop their identities in a harmonious manner.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
To give concrete expression to the values expressed in the school's educational project.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
To provide the conditions most conducive to the educational success of all the students.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
To foster harmonious relations between parents and teachers.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
To avoid making local issues into media events.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
To foster openness to ethnocultural, religious and linguistic diversity within the school community.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
To avoid discriminating against certain students.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
To ensure that neither the school nor its staff is called racist.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other objectives or reasons (specify)			



- 31) In relation to the whole range of professional challenges that you have to deal with, how important do you think the accommodation of ethnocultural, religious or linguistic diversity is as a **management issue**?

**Not important**  **Somewhat important**  **Quite important**  **Very important**

- 32) Over the course of your career, have you known of requests made or initiatives taken in other schools, or outside the period covered by this consultation, that you wish to bring to our attention?

Ex.:

- 33) What is the name of your school? (Optional)
- 

In accordance with the mandate they received from the Minister, the Advisory Committee on Integration and Reasonable Accommodation in the Schools and the Direction des services aux communautés culturelles (DSCC) also plan to conduct **interviews** in order to explore certain questions in greater depth. You may therefore be invited to participate, on a voluntary basis.

In closing, in addition to the examples you may have provided by completing the questionnaire, the Advisory Committee and the DSCC would like to hear about **successful initiatives you have taken and responses to requests that were particularly well received**. If you have documents that outlining these initiatives or collating these responses, we would be grateful to receive copies. You may send them **by regular mail to the following address**:

Ministère de l'Éducation, du Loisir et du Sport  
Direction des services aux communautés culturelles  
c/o Comité consultatif sur l'intégration et l'accommodement raisonnable en milieu scolaire  
600, rue Fullum, 10<sup>e</sup> étage  
Montréal (Québec) H2K 4L1

**by fax:**

**514-873-8793**

c/o Comité consultatif sur l'intégration et l'accommodement raisonnable en milieu scolaire

**or by e-mail:**

dsc@meles.gouv.qc.ca

c/o Comité consultatif sur l'intégration et l'accommodement raisonnable en milieu scolaire

**Thank you for your collaboration.**

## ADAPTATION REQUESTS BROKEN DOWN BY QUÉBEC ADMINISTRATIVE REGION

(A) The number of school administrators who completed the questionnaire and the proportion of such administrators in relation to all school administrators in their administrative region that were asked to respond to it.					
(B) The number of school administrators who indicated they had responded to requests and the proportion of such administrators in relation to all school administrators in their administrative region that filled out the questionnaire.					
DISTRIBUTION OF SCHOOL ADMINISTRATORS WHO COMPLETED THE QUESTIONNAIRE				(A) NUMBER PROPORTION	(B) NUMBER PROPORTION <sup>25</sup>
ADMINISTRATIVE REGIONS	PUBLIC SECTOR		PRIVATE SECTOR		
	French- speaking	English- speaking			
01 Bas-Saint-Laurent	37	1	3	41 41/70 (58.6%)	8 8/34 (23.5%)
02 Saguenay— Lac-Saint-Jean	56	1	3	60 60/83 (72.3%)	12 12/59 (20.3%)
03 Capitale-Nationale	94	8	18	120 120/172 (9.8%)	17 17/116 (14.7%)
04 Mauricie	55	1	2	58 58/74 (78.4%)	11 11/55 (20.0%)
05 Estrie	72	7	12	91 91/116 (78.4%)	19 19/89 (21.3%)
06 Montréal	198	53	73	324 324/486 (66.5%)	121 121/306 (39.5%)
07 Outaouais	58	11	3	72 72/96 (75.0%)	16 16/68 (23.5%)
08 Abitibi-Témiscamingue	34	3	0	37 37/54 (68.5%)	11 11/36 (30.5%)
09 Côte-Nord	35	4	3	42 42/51 (82.3%)	6 6/40 (15.0%)
10 Nord-du-Québec	12	0	0	12 12/31 (38.7%)	3 3/9 (33.3%)
11 Gaspésie— Îles-de-la-Madeleine	20	3	1	24 24/48 (50.0%)	1 1/19 (5.3%)
12 Chaudière-Appalaches	100	1	7	108 108/140 (77.1%)	14 14/106 (13.2%)
13 Laval	38	8	4	50 50/90 (55.6%)	13 13/47 (27.7%)
14 Lanaudière	64	6	9	79 79/122 (64.8%)	20 20/75 (26.6%)
15 Laurentides	71	8	4	83 83/143 (58.0%)	22 22/80 (27.5%)
16 Montérégie	216	27	26	269 269/421 (63.9%)	52 52/257 (20.2%)
17 Centre-du-Québec	37	0	4	41 41/74 (55.4%)	5 5/39 (12.8%)
<b>TOTAL</b>	<b>1197</b>	<b>142</b>	<b>172</b>	<b>1511/2271</b>	<b>351/1435</b>

25. School administrators who responded “Do not know” were subtracted to establish the proportion, which explain the discrepancy with the number in column A.

## APPENDIX E

### LEGAL CONSTRUCTS (excerpts from court decisions)<sup>26</sup>

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The Supreme Court of Canada created the notion of accommodation, borrowed from American jurisprudence. Reasonable accommodation without undue hardship is regarded as the corollary of the right to equality and freedom of religion protected by the charters.

The expression was first applied in the realm of labour relations, then extended to the public and private suppliers of goods and services, lawmakers and regulatory authorities.

The courts do not define it precisely but it is considered by doctrine to be:

“a legal obligation that engenders an attitude of negotiation whereby each party must recognize the Other in his specificity in the name of living together” [FREE TRANSLATION] (Conseil des relations interculturelles, *Laïcité et diversité religieuse : l’approche québécoise*, 2004, page 76)

or as:

“the obligation to adapt a rule designed for a majority with a view to responding to the specific needs of certain persons or of a group to ensure that they are not the victims of discrimination stemming from characteristics that differentiate them from the majority. This implies making exceptions to general rules or modifying them in order to deal with the specific needs of certain groups or individuals in order to respect their right to equality. [It requires of the employer that he adopt] measures that can be reasonable for reaching agreement without unduly hampering the operation of the employer’s business and imposing on the employer undue costs” [FREE TRANSLATION] (Marc Drapeau, “L’évolution du droit du travail à la lumière de l’arrêt Meiorin,” *Revue du Barreau*, Spring 2001, page 306)

or as:

“a legal tool to regulate and manage religious diversity.” [FREE TRANSLATION] (Pierre Bosset, “Réflexion sur la portée et les limites de l’obligation d’accommodement raisonnable en matière religieuse,” Commission des droits de la personne et des droits de la jeunesse, 2004, page 2)

Generally speaking, government immigration and integration policies regard reasonable accommodation as a social integration tool.

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26. Document prepared by Samia Amor, doctoral candidate, Centre de recherche en droit public, Université de Montréal, under the supervision of Professor Marie McAndrew, holder of the Canada Research Chair on Education and Ethnic Relations, Université de Montréal.

The origin of the notion of reasonable accommodation is indicated below.

1982	<p>In the Etobicoke case (<i>Ontario Human Rights Commission v. Etobicoke</i>, [1982] 1 S.C.R. 202), two firefighters challenged the city policy that called for the compulsory retirement of firefighters at the age of 60. The employer deemed this to be a bona fide occupational requirement that did not constitute discrimination based on age.</p> <p>The Supreme Court examined the notion of discrimination and applied the distinction adopted by the American courts between direct discrimination and adverse effect discrimination. It decided that if the rule adopted by the employer is deemed to be discriminatory for a prohibited reason and does not satisfy any legal justification criterion, it must simply be quashed.</p> <p>To satisfy a legal justification, the norm must take the form of a warranted occupational requirement, i.e. the employer must show that:</p> <ol style="list-style-type: none"><li>1. the norm has been imposed honestly and in good faith without prejudicing the objectives of human rights legislation;</li><li>2. it is reasonably necessary to ensure the efficient, economical execution of work without endangering the employee, his co-workers and the public in general ... and that it does not impose any unreasonable obligation on those to whom it applies (page 208).</li></ol> <p>In this case, the Supreme Court decided that the compulsory retirement rule establishes a distinction based directly on age and that the employer did not prove the existence of a bona fide occupational requirement. The rule was thus quashed.</p>
1985	<p>It was in the O'Malley judgment (<i>Ont. Human Rights Comm. v. Simpsons-Sears</i>, [1985] 2 S.C.R. 536) that the Supreme Court applied for the first time the notion of reasonable accommodation.</p> <p>Appellant O'Malley alleged discrimination on the basis of creed against her employer, a retailer, because her employer adopted a work measure that compelled her to work on the Sabbath, contrary to her religious beliefs.</p> <p>The Supreme Court decided that:</p> <p>“[a]n employment rule, honestly made for sound economic and business reasons and equally applicable to all to whom it is intended to apply, may nevertheless be discriminatory if it affects a person or persons differently from others to whom it is intended to apply.” (§18)</p> <p>It also decided that:</p> <p>“[t]he duty in a case of adverse effect discrimination on the basis of religion or creed is to take reasonable steps to accommodate the complainant, short of undue hardship: in other words, to take such steps as may be reasonable to accommodate without undue interference in the operation of the employer's business and without undue expense to the employer.” (§23)</p> <p>In this case, the employer was legally bound to take “reasonable accommodation measures,” i.e. to change the employee's work schedule. However, the Supreme Court noted that the obligation to accommodate that an employer bears disappears in the event of undue hardship reflected in two factors:</p> <ul style="list-style-type: none"><li>➤ undue expense;</li><li>➤ a hindrance to the operation of the business.</li></ul>

1985	<p>At the same time that it handed down the preceding judgment, the Supreme Court examined bona fide occupational requirements in the Bhinder case (<i>Bhinder v. CN</i>, [1985] 2 S.C.R. 561).</p> <p>CN introduced a work rule that all employees wear a hard hat at a particular work site. Bhinder, a Sikh employee, refused to comply because his religion did not allow the wearing of headgear other than the turban.</p> <p>The Supreme Court decided in the same perspective as in the Etobicoke case that:</p> <p>“the safety rule is a ‘bona fide occupational requirement.’ It is imposed honestly, in good faith, and in the sincerely held belief that such limitation is imposed in the interests of the adequate performance of the work involved with all reasonable dispatch, safety and economy, and not for ulterior or extraneous reasons aimed at objectives which could defeat the purpose of the Code. An employment condition does not cease to be a bona fide occupational requirement because it may be discriminatory. To the contrary, if it is a bona fide occupational requirement, the discrimination that may result from it is permissible.” (§15)</p> <p>The Supreme Court maintains that such an occupational standard may not be deemed to be a form of indirect discrimination for religious reasons and may not give rise to an obligation to a duty of accommodation.</p>
1985	<p>In 1985, the question of whether legislation may infringe freedom of religion arose. The Supreme Court answered this question in the Big M Drug Mart case (<i>R. v. Big M Drug Mart Ltd.</i>, [1985] 1 S.C.R. 295).</p> <p>Big M Drug Mart Ltd. was charged with unlawfully carrying on the sale of goods on a Sunday contrary to the <i>Lord's Day Act</i>. Big M Drug contested the constitutionality of the Act and the Supreme Court decided that:</p> <p>“[i]f the acknowledged purpose of the <i>Lord's Day Act</i>, namely, the compulsion of sabbatical observance, offends freedom of religion, it is then unnecessary to consider the actual impact of Sunday closing upon religious freedom. Even if such effects were found inoffensive, as the Attorney General of Alberta urges, this could not save legislation whose purpose has been found to violate the <i>Charter's</i> guarantees.” (§85)</p> <p>Moreover, it decided that:</p> <p>“To the extent that it binds all to a sectarian Christian ideal, the <i>Lord's Day Act</i> works a form of coercion inimical to the spirit of the <i>Charter</i> and the dignity of all non-Christians. In proclaiming the standards of the Christian faith, the Act creates a climate hostile to, and gives the appearance of discrimination against, non-Christian Canadians. It takes religious values rooted in Christian morality and, using the force of the state, translates them into a positive law binding on believers and non-believers alike. (§97) Non-Christians are prohibited for religious reasons from carrying out activities which are otherwise lawful, moral and normal. The arm of the state requires all to remember the Lord's day of the Christians and to keep it holy. The protection of one religion and the concomitant non-protection of others imports disparate impact destructive of the religious freedom of the collectivity.” (§98)</p> <p>The Supreme Court of Canada declared unconstitutional the <i>Lord's Day Act</i>.</p>
1986	<p>A statute was also the focal point of the Edwards case (<i>R. v. Edwards Books and Art Ltd.</i>, [1986] 2 S.C.R. 713). In this case, a kosher food store was accused of infringing the <i>Retail Business Holidays Act</i> by using a number of employees serving the public that exceeded the maximum allowed in the exemption provided for in the Act when a store is open on Sunday if it has been closed on Saturday. The Supreme Court decided that:</p> <p>“indirect coercion by the state is comprehended within the evils from which s. 2(a) may</p>

	<p>afford protection. The Court said as much in the <i>Big M Drug Mart Ltd.</i> case and any more restrictive interpretation would, in my opinion, be inconsistent with the Court's obligation under s. 27 to preserve and enhance the multicultural heritage of Canadians. ... It matters not, I believe, whether a coercive burden is direct or indirect, intentional or unintentional, foreseeable or unforeseeable. All coercive burdens on the exercise of religious beliefs are potentially within the ambit of s. 2(a)." (§96)</p> <p>However, the Court noted that:</p> <p>"[t]his does not mean, however, that every burden on religious practices is offensive to the constitutional guarantee of freedom of religion. It means only that indirect or unintentional burdens will not be held to be outside the scope of <i>Charter</i> protection on that account alone. Section 2(a) does not require the legislatures to eliminate every miniscule state-imposed cost associated with the practice of religion. Otherwise the <i>Charter</i> would offer protection from innocuous secular legislation such as a taxation act that imposed a modest sales tax extending to all products, including those used in the course of religious worship. In my opinion, it is unnecessary to turn to s. 1 in order to justify legislation of that sort. The purpose of s. 2(a) is to ensure that society does not interfere with profoundly personal beliefs that govern one's perception of oneself, humankind, nature, and, in some cases, a higher or different order of being." (§97)</p>
1990	<p>The question of religion in the field of work also arose in the <i>Central Alberta Dairy Pool case (Central Alberta Dairy Pool v. Alberta (Human Rights Commission), [1990] 2 S.C.R. 489</i>). In the case brought before the courts, the complainant argued that his dismissal was related to his religion, which obliges him to observe the Sabbath and holy days. His dismissal occurred following the employee's unauthorized absence on Easter Monday.</p> <p>In this case, the Supreme Court reversed the position it adopted in <i>Bhinder</i>, which recognized that accommodation may not occur when the employer shows that the norm adopted is a bona fide occupational requirement. It decided that:</p> <p>"the complainant was lawfully entitled to pursue the practices of his religion and to be free of the compulsion to work on Monday, April 4, 1983 contrary to his religious beliefs. The onus is upon the respondent employer to show that it made efforts to accommodate the religious beliefs of the complainant up to the point of undue hardship."</p> <p>Without defining what it means by undue hardship, the Court listed factors that might determine it:</p> <p>"They might include financial cost, disruption of a collective agreement, problems of morale of other employees, interchangeability of work force and facilities. The size of the employer's operation may influence the assessment of whether a given financial cost is undue or the ease with which the workforce and facilities can be adapted to the circumstances. Where safety is at issue both the magnitude of the risk and the identity of those who bear it are relevant considerations. This list is not intended to be exhaustive and the results which will obtain from a balancing of these factors against the right of the employee to be free from discrimination will necessarily vary from case to case."</p> <p>Given that the employer did not demonstrate that he could not deal with an employee's isolated absence, the Court concluded that he did not pass off his burden of accommodating his employee.</p>
1992	<p>However, this notion of undue hardship is clarified in the <i>Meiroin case (Central Okanagan School District No. 23 v. Renaud, [1992] 2 S.C.R. 970)</i>.</p> <p>In this case, the Appellant, a Seventh-day Adventist, was a unionized custodian working for the respondent school board. His religion prohibited him from working on the Sabbath. The only practical accommodation was the creation of a Sunday to Thursday shift but this accommodation involved an exception to the collective agreement and required union</p>

	<p>consent. The union demanded that the board rescind the Sunday-Thursdays shift proposal and threatened to launch a policy grievance. After further unsuccessful attempts to accommodate the appellant, the school board eventually terminated his employment when he refused to complete his regular Friday night shift.</p> <p>The Supreme Court decided that:</p> <p>“[a]n employer must take reasonable measures short of undue hardship to accommodate an employee’s religious beliefs and practices.”</p> <p>It noted that factors enumerated in the Central Alberta Dairy Pool case that make it possible to assess undue hardship, then added that:</p> <p>“[t]he employer must establish that actual interference with the rights of other employees, which is not trivial but substantial, will result from the adoption of the accommodating measures. Minor interference or inconvenience is the price to be paid for religious freedom in a multicultural society.”</p> <p>In this judgment, the Court confirms that the provision in the collective agreement was adverse effect discrimination and that the employer and the union did pass off the duty of accommodation since they did not succeed in showing that accommodation might infringe upon the right of other employees.</p>
1994	<p>The consideration in a collective agreement of religious practice is also examined in the Bergevin case (<i>Commission scolaire régionale de Chambly v. Bergevin</i>, [1994] 2 S.C.R. 525).</p> <p>Three Jewish teachers employed by the respondent School Board took a day off to celebrate Yom Kippur without obtaining the same treatment as their colleagues on religious holidays stipulated in the school calendar.</p> <p>The Supreme Court decided that:</p> <p>“the calendar which sets out the work schedule, one of the most important conditions of employment, is discriminatory in its effect. Teachers who belong to most of the Christian religions do not have to take any days off for religious purposes, since the Christian holy days of Christmas and Good Friday are specifically provided for in the calendar. Yet, members of the Jewish religion must take a day off work in order to celebrate Yom Kippur. ... They, as a result of their religious beliefs, must take a day off work while the majority of their colleagues have their religious holy days recognized as holidays from work. In the absence of some accommodation by their employer the Jewish teachers must lose a day’s pay to observe their holy day. It follows that the effect of the calendar is to discriminate against members of an identifiable group because of their religious beliefs.”</p> <p>The Court also emphasized that:</p> <p>“[t]hose enactments seek, to the extent that it is reasonable, to provide equity or fairness in the workplace to persons of all religions, races and nationalities. ... Fairness in the workplace is the desire of all. It is a magnificent goal that is worth striving to attain. Once it has been established that there is adverse effect discrimination flowing from employment rules, procedures or standards then there must be a reasonable attempt on the part of the employer to accommodate the employees adversely affected. Almost invariably, those adversely affected will be members of a minority group. If there is to be true equality and fairness in the workplace without regard to religious beliefs, then it follows as the night the day that there must be a duty resting upon an employer to take reasonable steps to accommodate those employees that are adversely affected by the employment rules. This is essential if the aim of human rights legislation is to be fulfilled. Anything less defeats the purpose of such legislation and makes it a hollow enactment of little value in the workplace.”</p>

	<p>The Court decided that the employer had not provided any proof that paying the teachers absent on Yom Kippur imposed on it an unreasonable financial burden, i.e. an undue hardship.</p>
1999	<p>A turning point in the treatment of discrimination occurred with the Meiorin case (<i>British Columbia (Public Service Employee Relations Commission) v. BCGSEU</i>, [1999] 3 S.C.R. 3).</p> <p>In this case, the British Columbia government established minimum physical fitness standards for its forest firefighters. The claimant, a female firefighter, failed to meet the aerobic standard and was dismissed. She lodged a complaint and proved at first sight the existence of adverse effect discrimination.</p> <p>This judgment marks a break in the distinction between direct discrimination and adverse effect discrimination. The Court deems the distinction between the two to be superfluous since there is still discrimination in both instances. Consequently, the conventional method of evaluating the norm of the bona fide occupational requirement that enables the employer to pass off his obligation to accommodate must be replaced by a unified method that imposes on the employer the obligation to show that:</p> <ol style="list-style-type: none"> <li>1. it adopted the standard for a purpose rationally connected to the performance of the job. The focus at the first step is not on the validity of the particular standard, but rather on the validity of its more general purpose;</li> <li>2. it adopted the particular standard in an honest and good faith belief that it was necessary to the fulfilment of that legitimate work-related purpose;</li> <li>3. the standard is reasonably necessary to the accomplishment of that legitimate work-related purpose. To show that the standard is reasonably necessary, it must be demonstrated that it is impossible to accommodate individual employees sharing the characteristics of the claimant without imposing undue hardship upon the employer.</li> </ol> <p>In the case on appeal, the Court decided that:</p> <p>“the Government has not demonstrated that the aerobic standard is reasonably necessary in order to identify those persons who are able to perform the tasks of a forest firefighter safely and efficiently, [that it] cannot accommodate individual or group differences without experiencing undue hardship.” (§72)</p> <p>Ms. Meiorin won her case.</p>
1999	<p>The criterion in the Meiorin case was then applied in the realm of the delivery of services in the Grismer case (<i>British Columbia (Superintendent of Motor Vehicles) v. British Columbia (Council of Human Rights)</i>, [1999] 3 S.C.R. 868).</p> <p>In this case, the claimant suffered from a condition called homonymous hemianopia (H.H.) which eliminated most of his left-side peripheral vision in both eyes and his driver’s licence was cancelled on the ground that his vision no longer met the prescribed standard.</p> <p>The Court decided that it was incumbent on:</p> <p>“the employer or service provider to choose its purpose or goal, as long as that choice is made in good faith, or “legitimately”. Having chosen and defined the purpose or goal – be it safety, efficiency, or any other valid object – the focus shifts to the <u>means</u> by which the employer or service provider seeks to achieve the purpose or goal. The means must be tailored to the ends. ... Exclusion is only justifiable where the employer or service provider has made every possible accommodation short of undue hardship.” (§21)</p> <p>It then specified that:</p> <p>“[a]ccommodation” refers to what is required in the circumstances to avoid discrimination.” (§22)</p>



	<p>When it examined the proof submitted by the Superintendent of Motor Vehicles, the Court concluded that he had in no way demonstrated the he was unable to incorporate into the discriminatory standard individual aspects of accommodation without facing undue hardship. To the contrary, he made no gesture likely to constitute an accommodation measure.</p>
2004	<p>The <i>Amselem</i> case (<i>Syndicat Northcrest v. Amselem</i>, [2004] 2 S.C.R. 551, 2004 SCC 47) clarifies the notion of freedom of religion.</p> <p>In this case, a group of divided co-owners installed “succahs” on their balconies for the purposes of fulfilling the biblically mandated obligation of dwelling in such small enclosed temporary huts during the annual nine-day Jewish religious festival of Succot. This violated the by-laws and the respondent asked the co-owners to dismantle the succahs and proposed to allow the appellants to set up a communal succah in the gardens. The appellants expressed their dissatisfaction with the proposed accommodation, explaining that it would go against their religion.</p> <p>The Court decided that:</p> <p>“freedom of religion consists of the freedom to undertake practices and harbour beliefs, having a nexus with religion, in which an individual demonstrates he or she sincerely believes or is sincerely undertaking in order to connect with the divine or as a function of his or her spiritual faith, irrespective of whether a particular practice or belief is required by official religious dogma or is in conformity with the position of religious officials.” (§46)</p> <p>It also noted:</p> <p>“But, at the same time, this freedom encompasses objective as well as personal notions of religious belief, “obligation”, precept, “commandment”, custom or ritual. Consequently, both obligatory as well as voluntary expressions of faith should be protected under the Quebec (and the Canadian) <i>Charter</i>. It is the religious or spiritual essence of an action, not any mandatory or perceived-as-mandatory nature of its observance, that attracts protection.” (§47)</p> <p>According to the Supreme Court, “[a]ssessment of sincerity is a question of fact” (§53). It goes on to add:</p> <p>“Thus, at the first stage of a religious freedom analysis, an individual advancing an issue premised upon a freedom of religion claim must show the court that (1) he or she has a practice or belief, having a nexus with religion, which calls for a particular line of conduct, either by being objectively or subjectively obligatory or customary, or by, in general, subjectively engendering a personal connection with the divine or with the subject or object of an individual’s spiritual faith, irrespective of whether a particular practice or belief is required by official religious dogma or is in conformity with the position of religious officials; and (2) he or she is sincere in his or her belief.” (§56)</p> <p>The Court decided that the constraints posed by the co-ownership by-laws that prevent co-owners from building their own succah are an infringement of the co-owners’ freedom of religion.</p>
2006	<p>The Supreme Court examined freedom of religion in the educational milieu in the <i>Multani</i> case (<i>Multani v. Commission scolaire Marguerite-Bourgeois</i>, [2006] 1 S.C.R. 256, 2006 SCC 6) to confirm its earlier ruling.</p> <p>This case concerns a Sikh student who accidentally dropped the kirpan that he was wearing under his clothes. As a safety measure, the school board proposed as a reasonable</p>

accommodation to the parents, who accepted it, that this religious symbol be sealed inside the student's clothing. The governing board of the school and the school board's council of commissioners refused to ratify the agreement and proposed that a symbolic kirpan in the form of a pendant or one in another form made of a material rendering it harmless would be acceptable in the place of a real kirpan. The Court that heard the case first decided that:

"when the delegated power is not exercised in accordance with the enabling legislation, a decision not authorized by statute is not a limit "prescribed by law" and therefore cannot be justified under s. 1." (§22)

It then analyzed the proof submitted by the parties to conclude that, on the one hand, the student demonstrated his sincere belief and, on the other hand, the decision of the council of commissioners that justifies the absolute prohibition to wear a kirpan because it is inherently dangerous is unwarranted. Moreover, the Court noted that:

"the argument that the wearing of kirpans should be prohibited because the kirpan is a symbol of violence and because it sends the message that using force is necessary to assert rights and resolve conflict must fail. Not only is this assertion contradicted by the evidence regarding the symbolic nature of the kirpan, it is also disrespectful to believers in the Sikh religion and does not take into account Canadian values based on multiculturalism." (§71)

The Court mentioned its perception of the school in *Ross v. New Brunswick School District No. 15*, [1996] 1 S.C.R. 825, in which it notes that:

"[a] school is a communication centre for a whole range of values and aspirations of a society. In large part, it defines the values that transcend society through the educational medium. The school is an arena for the exchange of ideas and must, therefore, be premised upon principles of tolerance and impartiality so that all persons within the school environment feel equally free to participate." (§42)

It bolstered its understanding of the school's functions in *R. v. M. (M.R.)*, [1998] 3 R.C.S. 393:

"schools also have a duty to foster the respect of their students for the constitutional rights of all members of society. Learning respect for those rights is essential to our democratic society and should be part of the education of all students. These values are best taught by example and may be undermined if the students' rights are ignored by those in authority." (§3)

The Court also mentioned the role played by teachers in *Trinity Western University v. College of Teachers*, [2001] 1 S.C.R. 772, 2001 SCC 31:

"our Court accepted ... that teachers are a medium for the transmission of values. ... Schools are meant to develop civic virtue and responsible citizenship, to educate in an environment free of bias, prejudice and intolerance." (§13)

In light of these decisions, it mentions in the Multani case that:

"a total prohibition against wearing a kirpan to school undermines the value of this religious symbol and sends students the message that some religious practices do not merit the same protection as others. On the other hand, accommodating Gurbaj Singh and allowing him to wear his kirpan under certain conditions demonstrates the importance that our society attaches to protecting freedom of religion and to showing respect for its minorities." (§79)

The Court declared the decision of the council of commissioners of the Commission scolaire Marguerite-Bourgeoys to be null.

## APPENDIX F

### GUIDELINES IN GOVERNMENT DOCUMENTS<sup>27</sup>

The guidelines below are drawn from seven government documents.

1. Ministère des Communautés culturelles et de l'Immigration du Québec. *Énoncé de politique en matière d'immigration et d'intégration. Au Québec pour bâtir ensemble*, 1990.
2. Brief of the Conseil du statut de la femme. *Droits des femmes et diversité*, 1997.
3. Ministère de l'Éducation. *A School for the Future: Educational Integration and Intercultural Education Policy Proposal*, 1998.
4. Brief submitted to the Minister of Education. *Religious Rites and Symbols in the Schools. The Educational Challenge of Diversity*, March 2003.
5. Brief of the Conseil des relations interculturelles. *Laïcité et diversité religieuse*, March 2004.
6. Reflection by the Commission des droits de la personne et des droits de la jeunesse on the scope and limits of the duty of reasonable accommodation with respect to religion, February 2005.
7. Brief submitted to the Minister of Education, Recreation and Sports. *La laïcité scolaire au Québec. Un nécessaire changement de culture institutionnelle*, October 2006.

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| <ol style="list-style-type: none"><li>1. Ministère des Communautés culturelles et de l'Immigration du Québec. <i>Énoncé de politique en matière d'immigration et d'intégration. Au Québec pour bâtir ensemble</i>, 1990.</li></ol> |
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(this government policy statement applies to all government departments and agencies)

#### THE MORAL CONTRACT

The government deems it essential to review the principles according to which Quebecers of all origins must together build the Québec of tomorrow. These principles, which guide the integration policy overall and the attendant measures, centre on the social choices that characterize modern Québec. Specifically, these principles are:

- a society in which French is the common language of public life;
- a democratic society in which participation by and contributions from everyone are expected and encouraged;

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27. Document prepared by Samia Amor, doctoral candidate, Centre de recherche en droit public, Université de Montréal, under the supervision of Professor Marie McAndrew, holder of the Canada Research Chair on Education and Ethnic Relations, Université de Montréal.

- a pluralistic society open to an array of contributions within the limits imposed by respect for basic democratic values and the need for intercommunity exchanges.

#### A SOCIETY IN WHICH FRENCH IS THE COMMON LANGUAGE OF PUBLIC LIFE

[...] The unambiguous affirmation of the French-speaking community and its institutions as the focus of integration of newcomers is an unavoidable necessity to ensure the survival of French language and culture in Québec and one of the guidelines within which pluralism must be recognized in our society.

The host society therefore expects immigrants and their descendants to be receptive to French language and culture, make the necessary effort to learn the official language of Québec and gradually acquire a feeling of commitment to Québec's development.

In return, the government recognizes that if linguistic integration depends, first and foremost, on the availability of adequate services, it also depends on a concerted effort to promote the use of French, the host society's openness, and the development of harmonious intercommunity relations. It is only under these conditions that the French language can become an asset shared by all Quebecers.

However, this emphasis on French as the official language and the language of public life does not imply confusing the mastery of a common language and linguistic assimilation. Indeed, Québec, as a democratic society, respects the right of individuals to adopt the language of their choice in private communications. Moreover, it deems the development of heritage languages to be an economic, social and cultural asset for all Quebecers.

#### A DEMOCRATIC SOCIETY IN WHICH PARTICIPATION BY AND CONTRIBUTIONS FROM EVERYONE ARE EXPECTED AND ENCOURAGED

[...] Like all modern societies, Québec needs the participation by all of its population in economic, social, cultural and political life in order to develop fully.

[...] Moreover, under the democratic ideal, Québec attaches the utmost importance to equal opportunities and social justice. Indeed, by fostering fair access to resources, services and decision-making bodies, our society wishes to allow all Québec citizens to contribute fully to its development.

The democratic moral contract implies that immigrants and their descendants contribute fully to and participate fully in our national life. Their degree of participation in different facets of society are the key indicator of their level of integration.

For this reason, the host society is entitled to expect newcomers to make the necessary effort to gradually become involved in Québec's social, cultural and political life, taking into account their ability to do so, talent and fields of interest.

However, if an immigrant has decided to engage in the difficult experience of uprooting himself, it is usually to maximize his chances for social mobility and to gain access to advantages not only of a material nature but often of another kind (freedom, democracy), from which he in no way benefited in his home country. Thus, in search of a better life, he can expect the host society to offer socioeconomic support when he first integrates into the society and to support him when he or his descendants encounter institutional or social barriers that prevent them from gaining equal access to employment, housing and public and private services. Furthermore, the immigrant is also entitled to expect that the host society will allow him, like all Quebecers, to participate in the definition of our society's major policy directions.

#### A PLURALISTIC SOCIETY OPEN TO AN ARRAY OF CONTRIBUTIONS WITHIN THE LIMITS IMPOSED BY RESPECT FOR BASIC DEMOCRATIC VALUES AND THE NEED FOR INTERCOMMUNITY EXCHANGES

Unlike traditional Québec society that emphasized the sharing by all Quebecers of a uniform cultural and ideological model, modern Québec has sought for over 30 years to be resolutely pluralistic. The possibility of freely choosing their lifestyle, opinions, values and affiliation with particular interest groups within the limits defined by the legal framework is one of the benefits of the Quiet Revolution to which all Quebecers are most attached.

Québec culture is a dynamic culture, which, while it reflects the extension of Québec's heritage, seeks to change constantly and be receptive to different contributions.

The Québec *Charter of Human Rights and Freedoms* confirms that “[p]ersons belonging to ethnic minorities have a right to maintain and develop their own cultural interests with the other members of their group.” The support that Québec has for years offered them in this respect reflects its commitment to pluralism.

[...] However, Québec's stance on intercultural relations is aimed at avoiding extreme situations in which different groups fully, rigidly maintain their cultural and traditions of origin and coexist in mutual ignorance and isolation.

On the one hand, indeed, all Quebecers attach the utmost importance to respect by everyone of the democratic values defined by the Charter, in particular those pertaining to gender equality, the status of children, and the rejection of any discrimination based on ethnic or racial origin. These values are conditions that ensure that the development of diversity in our society occurs in a spirit of respect for human rights.

On the other hand, the very success of the integration process demands that newcomers and Quebecers of all origins be receptive to intercommunity exchanges and recognize that all cultures are likely to be enriched by sharing. Moreover, it is desirable for all of them to gradually develop a feeling of allegiance to Québec society that transcends affiliations inherited from the past.

The host society is thus entitled to expect that immigrants, like all citizens, respect the laws and values that govern the society and take root in Québec by becoming familiar with and learning to understand their new society, its history and culture. Quebecers of all origins must also contribute in keeping with their ability to do so to the cultural

enrichment of the entire population and the development of harmonious intercommunity relations.

In return, the host society must clearly display its appreciation of the contribution made by newcomers and Quebecers from the cultural communities. It must thus accord them, within the same limits as it does for all Quebecers, the right to live according to their personal values and contribute to the development of Québec culture. In practice, the government assumes the role of promoting attitudes favourable to immigration and diversity in the population overall, fostering broader recognition of pluralism, and supporting intercommunity contact.

OBJECTIVE: SUPPORT THE ADAPTATION OF INSTITUTIONS TO PLURALISM (ONE OF THE 15 OBJECTIVES OF THE POLICY)

“The adaptation of institutions to pluralism is an essential factor for participation by Quebecers of all origins in community life. To support institutions in this process, the government will launch initiatives in four key areas:

1. the adaptation of services to the needs of the clientele in the cultural communities;
2. accommodation aimed at reconciling religious concerns and the functioning of organizations;
3. the intercultural training of players;
4. the development of partnerships with community agencies and the representation of Quebecers from the cultural communities on decision-making and advisory bodies.” [FREE TRANSLATION]

Accommodation aimed at reconciling religious concerns and the functioning of organizations

“Religion is an essential component of the cultural identity of certain immigrants and Quebecers from the cultural communities, one that they are determined to preserve and develop. In some instances, the standards in force in Québec institutions, which are adapted to a society the majority of whose members are Christians, can go against certain precepts of other religions. In order to respect these precepts, the members of religious minorities demand the adaptation of certain norms, in particular those concerning appropriate attire, dietary prescriptions, work schedules, and the observance of religious holidays.

Complete agreement with these requests sometimes gives rise to significant problems from an organizational or financial standpoint in the institutions affected. Such situations can engender tension, especially in a context where religious diversity is becoming increasingly important in the movement of persons.

There is no universal solution to this problem, which also raises legal questions that have yet to be examined. However, the government believes that solutions specific to each organization, based on accommodation, are preferable to legal decisions. Most of the potentially antagonistic situations can probably be resolved if the parties succeed in distinguishing the essential from the accessory in their concern for piety, on the one hand, and for efficiency, on the other hand. The Conseil des communautés culturelles et

de l'immigration has received a mandate to submit a brief to the Minister on the principles that must guide the search for reasonable accommodation in this regard.”  
[FREE TRANSLATION]

2. Brief of the Conseil du Statut de la femme. *Droits des femmes et diversité*, December 1997.

The school, generally speaking, is already perceived as an institution in which the issues of cultural and religious diversity are taking shape for women. Independently of the essential place that children's education occupies among immigrants, certain immigrants are making demands that might endanger the school's educational mission.

“Let us say that, generally speaking, the schools attempt to accommodate children who miss school but it is understood that the absence of certain students does not prevent the teacher from teaching the other students.

The question of requests for exemptions is more problematical and does not concern Muslim parents alone, since it is in response to pressure from Catholic parents that the possibility of exemption from sex education classes was made official. Some parents have also asked to withdraw their children from art classes because their religion, in particular that of Jehovah's Witnesses, prohibits them from drawing human or symbolic representations, e.g. as is often the case at Christmas, Easter or even Halloween, or from participating in these holidays.” (page 39) [FREE TRANSLATION]

As for exemption requests related to swimming classes, we should probably ascertain whether another sport does not make it possible to achieve the same objectives without “sexualizing physical activity and confining girls to the gymnasium while boys continue to have compulsory swimming classes.” (page 41) [FREE TRANSLATION]

The Conseil advocates another solution, that of “separating boys and girls to go to the pool.” However,

“one thing is for certain, we believe that the exemption of a few students from the swimming class if the latter is compulsory for the others must not be regarded as a possible compromise.” (page 41) [FREE TRANSLATION]

As for the veil, the Conseil believes that

“while the wearing of the veil troubles some women because it symbolizes the influence of Islamic fundamentalism in Québec society, it is also a religious sign and an identity symbol. Freedom of religion, like other basic rights, is an important established right for Quebecers and we cannot assume that young girls wear the hijab because they are forced to do so. We believe that our struggle against the oppression of women and fundamentalism must not be waged, first and foremost, on the backs of veiled girls. We therefore refuse to advocate the exclusion of veiled girls from public schools. Tolerance of the veil or ample garments in a swimming pool must not, however, prevent us from debating and criticizing underlying sexist questions or denouncing fundamentalist attacks on women's rights.” (page 42) [FREE TRANSLATION]

Moreover, equal access to education is at the heart of the Conseil's concerns since

“it is through education that we can help to develop this critical spirit that is so important to resisting the press-ganging of thought, whether religious or otherwise, and attacks against women's rights.” (page 42) [FREE TRANSLATION]

The Conseil believes that accommodation is intended to eliminate a form of indirect discrimination and should not transform itself into a source of discrimination for other individuals, e.g. women. Moreover,

“not all accommodation requests formulated by the members of cultural or religious minorities fall into the category of the reasonable accommodation that businesses and establishments are obliged to seek. Indeed, most of these requests call instead for simple compromises that the establishments are asked to make to facilitate the lives of members of minority communities in Québec society. The reasons for such arrangements are philosophical and social rather than legal.” (page 44) [FREE TRANSLATION]

3. Ministère de l'Éducation. *A School for the Future: Educational Integration and Intercultural Education*, 1998.

The management by public schools of religious diversity suggests that the schools might have to cope with a contradiction between the core values of social justice such as non-discrimination and fairness, values pertaining to the availability of rights such as respect for others, gender equality, responsibility, values related to democratic participation such as negotiation, the peaceful resolution of conflict, solidarity and information that it teaches and the adjustments that it might allow. Nonetheless, “the recognition of pluralism and the exercising of rights and freedoms are, indeed, guided by lawmakers in Québec and in Canada, on the one hand, by the need to reconcile various rights, and, by the State's recognized responsibility to organize the exercising of such rights in the name of the common good, on the other hand.” (page 30) [FREE TRANSLATION] In this perspective, the adjustments allowed to satisfy cultural or religious needs

“must not call into question basic rights, such as equality, non-discrimination and protection, that all Québec students enjoy under the Québec *Charter of Human Rights and Freedoms*, the *Education Act*, and other statutes.” (page 31) [FREE TRANSLATION]

However, this guideline must be qualified to take into account two points:

“the gradual exercising of the rights that lawmakers granted to minors and the right of parents to choose the type of education that they want for their children, which rights are guaranteed by international charters and pacts;

the need to avoid confusing a direct violation of equality or protection with a simple practice deemed unacceptable by school staff from the standpoint of values but that does not contravene the legislation or the charters. For example, the wearing of the hijab is allowed but not separate access by girls and boys to the same educational services.” (page 31) [FREE TRANSLATION]

“The adjustments proposed must not run counter to legislation and regulations governing education in Québec. However, contrary to basic rights, not all legal provisions are of a restrictive nature. For example, exemption from sex education



classes is not permitted excepted in limited instances (recently arrived or poorly educated parents).” (page 31) [FREE TRANSLATION]

“Take into account the financial and organizational constraints of each establishment that might call into question ‘the school staff’s ability to fulfil the mandates assigned to them.’” (page 31) However, “the notion of undue hardship must not be used to justify immobilism or a refusal to adapt. Indeed, the very notion of reasonable accommodation or the ‘reasonableness’ of the adjustment assumes good faith on both sides. It should be emphasized that both parties are responsible for the quest for mutually acceptable compromises, as much the party that requests the exemption from institutional norms as the party that represents the educational institution.” (page 31) [FREE TRANSLATION]

Furthermore, since the integration of newly arrived students depends on the teaching staff, there is every reason to:

“develop among teachers attitudes of openness to diversity; teaching skills to work in multiethnic milieus; skills to effectively resolve conflicts with respect to norms and practices; knowledge of second language teaching and a teaching language to adapt teaching to the student’s development; skills to transmit values and knowledge concerning Québec’s heritage and to communicate, when the need arises, with allophone parents who do not have the same educational values and customs; skills to include pluralism in the educational project, and so on.” (page 32) [FREE TRANSLATION]

4. Brief submitted to the Minister of Education. *Religious Rites and Symbols in the Schools. The Educational Challenges of Diversity*, March 2003.

Freedom of religious is exercised within guidelines that reflect the public school’s mission. Thus, the notion of the duty of accommodation means that an institution

“must adopt measures to the benefit of certain individuals who have specific needs in order to prevent seemingly neutral rules from compromising the exercising in full equality of a right.” (page 45) [FREE TRANSLATION]

Moreover, the need for accommodation arises

“when seemingly neutral norms have a discriminatory effect on individuals because of their religious affiliation. The norms may concern the observance of holy days or dietary rules, the wearing of distinctive religious signs, and so on. Accommodation seeks to reconcile the exercising of a common right, such as the right to education, with respect for freedom of conscience and religion. It must be reasonable, i.e. it must not give rise to hardship, drawbacks or undue costs for the organization. Reasonable accommodation thus corresponds to measures that make it possible to fairly treat individuals, regardless of their moral or religious choice.” (Commission des droits de la personne, “Le Québec face au pluralisme religieux : un défi d’éthique sociale,” quoted on page 14) [FREE TRANSLATION]

However, it should be noted that

“recognized religious accommodation measures are not privileges that would lead to the break down of equality among citizens. To the contrary, accommodation is a consequence of the right to equality, conceived as the right of minorities to

maintain their differences in relation to the majority by benefiting from accommodation and adaptations with respect to neutral standards, applicable uniformly to everyone, but which adversely affect the religious freedom of certain groups.” (José Woehrling, “La place de la religion dans l’école publique,” quoted on page 45) [FREE TRANSLATION]

Although accommodation takes several forms

“it must, preferably, consist in the granting of exemptions and exceptions for the benefit of minorities rather than structural changes in the system in place for the majority.” (José Woehrling, “La place de la religion dans l’école publique,” quoted on page 45) [FREE TRANSLATION]

Therein,

“the duty of accommodation must be reasonable, i.e. it must not lead to hardship, drawbacks or undue costs for the organization.” (page 46) [FREE TRANSLATION]

It is exercised within the boundaries defined by:

“democratic values, public order and general public well-being.” (page 46) [FREE TRANSLATION]

To ensure that religious diversity is recognized and expresses itself in a spirit of respect for the right to equality and freedom of conscience and freedom of religion, the committee is proposing to education officers a series of principles that will help them with respect to decision-making stemming from religious accommodation:

Respect for the rights and freedoms stipulated in the charters, especially the principles of equality and freedom of religion and conscience “imply, for example, that students who wear clothing or apparel accessories prescribed by their religion are not the victims of harassment for this reason.” (page 56) [FREE TRANSLATION]

Compliance with norms governing education. In other words, democratic citizenship education in a pluralistic context and openness to ethnocultural, linguistic and religious diversity. Thus, “the school is obliged to facilitate the student’s spiritual development in order to foster his self-fulfilment” in a spirit of respect for “the freedom of conscience and religion of students, parents and members of the school staff.” (page 57) [FREE TRANSLATION] Combine the right to spiritual education and the right to freedom of conscience and religion.

The contribution to the realization of the school’s educational mission. The school is bound by an educational mission, i.e. “to instruct, socialize and provide qualifications.” (page 57) This “obliges it to meet challenges pertaining to the search for common values based on shared reasons, [...] the preparation by the school of students to exercise citizenship, [...] integration into a common culture in which memory and the project are components, [...] the maintenance of equal opportunities.” (Groupe de travail sur la réforme du curriculum, “Réaffirmer l’école,” quoted on page 58) [FREE TRANSLATION]

Consistency with the school’s other fields of activity. The school must be attentive to ensure that religious diversity expresses itself consistently with its other fields of activity. “Decisions concerning religious diversity must be based on the same criteria as those related to any other type of activity.” (page 58) [FREE TRANSLATION]

The expression of diversity in a spirit of respect for the socioreligious composition of the milieu. The school must ensure that “students enjoy in the school the freedom to express their religious or secular convictions (atheism, agnosticism, monotheism, polytheism, and so on) in a spirit of respect for freedom of conscience and religion and the socioreligious composition of the milieu, i.e. the diversity of religious or secular options.” (page 58) [FREE TRANSLATION]

The school’s independence in relation to religious groups that seek to use it for their own ends. It “would be useful for the schools to develop guides concerning the dissemination of religious information that respects the same norms as any other type of information.” (page 59) [FREE TRANSLATION]

Decisions will be made locally and in a concerted manner, since “local authorities [...] are familiar with the milieu and [...] it is in their interests to seek the solutions that will best serve the school community and acknowledge that an external viewpoint can sometimes be useful.” (page 60) [FREE TRANSLATION]

The committee defines the educational community’s management of the religious fact by assigning to each body a specific role:

- the school board is responsible for supervision;
- the governing board of the school is responsible for orientation;
- the school administration is responsible for the implementation of a climate of deliberation and openness to socioreligious diversity (respect for freedom of religion and equality of treatment);
- the spiritual animation and community commitment service is responsible for supporting the students in their search for meaning, autonomy and solidarity by proposing activities that foster dialogue and harmony between different affiliations and for advising the school administration or the governing board of the school;
- the teaching staff are responsible for pinpointing and analyzing racial, ethnic and religious stereotypes;
- the university is responsible for the preparation of individuals who must contend with religious diversity and the diversity management model for all other milieus. [FREE TRANSLATION]

5. Brief of the Conseil des relations interculturelles. *Laïcité et diversité religieuse*, March 2004.

According to the Conseil des relations interculturelles, even if “the school plays a pivotal role between the private and public spheres, it must be open to accommodation.” (page 56) [FREE TRANSLATION] However, such accommodation is accompanied by guidelines, e.g. it:

Must not “directly infringe the student’s other rights or the rights of other students;” (page 57)

Must not “impose on the school undue hardships from the standpoint of its operation or budget;” (page 57)

Must provide a framework for “negotiations pertaining to reasonable accommodation through a comprehensive strategy to recognize diversity aimed at avoiding any form of discrimination or exclusion and through an integration approach that seeks to avoid both identity withdrawal and anomie;” (page 57)

Must emphasize “solutions that make it possible to both respect the school’s mission and respect the family’s convictions;” (page 57)

Must ensure that “the consideration of living together serves as a guide. The opinion debate is part of the essential facets of a democratic society and an effective educational approach will foster the lively confrontation of ideas by developing listening, tolerance and critical interest.” (page 57) [FREE TRANSLATION]

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| <p>6. Commission des droits de la personne et des droits de la jeunesse (February 2005). <i>Réflexion sur la portée et les limites de l’obligation d’accommodement raisonnable en matière religieuse.</i></p> |
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*The public school has an obligation to:*

“ensure compliance with legislative provisions concerning compulsory school attendance, the number of days of class, the contents of programs of study or the language of instruction. Such facets must be regarded as fundamental and non negotiable.” (page 11) [FREE TRANSLATION]

*However, any accommodation requested:*

“does not always consist in ‘tolerating’ a religious practice but in providing a *positive benefit*” (page 11), because the school has an obligation to “facilitate the spiritual development of students.” (section 36 of the *Education Act*)

*It is important to bear in mind that:*

“the rights and freedoms guaranteed by the Charter are guaranteed to all citizens regardless of whether or not they belong to a minority group. De facto equality does not always mean equality of treatment. Differential treatment is sometimes necessary to respect equality between individuals. Reasonable accommodation is based on individual rights, which are not collective rights granted to religious groups.” (page 15) [FREE TRANSLATION]

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| <p>7. Brief submitted to the Minister of Education, Recreation and Sports (October 2006). <i>La laïcité scolaire au Québec. Un nécessaire changement de culture institutionnelle.</i></p> |
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The new institutional culture is giving way to the “open secularism of Québec public schools,” (page 27) which comprises five interrelated factors:

Respect for freedom of conscience and religion inserted in section 37 of the *Education Act* is deemed to be an “essential value of society and an educational responsibility of common, inclusive, open, democratic public schools.” (page 28) The notion of reasonable accommodation includes “an unquestionable educational significance in a democracy since it compels the parties to negotiate and to display

openness and flexibility to resolve a conflict and reach agreement.” (page 30) It has “an objective of inclusion.” (page 30) [FREE TRANSLATION]

The school’s neutrality, i.e. the absence of identification with a particular religion implies for the staff of a public school respect for a “professional ethic.” (page 32) The preservation of the institution’s neutrality precludes compliance by the public school with a specific project of a religious nature (section 240 of the *Education Act*) or its promotion of specific religious or spiritual options (section 37 of the *Education Act*).

However, a nuance must be pointed out with regard to religious symbols or the organization of activities of a religious or denominational nature.

Certain religious symbols must be preserved since they are part of Québec’s cultural heritage and are incorporated into architecture. As for distinctive religious signs that individuals wear, we must differentiate between whether:

They are worn by students and “such signs do not create a hardship for other students. In this instance, it is a question of the school’s respecting each student’s right of expression taking into account the principle of fairness and, if need be, by implementing accommodation within the limits of the milieu’s possibilities and constraints;” (page 35) [FREE TRANSLATION]

They are worn by a staff member. Account must be taken of two principles: the individual as a private person who exercises freedom of religion and the individual as the representative of a neutral public institution. The staff member’s professional ethics must serve as a guide.

As for activities of a religious or non-denominational nature, a distinction must be made between activities that are initiated by:

The students and are a matter of their right, but ensure that they do not run counter to the freedom of conscience and religion of other students;

The school staff and must be part of the Québec Education Program.

The recognition of the spiritual development of the student (section 36) raises objections but “the committee believes that vast majority of individuals working in the education sector are able to recognize the validity of the school’s responsibility with respect to the spiritual development of the student inasmuch as it is part of the school’s educational mission.” (page 38) It responds to the parents’ wishes, i.e. “education in values.” (page 38) [FREE TRANSLATION]

The representation of the spiritual animation and community commitment service “embodies the separation between churches and the State.” (page 41) [FREE TRANSLATION]

The objective of the ethics and religious culture program is to “broaden the religious culture of young people by contributing to the assimilation of Québec culture, which has been shaped by Catholic and Protestant traditions.” (page 44) [FREE TRANSLATION]

## APPENDIX G

### STUDY BY PROFESSOR JOSÉ WOEHRLING, Faculté de droit, Université de Montréal

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#### EXAMINATION AND ANALYSIS OF JURISPRUDENCE PERTAINING TO REASONABLE ACCOMMODATION IN THE SCHOOLS PREPARED FOR THE ADVISORY COMMITTEE ON INTEGRATION AND REASONABLE ACCOMMODATION IN THE SCHOOLS

- I. THE PUBLIC SCHOOLS' MISSIONS AS A MEANS OF PINPOINTING THE SCOPE AND THE LIMITS OF THE DUTY OF REASONABLE ACCOMMODATION IN THE SCHOOLS (principles that make it possible to reject accommodation that is incompatible with the public schools' mission)

#### Executive Summary

1. To what extent can the missions attributed by legislation to public schools, i.e. to instruct, socialize and provide qualifications, be considered by the courts as values likely to justify the limitation of the right to accommodation based on religion and on the right to equality?
2. In the *Multani* case, in which a public school requested accommodation, the Court recognized the convergence between the defence of undue hardship in the realm of reasonable accommodation, on the one hand, and the implementation of the limitation clause found in section 1 of the *Canadian Charter of Rights and Freedoms*, which itself serves as an interpretive model for the principal limitative provision in the Québec *Charter of Human Rights and Freedoms*, found in section 9.1 of the Québec Charter, on the other hand. The implementation of the limitation clauses in the two charters consists precisely in ascertaining the importance and legitimacy of the key objectives pursued by public policies, such as the missions of public schools, and the balance of the means adopted to attain the objectives pursued.
3. Moreover, certain Supreme Court decisions dealing with the exercising of freedom of religion and the right to equality in the educational milieu reveal that the Court is prepared to accept restrictions to the duty of accommodation in the name of the public schools' missions. Thus, in the *Multani* case, the Supreme Court relied on one of the missions of public schools, i.e. to educate students in tolerance, to establish the scope of the duty of accommodation. As it happens, this consideration allowed it to conclude that accommodation was required in this particular case as the school board's council of commissioners decision to reject it thus constituted an unwarranted infringement of freedom of religion.

4. An analysis of the grounds given by Justices L'Heureux-Dubé and McLachlin in the *Adler* case gives rise to the following observations:
    - a) the public schools' mission to educate with respect to tolerance and conviviality and to foster harmony is recognized to establish the scope and limits of the duty of accommodation as regards the funding of private religious schools;
    - b) the *integrative* or, to the contrary, *segregative* effect of an accommodation policy in the educational milieu is recognized to establish the scope and limits of the duty of accommodation.
- II. TO WHAT EXTENT CAN THE EXEMPTIONS RELEASING A STUDENT FROM CERTAIN COMPONENTS OF THE COMPULSORY CURRICULUM BE DEEMED REASONABLE ACCOMMODATION?

### Executive Summary

1. In Canada, at present, the courts have not yet examined this question and academic writers appear to have engaged in limited reflection on the matter. However, this problem is the subject of extensive jurisprudence and widespread doctrinal reflection in the United States and a number of decisions made by the bodies that administer the *European Convention on Human Rights*. For this reason, we will seek possible solutions and avenues for reflection in American law and in the European Convention.
2. Jurisprudence in the American courts has not generally been very favourable to requests for accommodation submitted to have children attending public schools exempted from certain programs or compulsory educational activities.
3. When citizen seeking justice wishes to obtain for his child an exemption from a program or compulsory educational activity, the first condition that he must satisfy is to demonstrate that this activity or program, such as certain compulsory reading, leads to an infringement, whether or not it is discriminatory, of his child's freedom of religion or the parent's freedom of religion, or an infringement of his right to give his children an education that is in keeping with his religious or moral convictions.
4. The American courts generally consider that the mere exposure of children to ideas that their parents find objectionable from a religious standpoint is not sufficient to constitute an infringement of freedom of religion, whether that of the children or that of their parents. They base their opinion on the distinction between mere exposure to ideas deemed to be reprehensible from a religious standpoint, which the courts do not believe leads to any infringement of freedom of religion, on the one hand, and having to *act* contrary to a religious conviction or *confirm one's adherence* to a belief, which constitute infringements of this freedom, on the other hand.
5. Numerous academic writers criticize this distinction. They emphasize that the argument whereby mere exposure to certain ideas does not lead to coercion, since the individual is capable of critically judging such ideas, is undoubtedly true in the case of adults, but much less so in the case of young children. That these ideas are presented to the children in the public school inevitably makes the children think that the school approves them and, insofar as the ideas go against the values that their parents are trying to transmit to them, causes confusion in the children's minds. Even if we accept the distinction between mere exposure to ideas and the obligation

to adopt certain behaviour or make a profession of faith, there is no choice but to acknowledge that the obligation imposed on children to read certain books indeed compels them to adopt certain behaviour.

6. Taking into account all of these criticisms and that the Canadian courts are inclined to interpret freedom of religion extremely broadly and generously, as revealed by the Supreme Court of Canada's judgments in the *Amselem* and *Multani* cases, it is not impossible that the latter adopt, if the question is raised before it, an attitude different from that adopted by American jurisprudence and that it consider that the obligation imposed on students in public schools to attend classes or read books of which their parents disapprove for religious reasons leads to an infringement of freedom of religion for the parents or the children (or both). We must then ask ourselves if an exemption must be granted to the children of parents who request it or if, to the contrary, education authorities can justifiably refuse such an exemption by demonstrating that it would lead to undue drawbacks or, what amounts to the same thing, by demonstrating that the integral maintenance of the compulsory curriculum, with no possible exemption, is warranted.
7. Under American law, the judges and academic writers who have reflected on the question have done so by examining the reasons for which an exemption might be refused both from the angle of "undue hardship" (reasons related to the smooth administrative operation of the schools) and from the angle of justification through the public school's missions.
8. An initial consideration stemming from American law is that, were there an infringement of freedom of religion through the compulsory imposition of a determined reading program, such an infringement might be warranted by the public school's mission to develop the students' ability to reflect critically on complex, controversial topics to prepare them to exercise their responsibilities as citizens.
9. A second consideration is that the public school's mission to educate children from different religious backgrounds with respect to tolerance by getting them used to rubbing shoulders with each other might be thwarted, at least under certain circumstances, if public schools had to exempt certain children from participating in educational activities that their parents find reprehensible for religious reasons.
10. Third, the courts and American academic writers have emphasized the administrative and logistical problems that might arise if public schools had to exempt children from educational activities that their parents believe are reprehensible for religious reasons.
11. Another mission of public schools that American courts and academic writers invoke to define the scope and limits of reasonable accommodation in the realm of education is that of teaching and intellectually training students, whether it be all of the students attending the school or the children for whom parents are requesting an exemption.
12. In the case of children who, whatever the case, would be exempt from certain educational activities or programs, the negative impact on their training would obviously depend on the very nature of the components of the curriculum subject to exemption (depending on whether they are fundamental or of secondary



importance from the standpoint of training), on the one hand, and the existence and quality of substitute education, on the other hand.

13. As for the impact of possible exemptions on the educational interests of the other children attending the school, they fall into two categories. The first category is the practical drawbacks stemming from the removal from or the addition to the group of students concerned, of children from one teacher to the next. Consequently, here we are in the realm of the “functional” concerns that are part of the concept of undue hardship. The second concern pertains to the psychological impact on the other students of the operation of a system of exemptions. Such a system appears to run counter to the objective of creating in children’s minds a sense of shared experience and belonging to a community that displays a certain homogeneity despite religious and cultural differences. In other words, to make allowance for a system of exemptions and authorized absences might thwart the school’s mission to educate children with respect to tolerance and harmonious cohabitation between the members of different religious and cultural groups.
14. All of these considerations must be assessed and implemented not in an abstract, general fashion but in the specific context of a particular case and a given school and social milieu. Thus, it is impossible to anticipate how, in a concrete case, the courts will balance such considerations when confronted with a request for exemption from compulsory educational activities.
15. Mention should be made of an opinion in the United States whereby the hardly favourable attitude of American courts to exemption requests stemming from religious regions has convinced a growing number of “religious” parents to send their children to a private school whose orientations are more in line with their religious convictions, or to opt for home schooling.
16. The bodies that administer the *European Convention on Human Rights* have also had an opportunity to give an opinion on disputes concerning the contents of teaching programs, disputes based on freedom of religion and the parents’ right to ensure their children’s education “in conformity with their own religions and philosophical convictions” (article 2 of the first Protocol appended to the Convention). The question of the right to exemption with respect to sex education classes was raised in the *Kjeldsen* case.
17. According to the Court, article 2 of the first Protocol does not prohibit the State from transmitting through teaching knowledge of a religious or philosophical nature, otherwise any institutionalized teaching would risk becoming unfeasible. However, the State must ensure that the information or knowledge transmitted through public education is transmitted in an objective, critical and pluralistic manner. It is prohibited from pursuing indoctrination that might be regarded as failing to respect the parents’ religious and philosophical convictions. The Court deems to be the decisive factor to be that the teaching “is not an attempt at indoctrination aimed at advocating a determined sexual behaviour” and “does not affect the parents’ right to enlighten and advise their children, exercise toward them their natural function as educators, and steer them in a direction that conforms to their own religious or philosophical convictions.” [FREE TRANSLATION]
18. In *obiter dictum*, the European Court specified that the State’s obligation to respect in public schools the parents’ religious and philosophical convictions will be assessed

more flexibly when the parents have the possibility of sending their children to private schools, above all if the schools are subsidized by the government, or of home schooling the children.

### III. THE RIGHTS OF PUBLIC SCHOOL TEACHERS TO AFFIRM THEIR RELIGIOUS AFFILIATION

On various questions covered under this theme we will examine Canadian and Québec law and certain facets of comparative law drawn mainly from American law and legislation pertaining to the implementation of the *European Convention on Human Rights*.

I will not examine the rights of private school teachers or displays of public school teachers' religious affiliations outside the exercising of their professional duties.

#### Executive Summary

##### The wearing of distinctive religious signs

1. Canadian decisions available on the topic clearly establish that the prohibition imposed on teachers concerning the wearing of distinctive religious signs in the exercising of their profession is an infringement of their freedom of religion and constitutes discrimination based on religion. School authorities are, therefore, bound by a duty of reasonable accommodation without undue hardship. In existing Canadian decisions, which focus on the wearing by a Sikh teacher of a kirpan, the existence of undue hardship was examined solely from the standpoint of the risks engendered for the safety of the school community as the courts concluded that the risk incurred was insufficient to allow ruling out reasonable accommodation. This explains that the decisions in question make no distinction between the wearing by a student or a teacher of the kirpan. If, as was desirable, the question had been analyzed from the standpoint of the protection of the school's religious neutrality and the students' and their parents' freedom of religion, it would obviously have been necessary to distinguish between the situation of the students, who are not bound by any principle of religious neutrality, and that of the teachers, on whom such a principle imposes itself in their capacity as representatives of public schools.
2. Comparative law shows that the freedom of religion of teachers who wish to wear religious signs should be balanced not only with the risks or other practical drawbacks that such behaviour might engender with respect to the functioning of the school but also with the principle of the public school's religious neutrality and the students' and their parents' freedom of religion.
3. Courts in the United States accept the lawmakers' striking this balance by generally prohibiting distinctive religious signs, which are regarded as being likely to infringe the principle of neutrality and the students' and their parents' freedom of religion, without requiring that the reality of such an infringement be concretely demonstrated in each specific case through the examination of the case's contextual variables.
4. To the contrary, the jurisprudence of the European Court of Human Rights indicates that the Court believes that the limitation on teachers' freedom of religion is only warranted inasmuch as the reality of the infringement of the principle of neutrality

or the students' or their parents' freedom of religion has been demonstrated taking into account the specific context of the case in question, in particular the students' age and the conspicuousness of the religious sign considered.

5. In light of the characteristics of Canadian and Québec jurisprudence on freedom of religion, which interprets this freedom broadly and liberally, I believe that our courts will be inclined to adopt an attitude that more closely resembles that of the European Court than American jurisprudence. A general prohibition on the wearing by public school teachers of religious signs that does not take into account the distinctions mentioned earlier, e.g. the students' age, the sign's conspicuousness, the nature of the duties, the content of the teaching and the teacher's general attitude, would have difficulty passing the justification test of section 1 of the Canadian Charter and section 9.1 of the Québec Charter. As we know, the test is essentially intended to ascertain the balance of the means adopted to attain the objective set by lawmakers. Since the objective here is to protect the neutrality of public schools and the students' and their parents' freedom of religion, the only prohibitions that will be deemed justifiable are those with respect to which it can be demonstrated that they are necessary to attain this objective and that they do not curtail, more than is necessary, the teachers' freedom of religion.
6. To consider warranted the prohibition of the wearing by Geneva public school teachers of religious signs, the European Court attached some importance to the principle prevailing in this canton of the strict separation of Church and State (or the principle of the religious neutrality of the State). American law is characterized, in particular, by the existence in the Constitution of a principle of the religious neutrality of the State expressly confirmed in the First Amendment non-establishment clause. We thus observe that the affirmation of an explicit principle of religious neutrality (or principle of separation or principle of secularism) in the Constitution (or in a quasi-constitutional text such as the Québec Charter) can to some extent influence debate. Indeed, the existence of such a principle can lead the courts to more readily accept certain limits imposed on freedom of religion when such limits are deemed to be necessary to protect the principle of neutrality.
7. American law shows that, in a federation, it is not necessary for the balancing of the principle of the religious neutrality of the State and freedom of religion, which can lead to curtailing the latter for the benefit of the former, to be achieved absolutely uniformly throughout the entire federal territory, if only in the name of and to apply the rights guaranteed by the federal constitution. The United States Supreme Court accepts that lawmakers in the American states may choose to authorize or, to the contrary, prohibit the wearing by public school teachers of religious signs. The same is true of the member states of the German federation. It remains to be seen, in the event that Québec seeks to obtain a more restrictive interpretation of freedom of religion through the adoption of an explicit principle of neutrality, if the Supreme Court of Canada would allow the Canadian provinces some degree of discretion or if it would instead take the stance that the freedom of religion guaranteed in the Canadian Charter must receive the same interpretation throughout the country.

#### Requests for authorization to be absent for religious reasons

1. While the wearing by public school teachers of religious signs raises complex questions with respect to the balancing of the teachers' freedom of religion with that of the students and their parents and with the principle of the religious neutrality of the State, requests for authorization to be absent for religious reasons

only pose the much simpler problem of their reconciliation with service needs. In the first instance, it is necessary to organize the constitutional values whose effects sometimes diverge. In the second instance, it is sufficient to ascertain whether accommodation requested by a teacher does not infringe, in concrete, practical terms, the day-to-day functioning of the school or the accomplishment of the applicant's professional duties.

2. The observation both of Canadian and Québec law and comparative law reveals that authorizations to be absent can be divided into those that focus on the celebration of *religious holidays* and lead to *occasional* absences or on *regular worship* and lead to *repeated* absences. It is readily apparent the first type of authorization will have less negative impact on the normal accomplishment of the teacher's duties and the smooth operation of the school than the second type and, consequently, that such authorizations will be more readily regarded as giving rise to a duty of reasonable accommodation. However, this distinction must not be transformed into a rigid, absolute rule. The specific context of a given situation might mean that a one-time request engenders undue drawbacks or that a repeated request, to the contrary, can be satisfied without any noticeable disorganization of the school's operation.

ADDITIONAL QUESTION: REFUSAL BY A TEACHER TO PARTICIPATE IN EDUCATIONAL ACTIVITIES THAT HE DEEMS TO BE INCOMPATIBLE WITH HIS RELIGIOUS CONVICTIONS

1. This question raises first of all the problem of the specifically religious nature of the conviction invoked by the applicant. Taking into account the Supreme Court's guidelines in the *Amselem* case, highlighting the fact that what is most important is the sincere conviction of the person requesting accommodation rather than the objective existence of the precept attested by religious authorities, it has become much more difficult today than previously to deny to a conviction invoked by an individual, if it seems sincere, the nature of a religious conviction as contemplated by the charters, even if this conviction relates to a prescription that cannot be attested by competent religious authorities or is not shared by a majority of followers of this religion. Caution will probably most often demand that the applicant of accommodation be given the benefit of the doubt.
2. Assuming that the convictions that a teacher invokes to request exemption from participating in an educational activity are deemed to be sincere and of a genuinely religious nature, we must inevitably observe that the obligation to participate leads to an infringement of freedom of religion. It then remains to examine the reasonable nature of the accommodation requested or, to be more precise, the existence or absence of undue hardship for school authorities. The problem here is similar to the question of requests for authorization to be absent rather than the question of the wearing of religious signs. To authorize a teacher not to participate in a specific educational activity is not likely to call into question the school's denominational neutrality in the public's eyes nor to threaten the students' or their parents' religious feelings. However, such accommodation might, depending on the circumstances, disorganize the school's operation if, for example, it was too difficult to find a replacement for the person accommodated. It is impossible to give an opinion in the abstract on the reasonable or unreasonable

nature of such accommodation. We can only answer this question in the context of a specific situation and taking into account all of the factual variables.

#### IV CONSEQUENCES OF AN INDIVIDUALISTIC, SUBJECTIVE INTERPRETATION OF FREEDOM OF RELIGION ADOPTED BY THE MAJORITY IN THE *AMSELEM* CASE

I will first review the conflict and divided opinions on the question under study among the Supreme Court justices in the *Amselem* case, a division that suggests that the state of law in the realm is not durably set and that the solution adopted by the majority might be called into question in the future. I will then examine the advantages and drawbacks and the consequences of each of the two attitudes adopted, one by the majority justices, the other by the minority justices.

##### Executive Summary

1. The conflict and divided opinions on the question under study among the Supreme Court justices in the *Amselem* case suggest that the state of law in the realm is not durably set and that the solution adopted by the majority might be called into question in the future.
2. The majority justices believe that the applicant who invokes freedom of religion is not bound to prove the existence of any objective religious obligation, requirement or precept. It is sufficient for him to demonstrate that he sincerely believes in the religious precept invoked. A sincere belief must simply be understood as an honest belief and the court must ensure that the religious belief invoked is put forward in good faith and that it is not a trick. Moreover, this examination of sincerity by the court must be as limited as possible. In particular, it must focus on the person's beliefs at the time of the alleged infringement of freedom of religion. The court should not rigorously analyze the applicant's prior practices to decide on the sincerity of his current beliefs.
3. The minority justices believe that it is necessary to successively demonstrate the existence of a religious precept, and then a sincere belief in the compulsory nature of this precept. To satisfy the first component, an applicant must prove that the conduct or practice demanded in the name of freedom of religion well and truly stems from a precept of his religion. In this regard, expert evidence can be useful since it serves to establish the basic practices and precepts of the religion that the applicant invokes.
4. The first, and most important, advantage of the attitude adopted by the majority justices is that it allows them to avoid a number of difficulties stemming from the examination of the existence and content of the religious beliefs invoked by the applicants. Indeed, the requirement to demonstrate the objective existence, the religious nature and compulsory character of the belief invoked leads the courts, in the case of a belief attached to a known religion, to have to settle possible conflicts of interpretation on its meaning and, in the case of a belief that is not attached to any known religion, to have to define the concept of religion to decide whether the belief in question is genuinely religious. The approach adopted by the majority justices largely avoids these difficulties

insofar as it is the believer's personal conviction that counts. What is important is that the believer himself considers his belief to be of a religious nature.

5. A second advantage of the majority position is that it does not treat individual religious convictions less favourably than convictions of a collective nature. Indeed, the proof of the objective existence of a precept is easier to establish in the case of beliefs shared by a community of believers than in the case of the individual applicant's specific beliefs. However, even if it also has collective aspects, freedom of religion is mainly interpreted as an individual freedom. Sociologists of religions agree that one of the principal characteristics of contemporary religious belief is its individualization and subjectivization. These contemporary characteristics of religious life are better taken into account by the majority justices than the minority justices. While the former adopt a definition of and criteria for recognizing religion that take into account the individualization and subjectivization of religious belief, the latter place greater emphasis on its more traditional, institutional and community characteristics.
6. Both the minority and majority justices accept that once the objective existence of a religious precept has been proven, the applicant's interpretation of the precept may legitimately diverge from the interpretation generally adopted in the community of faith concerned and attested by the community's religious authorities.
7. A first drawback of the majority justices' stance arises because, by basing the legal examination on the applicant's subjective sincerity instead of on the objective existence of the belief that the applicant invokes, it limits the scope of the decision that a court makes of the case at bar, or at least very seriously restricts its potential scope as a precedent. In other words, decisions based on the applicant's subjective sincerity cannot readily create a legal precedent.
8. The second drawback of the majority justices' position, which is the most serious one, is that it could unduly facilitate opportunistic or fraudulent demands. Consequently, if the courts can neither demand proof of the objective existence of a belief nor display great severity concerning the applicant's sincerity, they must otherwise filter demands based on freedom of religion, failing which it would become too easy to obtain religious exemptions to the administration of generally applicable statutes. The courts could then be more demanding of applicants in establishing proof of the existence of a sufficient obstacle to freedom of religion to constitute an infringement, or, they might tend, once an infringement of freedom of religion is observed, to consider it more readily as reasonable and justifiable by lowering the threshold of difficulty of such a demonstration. By adopting the position that the objective existence of a religious belief should not be subject to examination and the applicant's sincerity to the least intrusive examination possible, the Supreme Court inevitably obliges lower courts and appeal courts to be more demanding with respect to proof of the existence of an infringement and/or less demanding with respect to the justification for such proof.
9. Front-line decision-makers such as school principals, hospital directors or the directors of other public services have neither the authority nor the means, as is true of the courts, to thoroughly examine the sincerity of individuals who request accommodation. From their viewpoint, the best solution consists in

establishing in advance with the assistance of religious authorities or other experts the nature of the religious beliefs and practices deemed to veritably, objectively exist in the communities of faith concerned and which can, as the case may be, serve as a legitimate basis for an accommodation request. The position adopted by the majority justices in the *Amselem* case does not prohibit this procedure inasmuch as the guidelines that the Court gives on recourse to the subjective criterion of sincerity rather than the objective criterion of the existence of beliefs is aimed not at front-line decision-makers but instead at courts to which are referred requests based on freedom of religion.

10. It is, therefore, legitimate for front-line decision-makers to take stock of religious beliefs and practices deemed to exist objectively in a community of faith and the forms of accommodation deemed to be acceptable, while accepting some individual variation in the interpretation by individuals of beliefs and practices. The courts should be left to decide on cases in which an individual invokes an unknown belief or practice or a belief or practice that is purely personal.

## APPENDIX H

### STATISTICS ON ETHNOCULTURAL AND LINGUISTIC DIVERSITY IN THE EDUCATIONAL MILIEU



- Regional distribution of students from immigrant families, by school system, 2005-2006 school year
  
- Selected religions in Québec, 2001 Census
  
- Selected religions by immigrant status and period of immigration, Québec, 2001



**REGIONAL DISTRIBUTION OF STUDENTS FROM IMMIGRANT FAMILIES<sup>1</sup>  
BY SCHOOL SYSTEM<sup>2</sup> - 2005-2006 SCHOOL YEAR**

Administrative region and network		All students	Students from immigrant families
		N	%
Bas-Saint-Laurent	Public	26 462	2.4%
	Private	1 079	3.2%
	<b>TOTAL</b>	<b>27 541</b>	<b>2.4%</b>
Gaspésie - Îles-de-la-Madeleine	Public	13 163	1.7%
	Private	-	-
	<b>TOTAL</b>	<b>13 163</b>	<b>1.7%</b>
Saguenay - Lac-Saint-Jean	Public	36 765	2.2%
	Private	2 043	2.8%
	<b>TOTAL</b>	<b>38 808</b>	<b>2.2%</b>
Capitale-Nationale	Public	74 065	8.3%
	Private	11 408	8.7%
	<b>TOTAL</b>	<b>85 473</b>	<b>8.3%</b>
Chaudière-Appalaches	Public	53 439	3.2%
	Private	3 048	2.9%
	<b>TOTAL</b>	<b>56 487</b>	<b>3.2%</b>
Mauricie	Public	28 429	2.5%
	Private	3 848	3.8%
	<b>TOTAL</b>	<b>32 277</b>	<b>2.7%</b>
Centre-du-Québec	Public	30 268	3.5%
	Private	3 353	3.3%
	<b>TOTAL</b>	<b>33 621</b>	<b>3.5%</b>
Estrie	Public	40 740	7.4%
	Private	5 192	11.0%
	<b>TOTAL</b>	<b>45 932</b>	<b>7.8%</b>
Montérégie	Public	182 129	11.5%
	Private	20 572	13.4%
	<b>TOTAL</b>	<b>202 701</b>	<b>11.7%</b>
Montréal	Public	194 092	54.5%
	Private	51 353	47.3%
	<b>TOTAL</b>	<b>245 445</b>	<b>52.9%</b>
Laval	Public	53 559	34.3%
	Private	4 719	33.5%
	<b>TOTAL</b>	<b>58 278</b>	<b>34.3%</b>
Lanaudière	Public	58 528	4.3%
	Private	6 550	6.0%
	<b>TOTAL</b>	<b>65 078</b>	<b>4.5%</b>
Laurentides	Public	72 618	6.3%
	Private	5 261	9.8%
	<b>TOTAL</b>	<b>77 879</b>	<b>6.6%</b>
Outaouais	Public	50 172	14.2%
	Private	2 758	15.0%
	<b>TOTAL</b>	<b>52 930</b>	<b>14.3%</b>
Abitibi-Témiscamingue	Public	21 980	1.8%
	Private	-	-
	<b>TOTAL</b>	<b>21 980</b>	<b>1.8%</b>
Nord-du-Québec	Public	8 994	0.9%
	Private	-	-
	<b>TOTAL</b>	<b>8 994</b>	<b>0.9%</b>
Côte-Nord	Public	12 402	1.6%
	Private	432	2.1%
	<b>TOTAL</b>	<b>12 834</b>	<b>1.6%</b>
<b>TOTAL</b>	Public	<b>957 805</b>	<b>18.2%</b>
	Privé	<b>121 616</b>	<b>26.3%</b>
	<b>TOTAL</b>	<b>1 079 421</b>	<b>19.1%</b>

**Notes:**

1. A student from an immigrant family is a student who was born outside of Canada (first generation) or born in Canada (second generation), but with one parent born outside of Canada, or whose mother tongue is neither French nor English. Students of aboriginal or Inuit origin, i.e. who declare an aboriginal or Inuit mother tongue, are not included in the group of students from immigrant families.
2. Excluding government schools.

Sources: Base de données sur les cheminements scolaires (BCS, database on student flows) and système de déclaration de l'effectif scolaire des jeunes en formation générale (DCS, declaration of student enrolments of young people in general education), April 2006 (2004-2005 and 2005-2006) and Entrepôt des données ministérielles (EDM), April 2007 (1998-1999).

## SELECTED RELIGIONS IN QUÉBEC, 2001 CENSUS

Religion	2001 Census	Percentage distribution (2001)	Percentage change (1991-2001)	Median age
<b>Total population</b>	<b>7 125 580</b>	<b>100.00%</b>	<b>4.6%</b>	<b>38.4</b>
Roman Catholic	5 930 380	83.2%	1.3%	39.4
No religion	400 325	5.6%	55.6%	28.9
United Church	52 950	0.7%	-14.6%	46.7
Anglican	85 475	1.2%	-11,00%	41.5
Christian not included elsewhere <sup>1</sup>	56 750	0.8%	45.6%	31.9
Baptist	35 455	0.5%	28.9%	33.1
Lutheran	9 635	0.1%	-10,00%	51.1
Muslim	108 620	1.5%	141.8%	28.2
Protestant not included elsewhere <sup>2</sup>	64 040	0.9%	13.3%	34.6
Presbyterian	8 770	0.1%	-53.5%	49.7
Pentecostal	22 675	0.3%	-21.7%	30.7
Jewish	89 915	1.3%	-8,00%	42.5
Buddhist	41 375	0.6%	30.8%	36.2
Hindu	24 530	0.3%	73.7%	30.7
Sikh	8 220	0.1%	81.7%	30.8
Greek Orthodox <sup>3</sup>	50 020	0.7%	-7.3%	38.2
Mennonite	425	0,00%	-74.3%	37.1
Orthodox not included elsewhere <sup>4</sup>	37 600	0.5%	31,00%	35.8
Johovah's Witnesses	29 040	0.4%	-13.1%	37.6
Ukrainian Catholic	3 430	0,00%	-14,00%	49.7
Church of Jesus Christ of Latter-day Saints (Mormons)	4 420	0.1%	26.8%	25.7
Salvation Army	420	0,00%	-65.6%	37.1
Christian Reformed Church	115	0,00%	-20.7%	45.7
Evangelical Missionary Church	7 575	0.1%	87.3%	34.4
Christian and Missionary Alliance	315	0,00%	-37.6%	42.2
Adventist	6 690	0.1%	40,00%	28.7
Non-denominational <sup>5</sup>	475	0,00%	75.9%	29.4
Ukrainian Orthodox	985	0,00%	-25.1%	45.4
Aboriginal spirituality	735	0,00%	332.4%	31.2
Hutterite	0	0,00%	-100,00%	47.5
Methodist <sup>6</sup>	1 060	0,00%	7.1%	50.2
Pagan <sup>7</sup>	1 330	0,00%	533.3%	27.2
Brethren in Christ	590	0,00%	-36.2%	38,0
Serbian Orthodox	920	0,00%	152.1%	33.6

Religions selected for this table represent counts of 20 000 or more for Canada.

(1) Includes persons who report "Christian", as well as those who report "Apostolic", "Born-again Christian" and "Evangelical".

(2) Includes persons report only "Protestant".

(3) In 1991, included counts for Greek Catholic.

(4) Includes persons who report "Orthodox". Also includes Armenian Apostolic, Bulgarian Orthodox, Ethiopian Orthodox and Macedonian Orthodox.

(5) Includes persons who report only "non-denominational".

(6) Includes persons who report "Methodist". Excludes Free Methodist Evangelical Missionary Church.

(7) Includes persons who report "Wicca".

Source: Statistics Canada, 2001 Census.

## SELECTED RELIGIONS BY IMMIGRANT STATUS AND PERIOD OF IMMIGRATION, QUÉBEC, 2001

Religion	Immigrant population									Total population	
	Period of immigration						All periods of immigration				
	1991-1995		1996-2001		1991-2001		No.	%			
	No.	%	No.	%	No.	%	No.	%	No.		%
Catholic	42 615	0.7	37 490	0.6	80 105	1.3	324 795	5.5	5 939 715	100.0	
Protestant	10 520	3.1	11 060	3.3	21 575	6.4	73 995	22.0	335 595	100.0	
Orthodox	9 060	9.0	10 885	10.8	19 945	19.9	59 600	59.4	100 370	100.0	
Muslim	19 760	18.2	35 445	32.6	55 210	50.8	75 280	69.3	108 620	100.0	
Jewish	2 040	2.3	2 280	2.5	4 320	4.8	29 045	32.3	89 920	100.0	
Buddhist	4 765	11.5	2 610	6.3	7 370	17.8	29 600	71.5	41 375	100.0	
Hindu	4 905	20.0	4 955	20.2	9 860	40.2	16 480	67.2	24 530	100.0	
Other religions	5 605	7.8	6 225	8.6	11 835	16.4	23 550	32.6	72 275	100.0	
No religious affiliation	13 965	3.4	20 715	5.0	34 685	8.4	74 615	18.1	413 185	100.0	

Source: Statistics Canada, 2001 Census.