

Guidelines to Accommodate Students and Staff with Strict Religious Observance Obligations (Australia)

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Introduction

Monash University wishes to promote an inclusive environment and will make every effort to accommodate students and staff who hold strict religious observance obligations.

Strict religious observance obligations are practices required by a religious doctrine to be precisely obeyed by followers of the religion. These are recognised in Article 18 of the International Covenant on Civil and Political Rights.

These guidelines are provided in support of the University's [Equal Opportunity Policy](#).

Guiding principles

- a. Where possible and practical the University will endeavour to avoid timetabling assessments or other compulsory activities on days which conflict with the requirements of a strict religious observance obligation by a student or staff member who has identified to the University that this religious observance forms an obligatory part of their religious belief.
 - i. The University may require evidence from the student or staff member of their strict observance obligations and
 - ii. The University may seek advice from recognised leaders of a particular faith regarding strict religious observance requirements.
- b. The University recognises that there will be times where potential conflicts cannot be avoided. In such circumstances the University will make all reasonable attempts to accommodate a student or staff member's religious observance obligations by providing alternative means, in the case of a student, to complete the assessment or course activity and, in the case of a staff member, to provide workplace flexibility.
 - i. Accommodations require case by case consideration. Their approval will depend upon whether the student or staff member can still meet the essential obligations of their study/work and the University has available resources to support that accommodation.
 - ii. The following guidelines are provided to articulate these obligations and foster discussion and approval of suitable accommodations.

Guidelines for students

- a. Be proactive in recognising potential conflicts.
- b. Where a unit timetable is provided in advance, choose the class that reduces potential conflicts as far as possible.
- c. Where the detailed course outline that sets out assessment requirement *is provided after the commencement of a unit*, and religious observance obligations may conflict with compulsory teaching and learning activities, including any assessment task or

- examination, inform the unit coordinator as early as possible of the religious observance obligation.
- d. Be prepared to explain the conflict between the course/assessment requirements and your religious observance obligations, and the accommodations you seek.
 - i. You may be required to provide written evidence of your religious observance obligations and the University may seek advice from a relevant religious leader to explore possible alternative arrangements.
 - e. Deadlines for completing assessable work will not normally be extended for religious observance obligations. The expectation will be that you schedule your study time to meet these deadlines.
 - f. There will be situations where accommodations are not available, given the specific nature of the course requirements or limitations on flexibility for legitimate discipline related or operational reasons. In such cases the University will seek to reduce negative impacts on a student's course progression.
 - g. The provision of reasonable accommodations is intended to enable the student to observe and practice their religion and also meet course requirements.

Guidelines for academic staff responding to requests from students

- a. Be proactive in setting compulsory course requirements and assessment tasks to avoid conflicts as far as possible by consulting the [University's Cultural Calendars](#). In particular the list of Days of Strict Religious Observance for any particular year.
 - i. There will be times when dates of strict religious observance cannot be avoided. In such circumstances consider alternative arrangements for a student.
- b. Be sensitive to cultural considerations, including that some students may not feel comfortable speaking about their religious observances. Consider explaining at the beginning of semester who a student should contact to discuss any special requirements they may have and encourage them to do so early.
- c. When you become aware that a student's religious observance obligations conflict with compulsory course requirements, deadlines or assessment requirements, make a time to meet with the student to explore alternative arrangements. Meet soon after becoming aware of the conflict to maximise the potential alternative arrangements that may be available.
 - i. You may request documentary evidence from a student to explain their strict religious observance obligations to assist you understand the impact on their ability to meet the specific requirements of the course.
 - The [Social Justice Unit](#) or one of the University's [Discrimination and Harassment Grievance Advisers](#) can be consulted before deciding on the most appropriate form of documentary evidence to request in the circumstances.
- d. Maintain an open mind when considering and discussing potential adjustments to course requirements and assessments. Consider all reasonable options before deciding

that no adjustments can be provided to a student in a particular situation or the particular adjustment requested by the student is refused.

- i. Maintaining academic standards and course integrity must underpin any approval of an adjustment for a student on an individual basis.
 - ii. Providing reasonable accommodations, where possible, for individual student strict religious observance obligations in completing course or assessment requirements, will avoid discrimination. Such accommodations do not provide an advantage to the student, but enable the student to observe and practice their religion and also meet course requirements.
 - iii. Be mindful to respect the privacy of a student while considering and discussing possible accommodations. Information about religious and cultural observance is sensitive information.
- e. If a student's religious observance obligations impact on their ability to attend lectures or classes or assessment, consider flexible modes of delivery as a possible solution. Possible solutions are to make handouts available electronically; adjust minimum attendance requirements; reschedule assessment, ensure access to assessment tasks on dates or at times when the student is able to attend.
- f. Where a student's strict religious observance obligations prevent attendance at examinations arranged centrally, provide the student with information about and facilitate access to Examinations Branch so that alternative arrangements may be put in place.
- g. The University's capacity to accommodate a student impacted by their religious observance obligations may be limited where the student does not provide sufficient notice of their situation. Information about mandatory course requirements and assessment tasks and timetables *should be provided as early as possible* and so a student can raise potential concerns early.
- h. There may be times when alternative arrangements are not possible. In this situation, the consequence of a student's decision to maintain strict religious observance on the student's course progression should be discussed.

Guidelines for staff members observing strict religious requirements

- a. Be proactive in recognizing potential conflicts and take appropriate measures or inform your supervisor as early as possible.
 - i. Although the workplace is not mandated to proactively provide specific accommodations, where flexibility can be provided it will be seriously considered.
 - ii. Consult the relevant enterprise agreement to identify leave that may be available to you when time out of the workplace is needed for the religious observance.
- b. Be prepared to explain the conflict between your work and your religious observance obligations and the accommodation you seek.
 - i. You may be required to provide written evidence of your religious observance obligations and the University may seek advice from a relevant religious leader to explore possible alternative arrangements.

- ii. When formulating alternate options, consider options that both ensure essential work is completed while accommodating any required absence from work for the religious observance.

Guidelines for supervisors responding to requests from staff

- a. To avoid scheduling training, meeting times, conferences (or job interviews) on strict religious days of observance. Conflicts can be avoided by consulting the [University's Cultural Calendars](#).
 - i. There will be times when dates of strict religious observance cannot be avoided. In such circumstances consider alternative arrangements for staff impacted.
 - ii. Although the workplace is not mandated to proactively provide specific accommodations for religious observance, where flexibility is requested it should be seriously considered.
- b. When you become aware that a staff member's religious observance obligations conflict with compulsory workplace requirements, make a time to meet with the staff member to discuss possible alternative arrangements.
 - i. You may request documentary evidence from the staff member to explain their strict religious observance obligations to assist you to understand the impact on their ability to meet the specific requirements of the job.
 - The [Social Justice Unit](#) or one of the University's [Discrimination and Harassment Grievance Advisers](#) can be consulted before deciding on the most appropriate form of documentary evidence to request in the circumstances.
- c. Maintain an open mind when considering and discussing potential adjustments. Ensure all reasonable options have been considered before deciding that no adjustments can be provided or the particular adjustment requested by the staff member is refused.
- d. The relevant Enterprise Agreement will include various options for leave which a staff member may access.
- e. Where paid leave is not available there may be other kinds of flexibility that allow the staff member to be absent from work at the requisite times, while meeting their essential work obligations. Unpaid leave is also an alternative.
- f. Respect the privacy of the staff member, remembering that information about religious observance is sensitive information.

Other important considerations for accommodating religious diversity

Dress code

- a. The wearing of religious and cultural dress (for example clerical collar, hijab (headscarf), burka (full body covering), kippah (skullcap) or turban) is welcomed by the University. There may be exceptions where certain forms of dress may create a risk to health and safety. In such circumstances the risk should be assessed and a determination made as to whether it is possible to make accommodations while ensuring a safe workplace/study environment. Occupational Health and Safety at the University can be

consulted in such situations for advice.

Where the University has an obligation to check a student's identity (i.e. obtaining a student card, sitting examinations) a student wearing a burka will be requested to reveal their face to a female staff member in a private area.

- b. All members of the University should avoid wearing clothes (e.g. T-shirts) displaying potentially offensive material, in any language, for example racist or anti-religious slogans.
- c. Breaches may lead to disciplinary action under University policy, or the University Statute.

Accommodation and catering

- a. The University endeavours to accommodate the identified dietary requirements of students and staff relating to religious observance. For on-campus accommodation, the University may not have the capacity to cater for all students' requirements. Students living in Monash controlled residences sharing kitchen facilities should be conscious of the diversity within the residential population in relation to religious observance requirements related to the preparation of food - and whilst residences may attempt to make accommodations based on the needs of religious observance, this may not be possible to accommodate to the full extent of religious observance requirements.
- b. While the University offers a range of menus designed to suit staff and students with dietary requirements, specific requirements such as Kosher (Jewish) and Halal (Muslim) food may not always be available. Vegetarian options are available at all catering outlets.
- c. The University provides a range of social and recreational areas open to all staff and students, including bars run by the Student Associations or the University and other social areas which are alcohol free.

Strict religious observance

- a. The requirement and need to pray in a particular way may be a religious observance obligation. Impacted staff and students should discuss with their line manager or tutor if they have any special prayer requirements that impact on or coincide with their study or work requirements. Any conflict between work and study requirements and prayer obligations are to be addressed according to these guidelines.
- b. Monash University Chaplaincy and the Monash University Mosque provide pastoral and spiritual care for all members of the University community, of all faiths and none. Monash University believes that this aspect of care and support is an important feature to address the wellbeing of staff and students.
- c. Provision of Prayer Space:
The University has the following accommodation available:

<http://www.monash.edu.au/spirituality/>

<http://www.monash.edu.au/spirituality/centres-quiet-rooms.html>

<http://www.monash.edu.au/spirituality/events-groups-clubs-on-campus.html>

[Monash Mosque](#)

Responsibilities

- a. All staff and students are expected to treat others with respect, and refrain from any forms of unlawful discrimination, harassment, victimisation or vilification based on race or religion. This includes harassment or coercion which relates to current or historical conflict between people of different religious groups, and inciting hatred or serious contempt or ridicule of others based on race or religion.
- b. Any attempt to intimidate others to comply with a particular religious viewpoint, for example through hate publicity, offensive remarks and/or misuse of the University's services or facilities, or actions that may bring the University into disrepute, may result in disciplinary action.

Complaints

Staff or students who believe that these guidelines have been breached should in the first instance consult one of the University's trained [Discrimination and Harassment Grievance Advisers](#) who will provide information about the University's [Discrimination and Harassment Grievance Procedures and other relevant options](#).

Safer Community

The [Safer Community Unit](#) is a central point of enquiry for information advice and support in managing inappropriate, concerning or threatening behaviours.

Related information

Equal Opportunity Policy

<http://policy.monash.edu.au/policy-bank/management/student-comm-serv/equity-diversity/equal-opportunity-policy.html>

Student Charter

<http://www.monash.edu/students/policies/student-charter.html>

Monash HR Ethics Statement

<http://adm.monash.edu/human-resources/ethics/>

Legislation

<http://monash.edu/social-justice/policies/index.html>