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Senate Recommendation 2020-11-01 1.4000, 4.2700 Religion
Observation Policy



POLICY & PROCEDURE DOCUMENT

NUMBER: 1.4000/4.2700

DIVISION: Academic Affairs and Human Resources

TITLE: Religious and Cultural Observations

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REVISED:

Authorized by: Cheryl Stevens, Provost and Vice President for Academic Affairs
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I. Purpose and Scope

Western Kentucky University (WKU) is committed to nondiscrimination, diversity, equity, inclusion, and support for its students, faculty, and staff regardless of religious affiliation or non-affiliation. Furthermore, WKU makes good faith efforts to provide reasonable considerations for students and employees whose religious observances conflict with academic and/or employment requirements.

II. Definitions

For purposes of this policy, the following definitions apply:

A. *RELIGIOUS WORK-RESTRICTED DAYS*

A work-restricted religious observation is a recognized denominational day observed by persons who, or groups that, are required to restrict or limit work and/or physical or mental activity through a set or system of religious beliefs, laws/doctrines, tenets, canons, or theology. This definition may include academic and employment endeavors (e.g., examinations, out-of-classroom learning experiences, job duties and responsibilities).

B. *RELIGIOUS NON WORK- RESTRICTED DAYS*

Religious observances that are not work-restricted through a set or system of religious beliefs, laws/doctrines, tenets, canons, or theology may involve a special worship or observance, in which a student, faculty, or staff may feel compelled to participate. Observances may depend on regional customs and practices that vary by culture and

denominations. The decision regarding an excused absence rests with the faculty or appropriate supervisor(s).

C. Extra-curricular Activities and Large-Scale Events

Extra-curricular activities generally refer to *voluntary* events that fall outside the realm of normal classroom instruction (e.g., sporting events, social clubs, Greek organizations). However, events such as graduation ceremonies, homecoming, and parent's weekend are classified as **large-scale events** that contribute to the overall, common college experience. Scheduling these events on *work-restricted holy days* should be avoided whenever possible. Whether these days are work-restricted or not, consideration in planning for large-scale events is preferred practice.

III. Policy

Federal law prohibits discrimination on the basis of religious belief. It is the legal responsibility of Western Kentucky University to accommodate students, faculty, and staff who observe religious *work-restricted holy days*. In compliance with federal law, Western Kentucky University does not discriminate on the basis of race, color, ethnic origin, national origin, creed, religion, political belief, sex, sexual orientation, gender identity/expression, marital status, age, uniformed services, veteran status, pregnancy, childbirth or related medical conditions, or physical or mental disability in admission to career and technical education programs and/or activities, or employment practices in accordance with Title VI and VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Revised 1992, and the Americans with Disabilities Act of 1990.

It is imperative, therefore, that WKU make *every reasonable effort* to allow members of the university community to observe their religious or cultural holidays without academic penalty or retribution from supervisors. In addition, scheduling large-scale, one-time academic or extra-curricular events on religious holidays should be avoided *whenever possible*.

III. Procedure

A. Excused Absences

All students, faculty, and staff should be excused from work, class, or other assignments because of religious observances in accordance with established university policies and procedures. Please refer to the related policies listed in Section IV of this policy. Absences from classes or examinations for religious reasons does not relieve student's responsibility for any course work required during the period of absence. Students who expect to miss classes, examinations, or any other assignments, due to religious observances, should be provided with an alternative due dates and/or equivalent assignment.

- I. Students: It is the obligation of students to provide faculty with reasonable notice, preferably at the beginning of the semester, of religious holiday dates they anticipate being absent. Students who are absent on days of examinations or class assignments should be offered an opportunity to make up their work without penalty, if reasonable notice is provided and does not present an undue hardship. Should disagreement arise over what constitutes an undue hardship, or any element of this policy, parties involved should consult with their faculty.

- II. Student-Employees: It is the obligation of student-employees (e.g., undergraduate) to provide their immediate supervisor(s) with reasonable notice, preferably at the beginning of the semester, of religious holiday dates they anticipate being absent. The immediate supervisor(s) should accommodate student-employee requests for absence for work-restricted religious holy days, unless it would cause an undue hardship. Further, whether the holy days are work-restricted or not, supervisors should be sensitive to requests. It is the obligation of student-employees to provide their immediate supervisor(s) with reasonable notice, preferably at the beginning of the semester, of religious holiday dates they anticipate being absent. Should disagreement arise over what constitutes an undue hardship, or any element of this policy, parties involved should consult with the appropriate supervisor(s).

- III. Faculty and Staff: Faculty and staff supervisors should accommodate employee (e.g., part-time, temporary, graduate assistants, teaching assistants) requests for absence for work-restricted religious holy days, unless it would cause an undue hardship. Further, whether the holy days are work-restricted or not, supervisors of faculty and staff should be sensitive to requests. It is the obligation of faculty and staff to provide their immediate supervisor(s) with reasonable notice prior to religious holiday dates they anticipate being absent. WKU promotes and encourages flexible work arrangements for all employees when necessary. In the case of employees who do not accrue leave, requests for flexible work arrangements must be reviewed and approved by the department/unit head in accordance with Policy 4.250V. Employees who accrue leave are expected to use vacation hours for religious observances in accordance with Policy 4.610V. Employees are advised to consult with their Supervisor for individual work arrangement needs. Should disagreement arise over what constitutes an undue hardship, or any element of this policy, parties involved should consult with their appropriate supervisor(s).

B. Calendars

The Diversity, Equity, and Inclusion Work Group will publish a three-year, online calendar of significant religious holidays and global cultural observances to assist with scheduling.

IV. **Related Policies**

Policy 0.204V: Discrimination and Harassment

Policy 0.207V: Interim Sex and Gender-Based Discrimination, Harassment, and Retaliation

Policy 0.209V: Public Prayer Policy

Policy 1.300V: Equal Treatment of Students

Policy 4.200V: Employment Authorization and General Working Conditions

Policy 4.250V: Alternative Work Arrangements Flextime, Flex-place, Compressed Workweek

Policy 4.610V: Vacation Leave.