April 2, 2009

To: Faculty and Academic Councils

From: University Committee on Academic Policy (UCAP)

Re: Proposed Revision in the Religious Observance Policy and Procedures

At the request of the Faculty Council, UCAP reviewed and revised its previously submitted revision in the religious observance policy and procedures. The attached document is a result of that review process. Not simply did UCAP spend considerable time deliberating about this document, but it also reflects suggestions made to it by the various other bodies and governance committees to which it was referred. These include the Council of Graduate Studies (COGS), ASMSU, the University Committee on Student Affairs (UCSA), the University Graduate Council (UGC) and the University Committee on Faculty Affairs (UCFA). While all of these bodies were supportive of the draft document sent to them by UCAP, some had specific questions and suggestions. The most significant of those are discussed below.

At the outset, it should be noted that in addition to the policy that is now in place, the Provost writes a letter every year to the faculty about this topic. Thus both the current policy and the Provost's annual letter should be considered in the Council's deliberations about UCAP's proposal.

The most significant change from the current policy is that UCAP's proposed policy is limited to students, whereas the current policy seeks to address students, faculty and academic staff. Thus if UCAP's proposed policy is passed, UCAP, COGS and UCFA suggest that other governance bodies should address whether a new policy should be developed to address religious observances by faculty and academic staff.

Secondly, UCAP wants to draw your attention to the fact that the current policy states that faculty and academic staff “should be sensitive to the observance of these [religious] holidays so that students who absent themselves from classes on these are days are not seriously disadvantaged” whereas the proposed policy speaks of the goal of making “reasonable accommodation, upon request, for such [religious] observance.” We believe UCAP’s proposed language is more in line with the Provost’s annual letters to the faculty.

Third, it should be noted that UCAP’S proposal is to have a short policy statement followed by a set of implementing procedures, whereas the current policy has no accompanying document. Thus some topics addressed in the current policy, such as the view that students’ claims of a religious conflict should be accepted at face value, are now addressed in the procedural guidelines rather than the policy per se.

Most of the suggestions made to UCAP by other governance bodies addressed issues that are now in the procedural guidelines. These included:

• The recommendation by COGS, ASMSU and UCSA that the document be explicit about whether absences for religious observance should count toward course-specific attendance policies allowing for a specific number of class sessions to be missed or assignments or quiz grades to be
dropped without impact on a student’s grade. While UCSA did not take a position on this issue, merely expressing its view the document should take a position, both COGS and ASMSU took the position that is now included in the document before you.

• The recommendation by COGS that the document provide a time frame for requests for academic absences. That is now included in the document before you.

• The recommendation by UCSA that the verbs used in the procedural document be consistent and be stronger than originally proposed by UCAP. The document before you reflects their suggestion.

COGS also wanted to reiterate the desirability of continuing the Provost’s practice of issuing an annual letter on this topic and wanted the document to be clear about the responsibility of faculty to communicate with students about how they were going to treat religious observances, preferably in their syllabi. While UCAP did not believe it appropriate to address either of those issues in this document—items to be included in syllabi are part of the Code of Teaching Responsibility--it agreed with both suggestions.
Policy on Students’ Religious Observance (Proposed)

Michigan State University respects the right of all students to observe their religious holidays and will make reasonable accommodation, upon request, for such observance. Students are responsible for providing instructors with reasonable advance notice of dates they will be absent for religious observance. Students who have provided reasonable advance notice and are absent for religious observance on days of examinations or class assignments shall be offered the opportunity to make alternative arrangements for completing required work, without academic penalty, unless the faculty of record determines that providing the alternative arrangements would constitute an unreasonable burden on the instructor or other students. Students may register grievances regarding adherence to this policy by following the appropriate hearing procedures in the Academic Freedom Report, Graduate Students Rights and Responsibilities, or Medical Student Rights and Responsibilities documents.

Guidelines & Practices

To support implementing the Policy on Students’ Religious Observance, we recommend that the following guidelines and suggested practices be posted on the University web site, along with the policy itself.

1. Instructors should state attendance policies, including course-specific policies related to religious observance in course syllabi. Although there is no all-University regulation requiring class attendance, attendance and participation in class activities is often an essential part of the educational process (University Attendance Policy). Instructors are responsible for defining course attendance policies at the beginning of the course and including them in the course syllabus when the policies affect grades (University Attendance Policy, Code of Teaching Responsibility).

2. An instructor should specify a deadline (e.g. two weeks, unless the holiday falls at the beginning of the semester) by which students must provide written notice, preferably by e-mail, of dates and reasons they require accommodation for religious observance. Such practices are encouraged because they enhance clear communication between instructors and students and support planning for making alternative arrangements in advance for students to complete required work.

3. Some course-specific attendance policies allow for a specific number of class sessions to be missed or assignment or quiz grades to be dropped without impact on a student’s grade. Such policies should clearly state that religious observances are not to be included as part of the specified number of class sessions or grades.

4. It is important for instructors and students to recognize that missing class sessions or course-related activities for any reason may negatively affect the learning opportunities of both the absent student and other students in the class. A student’s contributions to a class discussion, for example, or participation in a group laboratory activity, can never be
completely “made up” through alternative activities or assignments. In making accommodations for individual students’ religious observance instructors should work to minimize negative effects on the learning of all students in the course.

5. In the absence of a simple and dignified way to determine the validity of individual requests for accommodation for religious observance, such claims should be accepted at face value.
Religious Observance

V. INSTRUCTION (Cont.)

RELIGIOUS OBSERVANCE

It has always been the policy of the University to permit students and faculty/academic staff to observe those holidays set aside by their chosen religious faith.

Faculty/academic staff should be sensitive to the observance of these holidays so that students who absent themselves from classes on these days are not seriously disadvantaged. It is the responsibility of those students who wish to be absent to make arrangements in advance with their instructors. It is also the responsibility of those faculty who wish to be absent to make arrangements in advance with their chairpersons/directors, who shall assume the responsibility for covering their classes.

As Michigan State University has become increasingly multicultural, the incidence of conflicts between mandatory academic requirements and religious observances has increased. In the absence of a simple and dignified way to determine the validity of individual claims, the claim of a religious conflict should be accepted at face value. Be aware that some degrees of observance may have a more extensive period of observance. Instructors may expect a reasonable limit to the number of requests by any one student. Some instructors attempt to cover all reasons for student absences from required academic events such as quizzes or exams with a blanket policy, e.g., allowing the student to drop one grade or two quizzes without penalty. If this is meant to extend to religious observances, the instructor should state this clearly at the beginning of the term. If instructors require make-up exams, they retain the right to determine the content of the exams and the conditions of administration, giving due consideration to equitable treatment.