

KNOW YOUR RIGHTS

Ramadan Accommodations



Learn About Religious Accommodations At School, College and Work

Templates for Requesting an Accommodation

Best Practices Guides When Seeking an Accommodation at School, College and Work



New Supplement: Religious Accommodation in Prison



Contents

| | | | |
|---|--|----|---|
| 3 | INTRODUCTION | 11 | <u>TEMPLATE FOR REQUESTING AN ACCOMMODATION FOR EID (COLLEGE)</u> |
| 5 | KNOW YOUR RIGHTS: A GUIDE TO RELIGIOUS ACCOMMODATIONS FOR RAMADAN IN SCHOOL OR COLLEGE | 12 | <u>TEMPLATE FOR REQUESTING AN ACCOMMODATION FOR RAMADAN AND EID (COLLEGE)</u> |
| 7 | KNOW YOUR RIGHTS: A GUIDE TO RELIGIOUS ACCOMMODATIONS FOR RAMADAN AT WORK | 13 | <u>TEMPLATE FOR REQUESTING AN ACCOMMODATION FOR EID (SCHOOL)</u> |
| 9 | KNOW YOUR RIGHTS: A GUIDE TO RELIGIOUS ACCOMMODATIONS FOR RAMADAN IN PRISON | 14 | <u>TEMPLATE FOR REQUESTING AN ACCOMMODATION FOR RAMADAN AND EID (SCHOOL)</u> |
| | | 15 | <u>TEMPLATE FOR REQUESTING AN ACCOMMODATION FOR RAMADAN (PRISON)</u> |

Introduction

With Ramadan upon us, Muslim Advocates put together this information packet for you to use when requesting a religious accommodation for yourself or a loved one. This packet includes information about rights to religious accommodation at school, college, in the workplace, and in carceral spaces. Templates for school and college requests are included, as well as a letter template should you need to advocate on behalf of an incarcerated person. We also include a best practices list on how to request religious accommodation from your employer. While we do not include a template for daily or Jummah prayer accommodation requests, you can tailor the included templates for such requests.

Religious accommodation means reaching an agreement that enables you to practice your religious beliefs in a manner that does not unreasonably interfere with your employment or education.

Federal, state and local laws protect the right to practice one's religion in the workplace and at school. However, the right to religious accommodations is not absolute. It is determined by several factors, including, but not limited to, whether the place of employment or study is a public or private institution, the number of employees or students present, the nature of your job or education and the financial capacity of your employer or school.

Regardless of your circumstances, you can always ask for a reasonable accommodation, and you can do so alongside your colleagues or classmates.



REPORTING RELIGIOUS DISCRIMINATION

➔ At School or College



If you, or your dependent, believe you were discriminated against because of your religion at school or college, you should seek legal assistance.

You can also file a complaint with the Department of Education's Office for Civil Rights or the Department of Justice's Civil Rights Division.

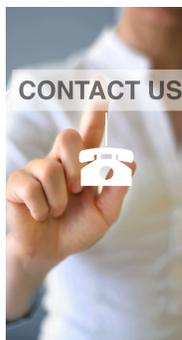
➔ In the Workplace



If you, or your dependent, believe you were discriminated against because of your religion at work, you should seek legal assistance.

You can also file a Charge of Discrimination with the U.S. Equal Employment Opportunity Commission. Many states and municipalities have similar agencies where you can also file a complaint. Be advised that there are strict time limits for filing such complaints.

➔ Contact Muslim Advocates



If you would like to learn more about your rights, including your right to religious accommodations, or if you are unsure how to proceed if your religious accommodation request was denied, you can talk to our attorneys.

Reach out to us via email at intakes@muslimadvocates.org or leave us a message at (202) 897-2622 letting us know that you have a question or issue relating to religious accommodations, and one of our attorneys will call you back within 48 hours.



YOUR RIGHT TO RELIGIOUS ACCOMMODATIONS

Under federal law, you are protected against religious discrimination at public schools and colleges and federally funded private institutions under Title VI of the 1964 Civil Rights Act. The Free Exercise Clause of the U.S. Constitution also secures your right to religious liberty.

At the workplace, Title VII protects you against religious discrimination. You should also consult your state and local laws for additional rules and regulations on religious accommodation. For many jurisdictions, state and local laws provide greater protection than Title VII.

When requesting individual accommodations or organizing a collective appeal, you might be worried about harassment or retaliation. Schools, colleges and employers are responsible for promoting a harassment-free environment, investigating allegations of harassment and remedying any findings of harassment targeting a protected group, such as a faith community.

This responsibility doesn't guarantee freedom from harassment or retaliation, but it means if you go to court or an administrative agency, a factfinder can hold your employer, school or college accountable.



MUSLIM ADVOCATES

KNOW YOUR RIGHTS:

A Guide to Seeking Religious Accommodations for Ramadan In School or College

Legal Rights

During the holy month of Ramadan, Muslim students may need adjustments from their schools and colleges to accommodate their religious practices. The Free Exercise Clause of the First Amendment of the U.S. Constitution protects your right to exercise your religious beliefs; and Title VI of the Civil Rights Act of 1964 protects you from religious discrimination, harassment and retaliation.



Religious Accommodation

A religious accommodation means reaching an agreement with your college or school that enables you to practice your religious beliefs in a manner that does not severely interfere with your education.

Examples of Religious Accommodations: Allowing you to take an exam at a different time if the scheduled time conflicts with Suhoor or Iftar, allowing you to be absent on Eid without penalty or permitting you a prayer break during class.

Public vs. Private

Generally, public schools and colleges have greater legal obligations to accommodate students' religious practices than private schools and colleges. The Free Exercise Clause applies to public schools and colleges. Title VI applies to public schools and colleges but also applies to federally funded institutions. In addition to federal laws, some state and local laws may protect your right to religious practice, and those may also apply to private bodies. You should always review your school or college's handbook on how to request a religious accommodation.



WHAT ARE MY RIGHTS?

Do You Have a Right to a Prayer Room and Other Religious Accommodations?



You may be entitled to a prayer room. This depends on several factors that are beyond the scope of this pamphlet. Though we cannot give you a simple and definitive answer on this issue, you can still make a request for prayer space or other religious accommodations not listed here.

What About Hijab?

You and your children are entitled to wear Hijab in accordance with your religious beliefs. This includes the right to wear Hijab during Ramadan if doing so complies with your religious beliefs.



What about Sports Accommodations During Ramadan?

Depending on your religious beliefs and personal tolerance, you are entitled to certain accommodations from sports and other physical activities during Ramadan.

Is a Public School or College Required to Accommodate a Student's Absence for Eid?



Generally, yes. The Free Exercise Clause of the First Amendment and certain state laws will, in many situations, require public schools and colleges to allow students time off from classes without penalty. This includes giving the student a reasonable amount of time to make up any missed assignments or exams.

Is a Private School or College Required to Accommodate a Student's Absence for Eid?



Generally, no. Private schools and colleges are not bound by the Free Exercise Clause. If a private school or college is bound by Title VI due to the federal funds it receives, it has a duty to not discriminate due to your religion, which includes not denying you an accommodation that was given to a student with a different religion or one with no religion. Moreover, state or local laws may exist to protect your right to religious accommodation or to protect you from religious discrimination. You should also consult your school or college's policies or handbooks, which may include a contractual right to religious accommodation.



From Whom Should I Request an Accommodation?

Consult your school or college's handbook or policy. If you cannot find relevant information there, send your request to the instructors whose accommodation you are seeking. For schools, send your letter to the principal, as well. For colleges, make sure you include the Dean of Student Affairs in your request.

What if I Feel Discriminated Against or I am Harassed because of my Religion?



You should seek legal assistance. You can also file a complaint with the Department of Education's Office for Civil Rights or the Department of Justice's Civil Rights Division.



MUSLIM ADVOCATES

KNOW YOUR RIGHTS:

A Guide to Seeking Religious Accommodations for Ramadan at Work

Legal Rights

Title VII of the 1964 Civil Rights Act prohibits an employer with 15 or more employees from engaging in discriminatory practices on account of one's race, color, religion, sex and national origin, and protects an individual who reports discrimination from retaliation. Most states – and many municipalities – have laws that protect employees, a number of which offer additional protections (e.g., covering workplaces with less than 15 employees; shielding additional protected categories from discrimination.)



Religious Accommodation

A religious accommodation is an agreement with your employer that enables you to practice your religious beliefs in a manner that does not severely interfere with your employment.

Religious accommodations may include adjustments to the work environment. Common examples include schedule changes, reassigning job responsibilities and tasks and modifying workplace policies and practices.

Reasonable vs. Undue Hardship

Under Title VII, employers are required to provide an employee with a “reasonable accommodation” for religious observances provided it does not cause an “undue hardship” to the business.

An “undue hardship” is decided on a case-by-case basis. Factors that are considered in evaluating whether an accommodation would pose an “undue hardship” include the cost of the accommodation, if the accommodation jeopardizes workplace safety or efficiency and whether the accommodation would infringe upon the rights of other employees.



WHAT ARE MY RIGHTS?

Requesting Accommodation for Ramadan?



Prior to requesting a religious accommodation, you should familiarize yourself with your employer's policies for guidance on how to proceed. Such policies are typically contained in an employee handbook.

If you are unable to find any guidance, send your request to your direct supervisor or Human Resources representative.

When submitting your request, specify that you are seeking accommodation for a religious belief. You do not have to explain the basis for your belief or cite a source.

Your request should specify the type of religious accommodation needed as well as the relevant time period.

You should ensure all correspondence is in writing. For example, if your request was approved verbally, it is a best practice to send a follow-up email thanking the person who approved it and briefly stating the agreed-upon accommodation to avoid any misunderstanding.



Facing Retaliation for Request?



An employer cannot take action against you because you complained about discrimination in the workplace or because you requested an accommodation to practice your religious beliefs. For example, they can't cut your hours or demote you because you requested an accommodation for iftar.

Under Title VII, employers must maintain a workplace free from religious harassment. Religious harassment can take the form of: (1) coercing or pressuring an employee to abandon, alter or adopt a religious practice as a condition of employment; and/or (2) creating a hostile work environment where the employee is subjected to religiously based unwelcome statements and/or conduct that is so severe or pervasive that the employee finds the work environment to be hostile.



Protect Your Rights At Work



Employers are required to make sure that you do not suffer discrimination or retaliation in the workplace and have a reasonable accommodation for religious practices. You have the right to work in an environment that is fully compliant with the law, and employers are prohibited from taking any action against you for asserting your rights.

If you believe your rights may have been violated, a lawyer can provide additional information and advice.

You can also file a Charge of Discrimination with the U.S. Equal Employment Opportunity Commission (EEOC). Many states and municipalities have similar agencies where you can file a complaint. Be advised that there are strict time limits for filing such complaints.





MUSLIM ADVOCATES

KNOW YOUR RIGHTS:

Know Your Rights: A Guide to Seeking Religious Accommodations for Ramadan in Prisons

Legal Rights

Federal law mandates that prisons accommodate the religious practice of incarcerated people seeking to observe Ramadan. The Free Exercise Clause of the First Amendment of the U.S. Constitution, while less protective in prisons than under normal circumstances, prohibits irrational restrictions on religious practice. Acknowledging that this is a low bar, Congress has enacted two laws that provide greater protection for incarcerated people of faith: the Religious Freedom Restoration Act and the Religious Land Use and Institutionalized Persons Act, which apply to federal and state prisoners, respectively. These laws entitle incarcerated people to altered meal and medication schedules during Ramadan.



Religious Accommodation

The most common accommodation needed during Ramadan is an altered meal/medication schedule because incarcerated people are not permitted to schedule their own meals. Most facilities will have a procedure that an individual will need to follow in order to sign up for an altered Ramadan schedule. Those seeking to participate should follow these procedures and maintain any documents associated with their request as well as notes on any conversations they have with prison officials related to their request. If there is not a specific Ramadan sign-up process, the individual should request accommodation using whatever general religious accommodation process exists. Chaplain offices are a good resource for such information.

WHAT TO DO IF DENIED ACCOMMODATIONS:



Ramadan accommodations are denied for reasons ranging from clerical errors to discrimination. The best way to deal with denials is a coordinated response by the incarcerated person seeking accommodation and their supports outside.

The incarcerated individual, upon notification of the denial, should immediately begin the facility's official grievance process, even if they know that the process will take longer than Ramadan lasts. This is important because federal law mandates that prisoners "exhaust" internal facility remedies before they can seek court intervention.



Meanwhile, outside supporters should contact the facility by phone, letter, email, or even visit. They should also consider reaching out to the agency in charge of the facility (the state department of corrections or the Federal Bureau of Prisons), a local imam or other community leader, or their local elected officials.



Sometimes, this attention is enough to resolve the issue. However, if the facility continues to refuse, it may be necessary to contact an attorney who can help navigate legal options including such things as seeking a temporary restraining order to compel the facility to provide accommodations.

Contact Muslim Advocates if you need help finding your local facility's Ramadan procedures or advocating for accommodations.



Dear [Professor Name/Dean of Student Affairs],

I write to inform you that an Islamic holiday is coming up. This year, Eid al-Fitr (marking the end of the month of Ramadan) will be on/around Friday, April 21. Observing Eid is a religious obligation for Muslims.

Because the Islamic calendar is a lunar calendar, these dates change every year, and sometimes the exact date of Eid al-Fitr is not determined until the night before.

I would like to discuss accommodation to allow me to practice my religious belief of celebrating Eid. Specifically, I need [list specific accommodation needs for exams or assignments.]

If you have any questions or concerns, please do not hesitate to contact me. Thank you.

Sincerely,

[Your Name]

[Insert your preferred contact info: email and/or phone]

Dear [Professor Name/Dean of Student Affairs],

I write to inform you that the Islamic month of Ramadan is coming up. Ramadan will start on Wednesday, March 22 and end on/around Friday, April 21. Muslims typically fast from dawn to sunset during the month of Ramadan. Fasting includes abstention from all food and drink.

At the end of Ramadan, Eid al-Fitr (a religious holiday) will take place on/around Friday, April 21. Celebrating Eid is considered a religious obligation for Muslims. Because the Islamic calendar is a lunar calendar, these dates change every year, and sometimes the exact dates of the beginning of Ramadan and of Eid al-Fitr are not determined until the night before.

I would like to discuss accommodations to allow me to practice my religious belief during Ramadan and Eid. Specifically, I need [list specific accommodation needs for exams or assignments. Other examples include 15-minute breaks during class to pray and eat a snack if the class coincides with sunset or exam accommodations if the exams are around sunset.]

If you have any questions or concerns, please do not hesitate to contact me. Thank you.

Sincerely,

[Your Name]

[Insert your preferred contact info: email and/or phone]

Dear [Principal/Teacher Name],

I am [Student's Name]'s parent. I am reaching out to inform you that my child(ren), [Student's Name] will be absent on/around Friday, April 21 to celebrate Eid al-Fitr (a religious holiday to celebrate the end of the month of Ramadan). Celebrating Eid is considered a religious obligation for Muslims. Because the Islamic calendar is a lunar calendar, these dates change every year, and sometimes the exact date of Eid al-Fitr is not determined until the night before.

[Student's Name] will require an accommodation to be able to practice their religious belief of celebrating Eid. This includes excusing the absence on Eid, sufficient time to do makeup work, assignment assistance, and other means to ensure that my child(ren) do(es) not suffer any disadvantage for observing Eid.

If you have any questions or concerns, please do not hesitate to contact me. Thank you.

Sincerely,

[Parent's Name]

[Insert your preferred contact info: email and/or phone]

Dear [Principal/Teacher's Name],

I am [Student's Name]'s parent. I am reaching out to inform you that the Islamic month of Ramadan is coming up. Ramadan will start on Wednesday, March 22 and end on/around Friday, April 21. Muslims typically fast from dawn to sunset during the month of Ramadan. Fasting includes abstention from all food and drink.

[Student's Name] will require a reasonable accommodation to be able to practice our religious belief of fasting in the month of Ramadan. We anticipate [Student's Name] will need to be excused from participating in certain in-school or out-of-school activities, such as gym activities. Specifically, I need [list specific accommodation needs for exams or assignments.]

In addition, [Student's Name] will be celebrating Eid al-Fitr (the Islamic holiday that follows Ramadan) on/around Friday, April 21, and therefore will require additional accommodation for this day. Celebrating Eid is a religious obligation for Muslims. Because the Islamic calendar is a lunar calendar, these dates change every year, and sometimes the exact date of Eid al-Fitr is not determined until the night before.

The requested accommodation includes excusing [Student's name] absence on Eid, sufficient time to do makeup work, assignment assistance to the extent that it may be needed, and any other assistance to ensure they are not disadvantaged for participating in Eid festivities.

If you have any questions or concerns, please do not hesitate to contact me. Thank you.

Sincerely,

[Parent's Name]

[Insert your preferred contact info: email and/or phone]

[Warden's Name]:

I am writing to discuss concerns about the treatment of [Name of Incarcerated Person] during the holy month of Ramadan. I have been informed that [Name] has been denied accommodations to participate in Ramadan programming at [Facility Name], as required by [his/her] religious beliefs.

[Describe any specific harms the imprisoned person has already suffered, such as "They have been forced to miss x fasts," or "They have been forced to go without food or drink for ___ hours above and beyond the required fast."]

[Facility Name] is required by the Free Exercise Clause of the First Amendment to the U.S. Constitution and the Religious Land Use and Institutionalized Persons Act [replace with Religious Freedom Restoration Act if this is a federal prison] to accommodate the sincerely held beliefs of its wards, including [Name's] Ramadan religious practice.

Please respond to me at [address, email, phone number] to explain why [Name] was denied Ramadan accommodations and what can be done to remedy this situation so that [Name] is not forced to violate [his/her] religious beliefs during Ramadan.

Sincerely,

[Your Name]

[Insert your preferred contact info: email and/or phone]



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