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**Sent:** Friday, August 22, 2014 10:27 AM  
**To:** Jane Ponte  
**Cc:** Kevin Kobus  
**Subject:** \*Confidential: \*PRIVILEGED & Confidential: OCSTA - Misc. - Exemption from Religious Education Courses - Draft Memo

Kevin,

Thank you for requesting a review of the draft correspondence to school boards.

I made a small change in the first paragraph, which has been tracked for ease of reference.

With respect to the issue of the development of a guideline, while I believe that a consistent approach to the issue is important, it is not necessary to develop a guideline. School boards may simply rely on the legislation and their interpretation of same.

I have two concerns about preparing a guideline for school boards. My first concern is that a guideline is accessible to the public and will bring additional scrutiny to this issue, which I am concerned will simply increase the number of requests and likelihood of a legal challenge.

My second concern is that any guideline would have to ensure that each case is considered individually, which is the only way to determine whether the request is resulting from academic concerns or *bona fide* religious reasons. A failure to consider the requests individually would leave school boards vulnerable to a Human Rights Application, also a process that it would be best to avoid. If each case is considered individually, there is less need for a common guideline. School boards will simply review the circumstances and apply the Act based on their interpretation and application to the underlying reasons for the request.

Should you have any question so or concerns regarding the above, please do not hesitate to contact me.

Regards,

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