

LESSON NUMBER: 9-B

TASK: Religious Accommodations

CONDITION: Classroom environment

STANDARD:

1. Define Army policy on religious accommodation.
2. Define religious discrimination.
3. Discuss nine elements of religious discrimination.
4. Identify four categories of religious practices that can conflict with military duties.
5. Explain the procedures for requesting religious accommodations.
6. Discuss commanders actions on requests for religious accommodation.

TYPE OF INSTRUCTION: Conference

TIME OF INSTRUCTION: 1 Hour

MEDIA: Viewgraph #9-B-1 through #9-B-6 and Student Handouts #9-B-1 and #9-B-2

LEAD IN: Conflicts between a commander's responsibility for mission accomplishment and a soldier's religious practices have existed since the United States Army was formed. Colonial legislatures usually provided for religious needs, for example, providing chaplains and time for worship; some legislatures allowed exemption from military service because of conscientious objection. The U.S. Army has made a significant effort to meet the religious needs of its soldiers.

In the past, little guidance was given to the commander on how to handle religious needs. The commander was expected to understand the soldier's beliefs and to decide whether or not to grant permission to practice these beliefs. At times there was a conflict between a commander's military mission and the soldier's religious requirement. When this conflict was not resolved through accommodation or administrative means, judicial or nonjudicial action became the primary way to resolve the issue.

As the Army becomes more and more diverse organization and comprised of individuals from many faiths and religions, it is important soldiers and leaders understand the Army's policies on Religious Accommodations.

During this lesson you will learn about religious accommodation. As leaders you need to understand the policies and be capable of addressing any issues that may arise concerning religious accommodation and religious discrimination.

NOTE: Ask the students what they do you think about when the word religion is used?

1. Whenever the term religion is used, most people think about Church, faith, or organized beliefs. Webster's defines religion as " an organized system of beliefs and rituals centering on a supernatural being or beings." Religion is basically an outward formal expression of one's spirituality.

PART I. ARMY POLICY ON RELIGIOUS ACCOMMODATION

SHOW VIEWGRAPH #9-B-1

ARMY POLICY ON RELIGIOUS ACCOMMODATION

It is the Army's policy to approve requests for accommodation of religious practices when they will not have an adverse impact on readiness, unit cohesion, health, safety, discipline, or otherwise interfere with the soldier's military duties.

2. The Army places a high value on the rights of service members to observe the tenets of their respective religions. It is the Army's policy to approve requests for accommodation of religious practices when they will not have an adverse impact on readiness, unit cohesion, health, safety, discipline, or otherwise interfere with the soldier's military duties or the mission of the unit. What this means is the accommodation of a soldier's religious practices cannot always be guaranteed at all times, but must depend on military necessity.

NOTE: Ask the students the definition of religious discrimination?

SHOW VIEWGRAPH #9-B-2

RELIGIOUS DISCRIMINATION

Any action, intended or unintended, that unlawfully or unjustly results in unequal treatment of a person or groups based on religion and for which distinctions are not rational considerations.

3. Religious discrimination is defined as: Any action, intended or unintended, that unlawfully or unjustly results in unequal treatment of a person or groups based on religion and for which distinctions are not rational considerations.

4. As you read this definition, it is hoped that you will can relate the definition to some of the other classes on discrimination. For example, when we discussed institutional discrimination, does discrimination have to be intentional? No, discrimination can be both intentional and unintentional.

PART II. ELEMENTS OF RELIGIOUS DISCRIMINATION

SHOW VIEWGRAPH #9-B-3

ELEMENTS OF RELIGIOUS DISCRIMINATION
<ul style="list-style-type: none">• Discounting beliefs of others• Religious jokes/slurs• Compulsory services• Exclusionary prayer• Stereotyping people by their religion• Non-association due to religion• Failure to provide alternative services• Lack of concern

1. Religious discrimination, like other forms of discrimination, can take place in many ways. Some of the most common elements of religious discrimination are:

a. **Discounting the religious beliefs of others.** If a person doesn't have strong religious views, or if they have strong religious views different from yours, then it's really easy to say "My beliefs are important, yours really aren't." Or saying "You know that group over there, that's not really a religion." It's very easy to discount another religion.

b. **Religious jokes/slurs.** Religious jokes and slurs are no different than ethnic, racial, or sexist jokes. It is important to be aware that religious jokes can harm unit cohesion. An example of a religious slur may be: Bible Thumper, Holy Roller, Jewing somebody down, bottom of the totem pole.

c. **Compulsory services.** There are times when you may have to assist a person who is having religion imposed on them. Some of you may have been in the military to remember in Basic Training, when on Sundays you had a choice to go to church or do some other fun thing the Drill Sergeant would find for you to do. So it became a compulsory service. For example, a Prayer Breakfast can fall into compulsory services if it is mandatory. Another consideration, is say, someone in your unit is in an accident and dies. The Commander must consider whether to have a memorial service or a memorial ceremony. A memorial service is when you have the gathering of the people to express grief for the deceased around a religious context, e.g., reading of Scripture, the reading of a sermon, or prayers offered. Now, since it is a religious service, can it be made mandatory? No. A memorial service must be voluntary. On the other hand the Commander may choose to have a memorial ceremony. This is the gathering of the unit primarily around a patriotic focus. This is where the unit can express its closure, express grief, and appreciation for a fallen comrade. The courts have ruled that reading a brief Scripture or prayer is not enforcing a religion. To be a memorial ceremony it has to be primarily patriotic in focus and design. A memorial ceremony may be mandatory.

d. **Exclusionary prayer.** Another way one may discriminate is through exclusionary prayer. What might be an exclusionary prayer? A person might close a prayer “In Jesus Name.” For example: I’m Jewish and you say “Would you join me in prayer,” I say “O.K.” and then you close by saying “In Jesus Name.” How’s that going to make me feel? Does that pose a problem? We talk about cooperation without compromise. Its a challenge leaders may have to deal with and hopefully the Chaplain can help you. When you have events where prayers may be offered, you need to find out the make up of the people that are going to be there and take it into consideration. Of all the major faith groups, there is one term that can have meaning for all and inclusionary. That word is “Lord.” The important question to keep in mind “How can the different needs of the population be met?,” so it will be inclusive and not exclusive.

e. **Stereotyping people by their religion.** Does that ever happen? We all know what Jews are like don’t we? We all know what Catholics are like don’t we? And those Mormons, they’re certainly no fun are they? And those Moslems? In Saudi Arabia we began using the words “Rag Heads.” Do you think they were complimenting them when they said that?

f. **Not associating with people because of their religious beliefs.** When you go into the dining facility and you see people constantly grouping together because of race, is that something you might want to take a look at? It’s O.K. for people to get together with common interests, but if that’s a constant, there may be a unit cohesion problem. Likewise, if you see a unit constantly broken down based on religious beliefs, then there may be a unit cohesion problem.

g. **Not making arrangements to provide alternative services.** This is the failure to consider the religious or worship needs of all individuals in the unit.

h. **Lack of concern.** Oftentimes, individuals who belong to denominations that are small are overlooked when scheduling or posting services.

NOTE: Ask the students what are some of the religious practices that can conflict with military duties?

PART III. RELIGIOUS PRACTICES THAT CONFLICT WITH MILITARY DUTIES

SHOW VIEWGRAPH #9-B-4

**RELIGIOUS PRACTICES THAT CONFLICT
WITH MILITARY DUTIES**

- **Worship practices**
- **Dietary practices**
- **Medical practices**
- **Wear and appearance of the uniform**
- **Personal grooming**

1. Unit commanders will approve or deny requests for accommodation of religious practices covered in this regulation. Commanders may also rescind previously granted formal religious accommodations, but must do so in writing and include specific rationale for the rescission.

2. The Army is unlike any other organization. It relies on cohesion, teamwork, and discipline to accomplish its mission. This sometimes requires the health and safety of individuals be placed before religious accommodation. As such, there are also some religious practices that can conflict with military duties. These practices include: worship, dietary, medical, wear and appearance of the uniform, and personal grooming.

3. **Worship practices** The ritual is one of the oldest, most complex, and persistent symbolic activities associated with religion. Some religious groups have worship requirements which conflict with the soldier's normal availability for duty; for example worship on days other than Saturday or Sunday, a 25-hour Sabbath, or special holy days or periods. These will be accommodated except when precluded by military necessity. If the time required for religious worship falls within normal duty hours or duty rosters, the soldier may request exception from those hours and rosters. The soldier, however, must be prepared to perform alternative duty hours. Commanders will grant ordinary leave as an option to soldiers who desire to observe lengthy holy periods or days.

NOTE: All religions have different methods of prayer. Just because people don't worship the same way you worship, just because their service may be a little bit longer than yours, just because their service may be a little bit louder than your service, does it mean it's inappropriate? An excellent example of this is in January 1986, the Challenger Space Shuttle lifted off at Kennedy Space Center, it exploded, and it changed the way NASA did business. Didn't it? Guess who else it changed? It changed the way the military did business concerning religion. Because aboard that ship was a Lieutenant Colonel named Ellison Onizuka. Colonel Onizuka happened to be Shintu Buddhist from Hawaii. When he died, his family wanted to take his remains back to Hawaii for a proper Shintu Buddhist burial. Our government said "wait a minute, as a Nation we bury our heroes where?" Arlington National Cemetery. The family was very considerate and said, "O.K., we'll go along with this." As the time approached, the family and the Shintu Buddhist priest arrived. And they began to rehearse for the service,

they took out their incense, put on their white robes, started banging the symbols together, and started a loud chanting! The caretakers of the cemetery, not understanding the beliefs of Shintu Buddhists, told the family that Arlington was a place of dignity and they could not do the rituals. As a result, the military changed its view on religion and the different styles of prayer.

4. Dietary Practices. Some faith groups have religious tenets which prohibit the eating of specific foods, or prescribe a certain manner in which food must be prepared. A soldier with a conflict between the diet provided by the Army and that required by religious practice may request an exception to policy to ration separately. Religious belief is grounds for granting such an exception. The soldier may also request permission to take personal supplemental rations when in a field or combat environment. Most of these needs are met in a garrison environment with the current diet being more difficult in a field or combat environment. Meals-ready-to-eat (MRE) should accommodate most soldiers with religious dietary concerns and may be the only ration available.

5. Medical Practices. Some religious practices conflict with normal Army medical procedures. These practices include beliefs in self-care, and prohibitions against immunizations, blood transfusions, or surgery. The Army's concern is with the possible effects on accommodation on the soldier's health and ability to carry out assigned tasks, the health of others, and the military medical system. A soldier whose religious tenets involve self-care may request accommodation for non-emergency or non-life-threatening illness or injury. However, the unit and medical treatment facility commanders will determine the time constraints for the soldier to recuperate without requiring military medical care.

6. Wear and appearance of the uniform. Religious jewelry, apparel, or articles (hereafter referred to as religious items) may be worn while in uniform if they are neat, conservative, and discreet. Religious items which are neat, conservative, and discreet are those which meet the wear and appearance of the uniform standards delineated in AR 670-1. Except as noted in the following paragraphs, wear of religious items which do not meet the standards of AR 670-1 is not authorized and will not be accommodated. The following are exceptions:

a. Wear of religious items which are not visible or apparent when in duty uniform is authorized, unless precluded by specific mission-related reasons (which will normally be of a temporary nature). Examples of such items include (but are not limited to) religious jewelry worn under the duty uniform or copies of religious symbols or writing carried by the individual in wallets or pockets. Religious items which are visible or apparent are governed by the standards of AR 670-1.

b. Religious jewelry, for example, which is visible or apparent when in duty uniform is authorized if it meets the standards of AR 670-1. Jewelry bearing religious symbols or worn for religious reasons will not be singled out for special

accommodation, restriction, or prohibition; all wear and appearance standards will apply equally to religious and non-religious jewelry.

c. Religious items which do not meet the standards of AR 670-1 may be worn by soldiers in uniform while they are present at a worship service, rite, or other ritual distinct to a faith or denominational group. Commanders may, for operational or safety reasons, limit the wear of non-subdued items of religious apparel during services conducted in the field.

d. Religious headgear may be worn at all times while in uniform if the headgear meets the following criteria.

(1) The religious headgear is subdued in color (generally black, brown, green, dark or Navy blue, or a combination of these colors).

(2) The religious headgear is of a style and size which can be completely covered by standard military headgear.

(3) The religious headgear bears no writing, symbols, or pictures.

(4) Wear of the religious headgear does not interfere with the wearing or proper functioning of protective clothing or equipment.

(5) Religious headgear which meets these criteria is authorized irrespective of the faith group from which it originates.

(6) Religious headgear will not be worn in place of military headgear under circumstances when the wear of military headgear is required (for example, when the soldier is outside or required to wear headgear indoors for a special purpose).

(7) PT uniforms present a particular problem for soldiers of both genders and many religious faiths, due to concerns about modesty. Such concerns are not only religious, but at times are based in social or regional perspectives. Differences in physiology and physical comfort levels between individual soldiers also affects wear of the PT uniform. Commanders have the authority to prescribe uniformity in PT formations. They will, however, consider the factors noted above if doing so.

7. Personal Grooming. The Army does not accommodate exceptions to personal grooming standards for religious reasons except as noted below:

a. Commanders will use AR 670-1 to determine whether religiously-based grooming practices are authorized. Grooming practices based in religious reasons will not be singled out for special accommodation, restriction, or

prohibition; all grooming standards will apply equally to religious and non-religious grooming practices.

b. An as exception to this policy, religious-based exceptions to policy previously given soldiers under the provisions of this regulation prior to 1 January 1986 continue in effect as long as the affected soldiers remain otherwise qualified for retention. However, soldiers previously granted authority to wear unshorn hair, unshorn beard, or permanent religious jewelry will not be assigned permanent change of station or temporary duty out of CONUS due to health and safety considerations.

8. When religious faith and practices place soldiers in conflict with military requirements, soldiers should submit a written request to their commander for an accommodation of religious practices. In many cases, the unit commander can easily grant the accommodation. In other situations, the commander may be unable to grant full accommodation due to the nature of the request, the mission of the unit, or other extenuating circumstances.

NOTE: Refer students to Student Handout #9-B-1.

9. Requests for Accommodation.

a. Requests for religious accommodation of wear and appearance of the uniform and personal grooming practices will not be entertained. The provisions of AR 670-1 apply.

b. Soldiers will submit requests for religious accommodation of other matters to their immediate commander. The commander may approve the request either informally or formally (in writing), or disapprove it. Commanders will respond to requests for religious accommodation within 10 working days of receipt.

c. If a commander approves a request informally, the issue is closed, except that the commander will assist the soldier in completing those actions necessary to the accommodation (for example, obtaining permission to ration separately or adjusting the unit duty roster).

d. If the commander approves a request formally, the commander will provide the soldier with written notice of the accommodation. The accommodation will then remain in effect unless revoked, in writing, by a subsequent commander of that unit; by a commander of a gaining unit if the soldier is transferred; or by a higher commander. If the accommodation is revoked, the written notice of revocation, accompanied by a copy of the original accommodation, will constitute an appeal and will be forwarded through command channels, without further attachments, IAW the routing described in paragraph (e) below.

e. If the commander disapproves the request the commander will afford the soldier the opportunity to appeal the disapproval. This appeal will be done by means of a memorandum from the soldier, through each level of command (to specifically include MACOM) to the Deputy Chief of Staff for Personnel, ATTN: DAPE-HR-L, Washington, DC 20310-0300. The memorandum will include, at a minimum the name, rank, social security number, unit, and MOS of the soldier; the nature of the accommodation requested, and the religious basis for the request. Attachments will accompany the memorandum. Mandatory attachments are endorsements by commander(s), a memorandum from a chaplain, and indication of legal review. Optional attachments include statements by peers or officials of the soldier's faith group, copies of religious writings, statements, or doctrinal declarations bearing on the soldier's request, documents pertaining to the character of the soldier's service, and (if appropriate) a statement from the soldier explaining in more detail the nature of the request.

(1) The assigned unit chaplain, or other chaplain determined by the senior chaplain present, will interview the soldier concerning the request for accommodation. A memorandum stating that this interview has occurred will accompany the request for appeal. This memorandum will address the religious basis and sincerity of the soldier's request. The chaplain is not required to recommend approval or disapproval, but may do so if desired. Memoranda from other chaplains may accompany the appeal as optional attachments, but do not meet the requirement for interview by the assigned unit chaplain or one determined by the senior chaplain present.

(2) Evidence of legal review will be in accordance with local Staff Judge Advocate procedures and will focus on whether the appeal memorandum and attachments are complete within the provisions of this regulation.

f. If a commander at any level approves the request for accommodation, written approval will be returned to the soldier through channels. If the commander disapproves it, the packet will be so endorsed and forwarded to the next level of command.

g. If all levels of command disapprove the request for accommodation it will be forwarded to the Deputy Chief of Staff for Personnel, ATTN: DAPE-HR-L, for final decision.

h. The DCSPER's decision will be transmitted through channels to the soldier requesting accommodation within 30 days after receipt of the request. Appeals to decisions by the DCSPER will not be entertained. Religious accommodations granted by the DCSPER may only be revoked by the DCSPER.

i. Appeals to denials of accommodation will reach the DCSPER within 90 days after the soldier submits the request (120 days OCONUS).

j. Soldiers whose appeals are denied may request separation from the Army under the provisions of AR 635-200, paragraph 5-3. Commissioned or warrant officers who request separation for reasons of religious accommodation will follow the application for release from active duty as prescribed in AR 635-100 (for other than Regular Army [OTRA]), or apply for an unqualified resignation as outlined in AR 635-120 (for Regular Army [RA]). All personnel separated or discharged from the U.S. Army because of conflict between their religious practices and military requirements will be subject to recoupment of Federal funds as outlined in referenced directives.

10. Nothing in AR 600-20 shall be construed to limit the authority of commanders to enforce standards by means of all applicable provisions of the Uniform Code of Military Justice while requests and appeals are being processed. Soldiers are obligated to adhere to orders and standards set by their immediate commanders.

NOTE: Advise students that sample requests for accommodation and a flow chart for submitting requests are provided at Student Handout #9-B-2. Review handout with students.

SHOW VIEWGRAPH #9-B-5

COMMANDER'S REQUIREMENTS
<ul style="list-style-type: none">● High value the Army places on religious beliefs● Request is sincere and religion based● If the accommodation will have an adverse impact on military readiness, unit cohesion, standards, health, safety, or discipline● Importance of the accommodation to the individual● Impact of similar requests● Alternatives● Previous treatment of similar requests

11. Commanders who receive requests for accommodation will determine:

a. Consider the high value the Army places on the rights of its members to observe their respective religious beliefs.

b. If the request is sincere and religion based. Only sincere religious based practices will receive consideration.

c. If the requested religious practice would have an adverse impact on military readiness, unit cohesion, standards, health, safety, or discipline.

d. The religious importance of the accommodation to the requester.

e. The cumulative impact of repeated accommodation of a similar nature.

f. Alternative means available to meet the requested accommodation.

g. Previous treatment of the same or similar requests, including treatment of similar requests made for other than religious reasons.

12. When determining whether a practice is based on religion, it is important to remember religious practices are not limited to the mandatory tenets of a religious group. Religious practices required by individual conscience or personal piety may warrant the same consideration for accommodation even if not based on tenets of a recognized religious group. Commanders are encouraged to refer questions about religious practices to the chaplain or staff judge advocate.

NOTE: Refer students to Student Handout #9-B-2 and discuss it with them.

13. Commanders who receive requests for accommodation may approve the request, disapprove the request, or forward the request through the chain of command for action or recommendations. Requests disapproved should contain specific reasons why the accommodation was not approved.

14. Pending a decision on the soldier's request for accommodation, commanders should consider one of the following interim measures:

a. Excuse the soldier from duties or activities that conflict with the soldier's religious practices because of the nature or hours of those duties or activities.

b. Require the soldier to perform alternative duties that do not conflict with the soldier's religious practices.

c. Require the soldier to perform normal duties during hours that do not conflict with the soldier's religious practices.

d. Grant the accommodation temporarily until a final decision is made.

15. When requests for accommodation are not approved by the commander, and continued conflict between the unit's requirements and the soldier's religious

practices is apparent, administrative action may be requested. These actions may include but are not limited to reassignment, reclassification, or separation.

CLOSING: The Army places a high value on the rights of individuals to observe their religious tenets and practice those beliefs. If the accommodation can be made, then the request should be granted. However, there are times when the accommodation cannot be approved as it will have an adverse impact on the unit mission, cohesion, health, safety, discipline or readiness. Summarize lesson objectives.

**STUDENT HANDOUT #9-B-1
RELIGIOUS ACCOMMODATION REQUEST**

1. Sample format for requesting accommodation of a religious medical request:

(Letterhead)

Office Symbol

(Date)

MEMORANDUM FOR COMMANDER, *(Unit Address)*

SUBJECT: Request for Accommodation of Religious Practice

1. Under AR 600-20, paragraph 5-6, I request accommodation of my religious medical practice. I desire to *(list religious medical practice(s) requested)*.

2. The following enclosures are provided to assist the commander to evaluate my request:

a. Official statements extracted from documents of my religious faith group or statements on official letterhead from leader(s) of my faith group pertaining to my religious medical practice(s).

b. Statements from members of my religious faith group.

c. Statements from others who know me and the religious medical practice/requirements of my faith group.

3. I fully understand the accommodation, if approved, is valid only for this unit and this commander.

4. Copies of this request may be retained in Government records.

Encls

JOHN L. DOE
SPC, 111-11-1111

2. Sample format for requesting an exception to wear and appearance policies as an accommodation of religious practices:

(Letterhead)

Office Symbol

(Date)

MEMORANDUM FOR COMMANDER, *(Unit Address)*

SUBJECT: Request for Exception to Wear and Appearance Standards Based on a Religious Practice.

1. Under AR 600-20, paragraph 5-6, and AR 670-1, I request an exception to wear and appearance policies as an accommodation of religious practices. These practices require me to *(describe your needs and how they conflict with military requirements)*.

2. The following enclosures are provided to assist the commander to evaluate my request:

a. Official statements extracted from documents of my religious faith group or letters written on official letterhead from leader(s) of my faith group pertaining to requirements of practices of my religious faith group.

b. Statements from members of my religious faith group.

c. Statements from others who know me and the practices/requirements of my faith group.

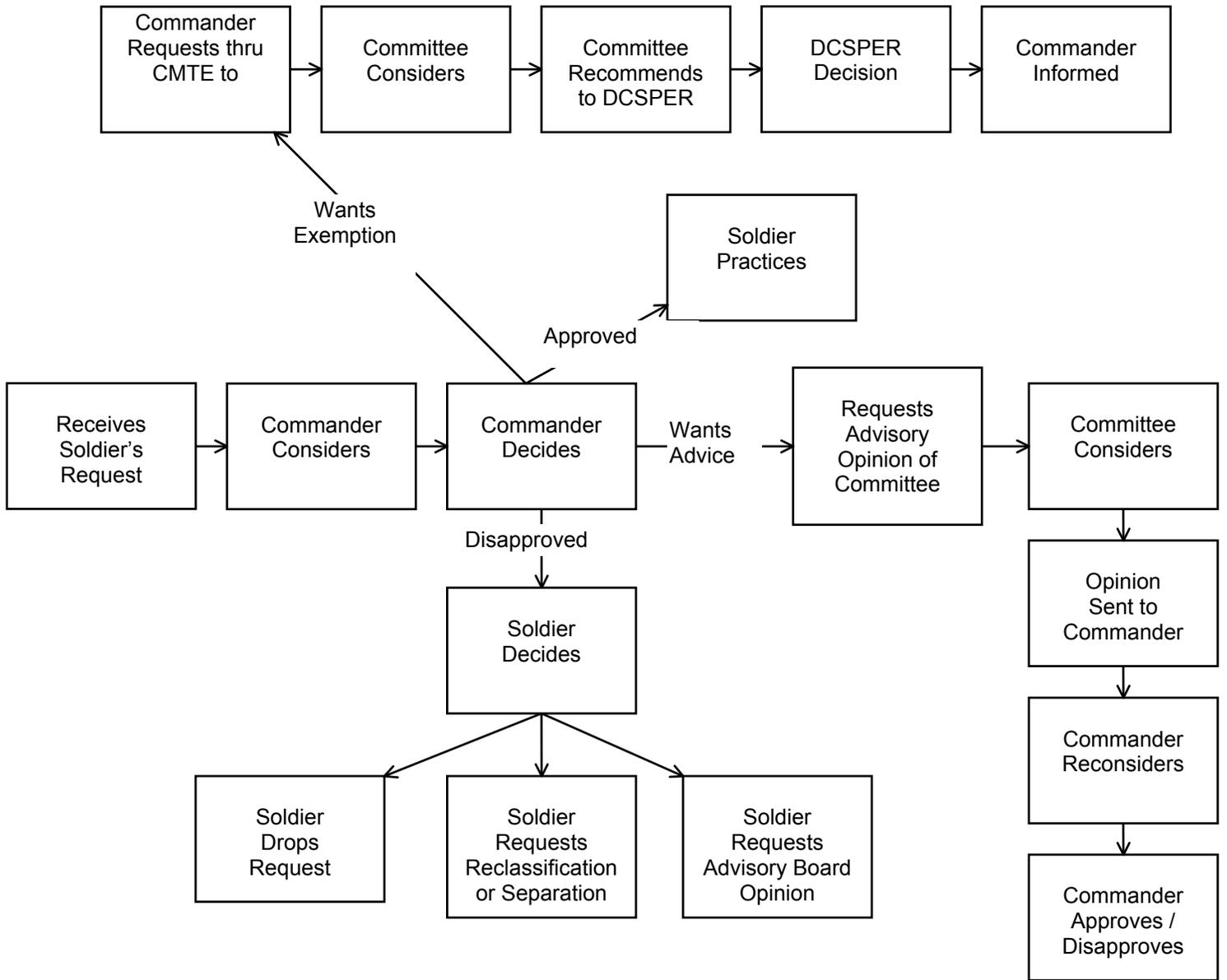
3. I fully understand the accommodation, if approved, is valid only for this unit and this commander.

4. Copies of this request may be retained in Government records.

Encls

JOHN L. DOE
SPC, 111-11-1111

**STUDENT HANDOUT #9-B-2
REQUEST FOR RELIGIOUS ACCOMMODATION FLOW CHART**





PURPOSE OF COMMAND CLIMATES

**TO PROVIDE THE LEADERSHIP A “PICTURE”
OF A UNIT AS IT IS PERCEIVED BY MEMBERS
OF THE ORGANIZATION AS IT RELATES TO
RACE, GENDER, COLOR, RELIGION, NATIONAL
ORIGIN, AND SEXUAL HARASSMENT**



KEY ELEMENTS

- **DESIRED OUTCOME**
- **SCOPE AND SEQUENCE OF EVENTS**
- **RESOURCES AND TIME**
- **ACTION PLANNING AND INTERVENTION STRATEGIES**
- **CONDITION UNDER WHICH THE ASSESSMENT IS CONDUCTED**



PRINCIPLES

- **BE CAPABLE AND COMPETENT**
- **ACT ON PROBLEMS**
- **DON'T ONLY FOCUS ON WHAT IS PERCEIVED
PERCEIVED IS WRONG**
- **TREAT PERCEPTION AS HAVING REAL
REAL CONSEQUENCES**
- **TREAT ALL EO PROBLEMS WITH THE SAME
DEGREE OF SENSITIVITY AND SINCERITY**



PRINCIPLES

(Cont'd)

- **KNOW THE IMPACT OF WHAT IS SAID, SEEN, OR DONE**
- **BE ACCESSIBLE TO EVERYONE**
- **NOT ALL COMPLAINTS CAN BE SUBSTANTIATED**
- **BE AWARE OF THE ENVIRONMENT OF THE UNIT**
- **FOLLOW - UP ON ALLEGATIONS OF DISCRIMINATION**
- **SEEK ASSISTANCE FROM THE EOA**