

1. Rationale

Policy 3135 – Human Rights and Equity and its related procedures outline the Simcoe County District School Board’s (SCDSB) continued commitment to providing education and awareness, and to the promotion and protection of the human rights and equity of staff and students, in compliance with the Ontario Human Rights Code (OHRC), *the Education Act*, the Canadian Charter of Rights and Freedoms, and the *Occupational Health and Safety Act* (OHS Act). This policy should be read in conjunction with the board’s commitment to ensuring equitable and inclusive learning and working environments as set out in Policy 3130 – Equity and Inclusive Education.

2. Policy

- 2.1 It is the policy of the SCDSB to continue to build and maintain a culture of respect for human rights and equity, including identifying and addressing systemic barriers and inequitable or discriminatory practices, to ensure human rights are protected in compliance with the OHRC.
- 2.2 It is the policy of the SCDSB to ensure human rights obligations are met by providing leadership, guidance, and assistance with the resolution of complaints in a confidential, fair, just, and equitable manner.

3. Definitions

- 3.1 Human rights-related definitions can be found on the Human Rights and Equity Office (HREO) page on the SCDSB website. The link is provided below.
https://cdn5-ss14.sharpschool.com/UserFiles/Servers/Server_210898/File/Human%20Rights%20and%20Equity%20Office/Human-Rights-and-Equity-Definitions.pdf

4. Guidelines

The SCDSB has a duty to maintain an environment respectful of human rights and free of harassment for all persons employed and served by it.

- 4.1 Responsibilities:
 - 4.1.1 Under the authority of the Director of Education, the SCDSB shall continue to take action to promote and protect the human rights of staff and students to eliminate harassment, discrimination, and reprisal in employment and education.

- 4.1.2 All SCDSB Principals and Vice-principals are responsible for:
 - 4.1.2.1 annually reviewing the OHRC, this policy and any related policies and procedures with staff and students, and providing training and education to ensure staff and students understand their rights and responsibilities;
 - 4.1.2.2 taking action to promote awareness of human rights within our school community, dealing with concerns and complaints in a timely manner and eliminating harassment, discrimination and reprisal in employment and education;
 - 4.1.2.3 promoting and enforcing appropriate standards of conduct; and,
 - 4.1.2.4 taking proactive steps to ensure that human rights and equity are included in their annual school action plans that are inclusive of all identities protected under the OHRC.
- 4.1.3 All SCDSB supervisors/managers are responsible for:
 - 4.1.3.1 annually reviewing the OHRC, this policy and any other related policies and procedures with staff, and providing training and education to ensure staff understand their rights and responsibilities;
 - 4.1.3.2 taking action to promote awareness of, and protect, the human rights of SCDSB staff, dealing with concerns and complaints in a timely manner and eliminating harassment, discrimination, and reprisal in employment and education; and,
 - 4.1.3.3 promoting and enforcing appropriate standards of conduct.
- 4.1.4 All SCDSB staff and students have the right to:
 - 4.1.4.1 meaningful access to equitable and inclusive employment and education free from discrimination and harassment based on any protected ground under the OHRC; and,
 - 4.1.4.2 have their dignity and rights respected including in any disciplinary process.
- 4.1.5 All SCDSB staff, students, and parents/guardians are responsible for:
 - 4.1.5.1 respecting the human rights and dignity of each person;
 - 4.1.5.2 refraining from discrimination, harassment, hate-related behaviour, or reprisal;
 - 4.1.5.3 reporting any incidents of discrimination, harassment, hate-related behaviour, reprisal, or other violations of this policy that they become aware of; and,
 - 4.1.5.4 requesting any accommodation needed to fully access their rights as employees or students.

- 4.1.6 The HREO is responsible for:
 - 4.1.6.1 providing oversight to the SCDSB's internal human rights complaints procedure;
 - 4.1.6.2 impartially and fairly investigating, resolving, mediating, and addressing human rights concerns and complaints;
 - 4.1.6.3 engaging in research, data collection, analysis, reporting, and evaluation of the SCDSB's performance in promoting and protecting human rights, in collaboration with other departments;
 - 4.1.6.4 providing guidance to SCDSB staff and students with respect to their human rights and responsibilities; and,
 - 4.1.6.5 initiating and implementing environmental scans of schools, as required by the Director of Education or Associate Director.
- 4.2 Accommodations
 - 4.2.1 Where the need for an accommodation based on a protected ground under the OHRC is substantiated, the SCDSB will provide reasonable accommodations short of the point of undue hardship.
- 4.3 Discrimination, Harassment, Bullying, and Hate-related Aggressions
 - 4.3.1 Discrimination, harassment, bullying, hate-related behaviour and aggressions, on protected grounds under the OHRC in any form (e.g. by conduct, electronic, printed or verbal) shall not be tolerated or condoned.
- 4.4 Complaints About Policy Violations
 - 4.4.1 Complaints about violations of Policy 3135 should be made in writing and filed with the HREO for review, investigation, mediation or other resolution by the Human Rights and Equity Manager (HREM) within the same academic year as the incident(s) for which the complaint is being filed.
 - 4.4.2 The HREM from the HREO will determine whether a policy has been violated based on the findings in the investigator's report. If a policy has been violated, the HREM (with consultation as may be appropriate from time to time with Human Resource Services or the Director of Education or their designate) will determine the appropriate consequences for the person(s) who violated the policy. The HREM will be responsible for monitoring the outcome of the complaint.
- 4.5 Reprisal(s)
 - 4.5.1 Every person has the right to claim and enforce their right to be free of discrimination and harassment. No person shall be negatively treated or experience retaliation or reprisal for bringing forward a human rights or harassment concern or complaint, providing information related to a complaint, supporting a person involved in a human rights or harassment complaint, or helping to resolve a complaint. Complaints of reprisal should

be brought to the attention of the HREO as soon as reasonably possible for investigation and resolution.

4.6 Anonymity and Confidentiality

4.6.1 Information about accommodations and accommodation requests shall be treated in a confidential manner by the SCDSB, subject to any requirements at law.

4.6.2 Concerns and complaints with respect to the OHRC shall be treated in a confidential manner by the SCDSB, subject to any requirements at law.

4.7 Participation and Inclusion

4.7.1 The SCDSB shall prioritize engagement with staff and students to include and honour diverse voices, knowledge, identities, and experiences within the school community.

4.7.2 The SCDSB shall create regular opportunities for dialogue with school communities to seek feedback and advance human rights-based organizational change.

4.8 Transparency and Accountability

4.8.1 The SCDSB shall ensure that staff, students, and parents/guardians are made aware of this policy and are held accountable for complying with this policy and all related procedures.

4.8.2 The SCDSB shall review its policies, practices, and procedures as part of its commitment in identifying and removing barriers within the system to ensure that all students and staff are offered supportive, inclusive, and respectful learning and working environments.

4.9 System Communication

4.9.1 The SCDSB's employment equity plan ensures that staff reflect diverse identities, lived experiences and perspectives to assist the SCDSB in best serving our diverse community.

4.9.2 The SCDSB shall deliver ongoing professional development and outreach on anti-oppression, anti-racism, anti-bias, and human rights, in support of the implementation of this policy, and to ensure everyone understands their rights and responsibilities.

5. Administrative Procedures

The Director of Education is authorized to provide the administrative procedures necessary to implement this policy.

References

Policy 3130 – Equity and Inclusive Education

Policy 4106 – Homework

Policy 4180 – Assessment, Evaluation and Reporting of Student Achievement

Education Act, R.S.O. 1990, c. E.2

Occupational Health and Safety Act

GENERAL

3100

HUMAN RIGHTS AND EQUITY

3135

Page 5

Ontario Human Rights Code, R.S.O. 1990, c. H.19

Ontario Human Rights Commission - Policies and Guidelines

Truth and Reconciliation Commission of Canada: Calls to Action

United Nations Declaration on the Rights of Indigenous Peoples

ADOPTED AUGUST 31, 2022

APM A1460

APM A4008

APM A4075

APM A7125

APM A7635

APM A7230

APM A9000