



Human Rights Annual Report 2018 – 2020: Update

To: Program and School Services Committee

Date: 5 May, 2021

Report No.: 05-21-4087

Strategic Directions

- Create a Culture for Student and Staff Well-Being
- Provide Equity of Access to Learning Opportunities for All Students

Recommendation

It is recommended that Human Rights Annual Report 2018 – 2020 update be received.

Context

The Human Rights Annual Report 2018 – 2020 was presented to Program and School Services Committee of the Board on February 17, 2021 and the committee recommended that the report be received. In addition, the committee requested two changes that were incorporated into the report when presented to and received by the Board at the March 10, 2021 Board meeting: 1) provide additional data on complaints and hate reports instead of “other”; and, 2) include a statement about the Human Right’s Office’s commitment to working with the new Centre for Black Student Excellence.

The committee also asked the Office to provide information on timelines for the action plans and school charter to be presented at the May 5, 2021 meeting. The Action Plan and Associated Timeline is attached as Appendix B.

Action Plan and Associated Timeline

Human Rights Action Plan: 2021 is tied to the Board’s Multi-Year Strategic Plan. The overall goal of the Plan in the MYSP is to “identify and eliminate embedded systemic barriers and discriminatory institutional and instructional practices that negatively impact the achievement and well-being of students and staff and lead to inequitable outcomes.”

Four components make up the newly developed “human rights organizational change strategy to infuse human rights principles into the work of the Board, in every school, and in every workplace, including through professional learning, education and inclusive system design, monitoring and barrier review” as committed to in the October 2019 updated Human Rights Action Plan:

1. System Accountability
2. Capacity Building
3. Outreach and Engagement
4. Incident/Complaint Resolution

Resource Implications

Requests for funding to address additional staffing in the Human Rights Office will continue to be made through Business Services.

Communications Considerations

The Human Rights Annual Report 2018 – 2020 and the associated action plan will be shared with key stakeholders through existing TDSB communication channels and posted publicly on the TDSB’s website.

Board Policy and Procedure Reference(s)

- Employment Equity (P029)
- Human Rights Policy (P031)
- Workplace Harassment Prevention Policy (P034)
- Equity Policy (P037)
- Caring and Safe Schools Policy (P051)
- Accessibility Policy (P069)
- Workplace Harassment Prevention and Human Rights Procedure (PR515)
- Reporting and Responding to Incidents of Racism and Hate Involving or Impacting Students in Schools (PR728)

Appendices

- [Appendix A: Human Rights Update: Annual Report 2018-2020](#)
- Appendix B: Action Plan and Associated Timeline

From

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Appendix B: Human Rights Action Plan: 2021 and Beyond

The overall goal of the Human Rights Action Plan (HRAP) in the MYSP is to “identify and eliminate embedded systemic barriers and discriminatory institutional and instructional practices that negatively impact the achievement and well-being of students and staff and lead to inequitable outcomes.”

The four components described below, make up the newly developed “human rights organizational change strategy to infuse human rights principles into the work of the Board, in every school, and in every workplace, including through professional learning, education and inclusive system design, monitoring and barrier review” as committed to in the [October 2019 updated Human Rights Action Plan](#). The implementation of this human rights organizational change strategy is ongoing.

SYSTEM ACCOUNTABILITY

The October 2019 Human Rights Action Plan commits to “develop and implement a human rights accountability framework to clarify roles and responsibilities and integrate and mainstream accountability for human rights across the Board, including through policy, procedure, and performance management and evaluation.” It also calls for “integrating principles of human rights in the Leadership Capacity Plan.” These are integrated in the schedule of initiatives below.

The desired outcome of scheduled activity in this area of work is:

- All TDSB members are held accountable for upholding human rights with meaningful consequences for poor human rights performance.
- The TDSB is transparent about its human rights commitments, plans, measures, and progress

#	ITEM	TIMELINE	CURRENT STATUS
1	Finalize updates and revisions to: <ul style="list-style-type: none"> • PO34 (Human Rights Policy), PO31 (Workplace Harassment Prevention Policy) • PR515 (Workplace Harassment Prevention and Human Rights Procedure) Hard launch of the new PR 728 (Reporting and Responding to Racism & Hate Incidents Involving or Impacting Students) and Racism, Bias & Hate Portal	June 2021 Fall 2021 Completed November 30, 2020	Public consultations close April 30, 2021 In progress Completed November 30, 2020

HUMAN RIGHTS ACTION PLAN: 2021 – April 29, 2021

#	ITEM	TIMELINE	CURRENT STATUS
2	Finalize updates in collaboration with Employee Services to policy directives and guidelines and related promotional materials governing PAID Miscellaneous Days for Religious Holy Days	Summer 2021	On hold pending new staff hiring and completion of initial phase of backlog reduction plan
3	Support Indigenous Urban Education Centre with human rights positioning as need be regarding special program hiring and bona fide occupational requirements in support of targeted hiring measures (in collaboration with Employment Equity)	Ongoing	This work has begun and is ongoing
4	Support TDSB Centre of Excellence for Black Student Achievement in the goal of dismantling anti-Black racism within the school board, including improving the experiences of Black students and staff	Partnership to begin fall 2021	
5	Support update of TDSB Guidelines for the Accommodation of Transgender and Gender Non- Conforming Students and Staff in collaboration with Gender-Based Violence team members	End of 2021/2022 school year	Work has begun
6	Update of new integrated Sexual Harassment Policy (in collaboration with Employee Services, Policy Services, GBV team, Caring & Safe Schools)	March 2022	Work has begun
7	Update TDSB's Guidelines and Procedures for Religious Accommodation	Work will begin in 2021/2022 school year	
8	Development of a more holistic and global TDSB and HRO Human Rights Performance Evaluation Framework and Scorecard including broader Key Performance Indicators (in collaboration Employee Services)	Work will begin in 2021/2022 school year	
9	Development of a Human Rights Organizational Change Program: <ul style="list-style-type: none"> • A process to identify, remove and prevent potential systemic forms of discrimination in TDSB policies, procedures or practices, whether by virtue 	Work to begin fall 2021	

#	ITEM	TIMELINE	CURRENT STATUS
	<p>of acts of commission or omission (including development of a Human Rights Impact Assessment Framework and Tool)</p> <ul style="list-style-type: none"> • A performance management framework to integrate and embed accountability for human rights across the organization, including in human resource hiring and promotion decisions and performance management • Data collection, analysis and reporting to measure and evaluate the TDSB’s progress in protecting and advancing human rights, and to inform appropriate remedial and preventive systemic interventions; and • Information, learning and awareness to ensure TDSB members are aware of their rights and responsibilities under this Policy and have the necessary knowledge, skills and competencies to fulfill these. <ul style="list-style-type: none"> ○ launch an internal and external HRO website; ○ create a learning strategy; 	<p>Work will begin in 2021/2022 school year</p> <p>Ongoing</p> <p>Learning Strategy – December 2021</p>	<p>Ongoing</p> <p>Website launch is complete.</p> <p>Initial phase of learning strategy is complete.</p>

CAPACITY BUILDING

Capacity building initiatives scheduled for completion or starting this year relate primarily to professional development and learning, but also the development of tools and resources, and alignment and integration of governance structures and bodies to help coordinate, steer and inform overlapping areas of human rights related work at the TDSB (including which extends beyond the HRO Operational Plan and requires cooperation across functional work areas).

The desired outcomes of such work include:

1. TDSB leaders & staff (including within the HRO) have the requisite knowledge, skills & resources to effectively fulfill their human rights duties.
2. Governance structures & processes support the integration of human rights perspectives into decision-making at all levels (policy renewal, PR728 data and reporting, Human Rights, Equity & Indigenous Education Coordinating & Issue Management Committee).

#	ITEM	TIMELINE	CURRENT STATUS
1	Development and delivery of a comprehensive Human Rights Education Program for TDSB members	Phase 2 (more advanced training) - December 2021	Phase 1 (training building blocks) - complete
2	Development of interpretive guides and educational resources in support of effective implementation of new and updated policies and procedures (e.g. PO31, PR728, PR515 etc.)	P031 resources – Fall 2021 PR515 resources – Winter 2021	PR728 – complete
3	Backlog Reduction Plan aiming to ensure adequate resources and capacity within HRO, and appropriate policy/governance design, to enable elimination of backlog and timely resolution of complaints. Ongoing plan to include continual optimization of policies and procedures and review of resources and capacity.	Backlog threshold assessments – end of April 2021 Backlog investigations – begin May 2021, most completed Sept 2021. Investigations arising out of backlog threshold assessments – begin Sept 2021, most completed Dec 2021.	Backlog reduction plan – complete. Majority backlog threshold assessments complete.

#	ITEM	TIMELINE	CURRENT STATUS
		New Senior Human Rights Officers – June 2021	Two additional Senior Human Rights Officer positions hiring – in process.
4	Creation of Human Rights/Equity/Indigenous Urban Education Committee to help better align and integrate human rights, equity and Indigenous rights related work across the TDSB.	Fall 2021	
5	Providing support to the Board’s Bylaws Review Ad Hoc Committee	Ongoing	Ongoing

OUTREACH AND ENGAGEMENT

The desired outcomes of the Outreach and Engagement pillar of the HRO’s work include:

1. TDSB staff, students & parents are aware of their rights & responsibilities & mechanisms to enforce these; and
2. The human rights concerns of historically marginalized & disadvantaged groups are identified & amplified, and shape decisions impacting them.

#	ITEM	TIMELINE	CURRENT STATUS
1	Development and launch of new internal and external facing website with regular updated HRO communications to the TDSB community	Completed Winter 2021	Websites launched. Updates ongoing.
2	Development of Student/Parent Outreach & Engagement Plan, to inform HRO efforts to better serve and engage student and parent members of the TDSB community, including in ways that will inform further future operational planning in other action pillar areas	By the end of the 2021/2022 school year	
3	Initial development and piloting of a “Human Rights Charter for Schools” project whereby the HRO will partner with select schools in an effort to support human rights organizational development at the school level	Prototype - Jan 2022 Pilot complete - Sept 2022	Plan under development.

INCIDENT/COMPLAINT RESOLUTION

The October 2019 Human Rights Action Plan speaks to the need to “address and resolve disputes effectively and expediently when they arise through conflict resolution and mediation facilitated by the Human Rights Office (ongoing)”; and to “investigate human rights cases brought to the Human Rights Office in a timely and effective manner consistent with Board policies and procedures (ongoing)”.

#	ITEM	TIMELINE	CURRENT STATUS
1	Launch and optimization of Racism, Bias and Hate Online Portal for reporting and responding to incidents under the new Procedure 728 (Reporting and Responding to Racism and Hate Incidents Involving or Impacting Students in Schools)	Completed November 2020	Complete
2	Finalization and launch of new online Human Rights Inquiry Portal for fielding inquiries and receiving advisory HRO support for members of the TDSB community on issues of human rights concern	Fall 2021	In progress. Staff to be trained June 2021 Soft launch June 2021 Hard launch September 2021
3	Launch of new online Human Rights Complaint Portal for filing human rights complaints with the Human Rights Office	By the end of the 2021/2022 school year	
4	Development of Early Resolution Promotion Strategy to enhance early resolution of human rights incidents before the complaint stage wherever possible and appropriate	By the end of the 2021/2022 school year	

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