

Toronto District School Board

Policy P031

Title: **Human Rights**

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Authorization: Board of Trustees

1. RATIONALE

The Human Rights Policy (the “Policy”) has been developed to affirm and support the Toronto District School Board’s (TDSB) commitment to defending, upholding and promoting human rights in all learning and working environments for the benefit of all members of the TDSB community. This Policy supports the implementation of TDSB obligations under the Ontario *Human Rights Code*, the *Education Act*, the *Canadian Charter of Rights and Freedoms*, and the *Occupational Health and Safety Act*.

2. OBJECTIVE

To protect, promote and advance the human rights of all TDSB members to learn, function and work in an equitable, accessible, respectful and inclusive environment free of discrimination and harassment on the basis of the prohibited grounds of discrimination specified in this Policy and protected under the Ontario *Human Rights Code* and the *Canadian Charter of Rights and Freedoms*.

To enhance the capacity of the TDSB to meet its positive human rights obligations, including to proactively identify, address, and prevent all forms of discrimination, including individual and systemic discrimination.

3. DEFINITIONS

Allegation refers to an unproven claim or assertion that someone has violated this Policy.

Board refers to the Toronto District School Board, which is also referred to as the “TDSB.”

Code refers to the Ontario *Human Rights Code*.

Condonation refers to the practice – particularly on the part of those in supervisory, leadership or management positions – of overlooking, downplaying, accepting and/or failing to respond to discriminatory behaviour.

Directing Minds refers to employees with supervisory authority who function, or are seen to function, as representatives of an organization. Persons who are not identified as supervisors *per se* may be directing minds if they have supervisory authority or have significant responsibility for the guidance of employees.

Discrimination refers to differential and unfair treatment, based on one or more prohibited grounds, that results in disadvantage for a person or group in a TDSB environment. Discrimination can be direct or indirect, individual or systemic, and need not be intended. It also includes hate activity in TDSB environments.

Employee includes any person who is an “employee” under the *Code*. It also includes any person who is a “worker” under the *Occupational Health and Safety Act* including, but not limited to full-time, part-time, regular, temporary, and probationary employees; co-op students; and contract employees.

Harassment refers to a course of vexatious comment or conduct in a TDSB environment, based on a prohibited ground, which is known, or ought reasonably to be known, to be unwelcome, and includes sexual harassment. Harassment is a form of discrimination. It is usually the result of a series of incidents (“a course” of comment or conduct) but may also result from one very serious incident. (Note: non-*Code* harassment, which is not based on a prohibited ground, is covered under the Workplace Harassment Prevention for Non-Human-Rights-Code Harassment Policy [P034].)

Hate Activity refers to hate crimes, hate/bias incidents and racist hate/bias incidents as defined in this Policy (see definitions below).

Hate/Bias Incident refers to non-criminal conduct – which does not involve violence, threats or property damage – that is motivated in whole or in part by hatred or bias based on the real or perceived identity or group affiliation of a victim or victims. For the purposes of this procedure, this includes the grounds of disability, gender identity, gender expression, sex, sexual orientation, family status, marital status, socio-economic status, and religion or creed (Note: hate/bias incidents based on race-related grounds, which may sometimes also include religion or creed, are addressed under the category “racism incidents”). A hate/bias incident can also encompass situations in which conduct is directed against people associated with individuals and groups identified with these grounds. The conduct can be verbal, nonverbal or written, and may manifest itself in the form of slurs, insults, harassment, abusive gestures, taunting, display of offensive materials, or other acts which may intimidate, denigrate and/or marginalize the victim or victims.

Hate Crime refers to a criminal offence that is committed against a person or property, and which is motivated in whole or in part by hatred or bias based on the victim's race, national or ethnic origin, language, colour, creed, religion, sex, age, mental or physical disability, sexual orientation, gender identity, or gender expression. This includes, but is not limited to, hate-motivated violence, incitement to hate-motivated violence, and/or the display of symbols or other representations identified with groups promoting hate and violence. It also includes a crime committed against a person who is associated, or perceived to be associated, with persons who belong to the aforementioned *Code*-protected groups.

HRO refers to the Human Rights Office.

Intersectional Discrimination is a form of discrimination. It refers to discrimination that occurs based on two or more *Code* grounds that produces a unique and distinct form and experience of discrimination that cannot be reduced to any single *Code* ground. The concept of intersectional discrimination recognizes that people's lives involve multiple overlapping identities, and that marginalization, exclusion and discrimination may be further exacerbated because of how these identities interact or "intersect."

Learning Environment refers to any land, premises, location or thing at, upon, or in which a TDSB student or member learns or engages in activities connected to the learning environment (e.g. parent engagement/parent council activity etc.). This includes virtual/online environments. Conduct that has consequences for the learning environment, regardless of where it occurs, may be considered to have occurred in a learning environment.

Management refers to supervisors and directing minds as defined in this Policy.

OHSA refers to the *Occupational Health and Safety Act*.

Parent refers to a parent, guardian or any other caregiver legally recognized as acting in place of the parent.

Poisoned Environment refers to a TDSB environment that is oppressive, negative, hostile, unwelcoming, or non-inclusive as a result of vexatious behavior that is based on a prohibited ground and that is known, or ought reasonably to be known, to be unwelcome. The vexatious behaviour or conduct does not need to be directed toward any person or group in particular. A poisoned working or learning environment may result from a series of incidents or a single serious incident; condonation of such behavior; and/or the failure to adequately remedy and restore the environment following the incident(s).

Positive Human Rights Obligations, also called "positive obligations", refer to organizational duties which entail taking active steps to safeguard and advance human rights. Examples of positive obligations include conducting training,

monitoring human rights compliance through data collection, analysis and reporting, and other such affirmative measures aimed at preventing human rights violations and fostering a culture of human rights, even in the absence of complaints.

Prohibited Ground/Protected Ground refers to the grounds upon which discrimination is prohibited under the Ontario *Human Rights Code* and this Policy. The grounds are:

- Age (an age that is 18 years or more)
- Ancestry
- Citizenship
- Colour
- Creed (includes but is not limited to religion and Indigenous spirituality)
- Disability (includes mental, physical, perceived)
- Ethnic origin
- Family status (includes child, adoptive, elder relationships)
- Gender expression
- Gender identity
- Marital status (including single, separated, widowed, common law and covers same and opposite sex relationships)
- Place of origin
- Race
- Sex (includes pregnancy and breastfeeding)
- Sexual orientation
- Socio-economic status*
- Record of offences (in employment only)
- Association with a person identified by a ground listed above

*Note: Socio-economic status is a protected ground under this Policy, but not under the *Code*. Receipt of public assistance is a protected ground under the *Code*, but is only applicable to housing, and thus is not included in this Policy.

Treatment that occurs as a result of perceived membership in a protected group is also prohibited.

Racist Hate/Bias Incident refers to non-criminal conduct – which does not involve violence, threats or property damage – that is motivated in whole or in part by racism based on the real or perceived identity or group affiliation of a victim or victims, inclusive of the grounds of race and/or race-related grounds such as colour, ancestry, ethnic origin, place of origin, citizenship, religion or creed. This includes hate/bias incidents based on the above race related grounds, but excludes hate crimes based on race, which are to be classified as hate crimes. A racist hate/bias incident can also encompass situations in which conduct is directed against people associated with individuals and groups identified with these grounds. The conduct can be verbal, nonverbal or written, and may manifest itself in the form of slurs, insults, harassment, abusive gestures, taunting, display of offensive materials, or other acts which may intimidate, denigrate and/or

marginalize the victim or victims. (Note: racist hate/bias incidents are a form of racism, but do not encompass all the forms that racism takes, such as systemic racism which can be a form of systemic discrimination, as defined in this Policy.)

RBH Portal refers to the Racism, Bias and Hate online reporting portal, a system which enables detailed incident reporting on racism and hate incidents involving or impacting students in schools, as governed by the procedure for Reporting and Responding to Racism and Hate Incidents Involving or Impacting Students in Schools (PR728). It also provides a record of responses to such incidents, in the form of action plans and communication strategies, while allowing for the identification of any potential lessons learned, good/best practices, future preventative measures required, and any other systemic considerations.

Reprisal refers to adverse action or threat of adverse action against an individual that is in retaliation:

- (a) for, in good faith, raising concerns or claiming or enforcing a right under this Policy or associated procedure or supporting or assisting someone to do so;
- (b) for participating in a process to address a matter under this Policy or associated procedure; or
- (c) on the basis of a belief that the individual has engaged in (a) or (b).

Adverse action could include, for example:

- disciplining, suspending, dismissing, or expelling;
- intimidating, coercing, or encouraging someone not to report a situation;
- transferring a worker to another position, shift or work location;
- moving a student to a different class;
- unfair grading;
- reducing or changing a worker's hours;
- denying a promotion; or
- harassing or discriminating.

Sexual Harassment refers to engaging in a course of vexatious comment or conduct because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome; or making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

Supervisor refers to employees who exercise managerial/supervisory authority in relation to other employees and volunteers.

Systemic Discrimination refers to patterns of behaviour, policies and/or practices that are part of the administrative structures or informal culture of an organization, institution, or sector, which, on purpose or inadvertently, create or perpetuate disadvantage for individuals or groups on the basis of a prohibited ground of

discrimination. Assessing systemic discrimination can be done in multiple ways, including, but not limited to, analyses of quantitative data; critical reviews of policies, practices and decision-making processes; and in-depth evaluations of organizational culture.

TDSB means the Toronto District School Board, which is also referred to as the “Board.”

TDSB Environment includes a TDSB learning or working environment, as defined in this Policy, and includes:

- any TDSB owned or operated place, Board premises, offices, and facilities (including eating, lounge/changing areas and vehicles used for TDSB purposes or on TDSB property);
- schools and school-related activities;
- Board-related functions, activities, or events;
- online environments;
- activities, including electronic messages and postings on electronic and social media, which have significant negative consequences for the TDSB environment; and
- all applicable social areas (eg. employment; goods, services, and facilities; and contracts) protected by the *Code*.

TDSB Member/Member of the TDSB Community refers to, but is not limited to, students, parents/guardians, employees, job applicants, trustees, committee members, school/parent council members, permit holders, vendors, service providers, contractors, volunteers and visitors, customers of the Board, bargaining agents and associations, and all other persons who are invited to, work in, or are permitted to attend or participate in TDSB environments. It includes all persons who are protected by the *Code* in relation to TDSB environments.

Vexatious refers to comment or conduct that is inappropriate or unnecessary and that a TDSB member experiences as offensive, embarrassing, humiliating, distressing or demeaning.

Workplace/Working Environment refers to any land, premises, location or thing at, upon, in or near which an employee works. For the purpose of this Policy it also includes any place where individuals perform work or work-related duties or functions. Schools and school-related activities, such as extra-curricular activities and excursions comprise the workplace, as do Board offices and facilities (including eating, lounge or changing areas, and vehicles used for work purposes or on work property). Conferences, workshops, training sessions and staff functions (for example, staff parties and retirement celebrations) and job competitions also fall within the scope of this Policy. Regardless of where it occurs, conduct that has work-related

consequences may be considered to have occurred in the workplace. Phone calls, electronic messages, and postings on electronic and social media may form part of the workplace, particularly when addressed to an employee or when the content is related to an employee or the workplace.

4. RESPONSIBILITY

The Director of Education holds primary responsibility for implementation of this Policy.

Within the Director's Office, the responsibility for coordination and day to day management of the Policy is assigned to the Executive Superintendent, Human Rights and Indigenous Education.

5. APPLICATION AND SCOPE

This Policy applies to all students, employees, and other members of the TDSB community in TDSB environments.

The Policy prohibits discrimination and harassment on the basis of the protected grounds as defined above and covers all *Code* protections applicable to the TDSB environment even if not explicitly stated. It also prohibits hate activity as defined above.

Harassment that is not related to a prohibited ground does not fall under this Policy. Workplace harassment that is not related to a prohibited ground falls under the Workplace Harassment Prevention for Non-Human-Rights-Code Harassment Policy (P034).

6. POLICY

6.1. Policy Statement

6.1.1. The TDSB is committed to safeguarding, advancing and proactively promoting the right of every student, employee and TDSB member to learn, function and work in an equitable, accessible, respectful and inclusive environment free of discrimination and harassment.

6.1.2. All forms of discrimination and harassment based on a protected ground are strictly prohibited in TDSB environments, in fulfillment of legal obligations under the Ontario *Human Rights Code*, the *Canadian Charter of Rights and Freedoms* and in accordance with international human rights covenants, conventions, treaties and declarations to which Canada is a signatory, including the United Nations Declaration on the Rights of Indigenous Peoples.

6.1.3. The Board will not tolerate, condone or ignore discrimination, harassment or hate activity in its schools, facilities, workplaces or other TDSB environments.

6.1.4. The Board will take every reasonable step to:

- Prevent discrimination, harassment and hate activity and to cultivate and sustain equitable, accessible, respectful and inclusive learning, working, and other TDSB environments free of discrimination and harassment.
- Treat allegations of discrimination or harassment seriously, and appropriately address them in a timely, fair, proportionate and confidential manner, in accordance with this Policy, the applicable procedure and applicable law, with the aim of preserving the dignity, respect and rights of all parties.
- Promote awareness of human rights and responsibilities.
- Restore learning, working, and other TDSB environments affected by instances or environments of discrimination, harassment or hate.
- Fulfill its duty to accommodate persons based on a prohibited ground, up to the point of undue hardship, in accordance with its legal obligations, including under the *Code*.

6.2. Principles

In fulfilling its positive human rights obligations and commitments to protect and advance human rights, the TDSB will:

- (a) Function in a proactive, systemic, and informed manner (based on evidence when available) so that the Board may take necessary steps to prevent and avert violations of this Policy and be actively alert to emerging issues, systemic trends and conditions that may potentially contribute to discriminatory outcomes, rather than only waiting for breaches of human rights to become apparent before being addressed.
- (b) Recognize that fostering and sustaining an equitable, accessible, respectful and inclusive environment free of discrimination and harassment is integral to the fulfillment of all TDSB roles and functions, and is a shared responsibility requiring the cooperation of all TDSB members
- (c) Cultivate public trust and accountability, including by being transparent with the communities we serve, through public reporting and engagement around human rights issues and outcomes at the Board, and other appropriate measures.
- (d) Interpret and apply this Policy harmoniously with the spirit and intent of the United Nations Declaration on the Rights of Indigenous Peoples, the

Board's Equity Policy (P037), and the Board's commitments to principles of anti-racism and anti-oppression, and shall not interpret or apply this Policy in a manner that undermines the values or rights reflected therein.

6.3. Policy Violations

6.3.1. Engaging in discrimination, harassment or hate activity of any kind is a violation of this Policy. Behaviours and practices in TDSB environments that are contrary to this Policy include, but are not limited to, the following examples:

- (a) discrimination;
- (b) harassment including sexual harassment;
- (c) creating or contributing to a poisoned environment;
- (d) a hate crime or other hate activity (e.g. hate/bias incident, or racist hate/bias incident);
- (e) failure of management, in keeping with its authority, to respond appropriately and expeditiously to allegations, instances, potential instances or complaints of discrimination, harassment, poisoned environment, or reprisal;
- (f) failure of management to identify, address, or remove systemic discrimination;
- (g) interference with an investigation under this Policy, including but not limited to intimidating any person involved in the investigation, or influencing a person to give false or misleading information;
- (h) reprisal;
- (i) bad faith allegations, complaints, or accusations (e.g., submitting a complaint knowing there has been no violation of this Policy);
- (j) purposefully or recklessly providing false or misleading statements or information to an investigator investigating a matter under this Policy;
- (k) failing to adhere to the confidentiality provisions set out in the procedure made pursuant to this Policy;
- (l) failure to fulfill the procedural or substantive duty to accommodate under the *Code*, including failure to offer effective or appropriate accommodation up to the point of undue hardship; and

(m) failure to adequately fulfill the duties and responsibilities set out in sections 6.5 and 6.6 may also be a violation of this Policy.

6.4. Consequences for Policy Violations

6.4.1 Action may be taken with any TDSB member who fails to abide by the requirements set out in this Policy, including but not limited to performance management, remedial action or discipline up to and including termination of employment, suspension or expulsion from educational services, or removal from or denial of access to TDSB institutional spaces and facilities, in accordance with applicable law, the remedial purpose of the *Code*, and where appropriate, principles of progressive discipline.

Note: Remedial action for persons who are not employees is taken after consultation with the Legal Services Department and/or Safe Schools Department and/or applicable superintendent, as appropriate. This may result in, but is not limited to, denial of access to Board premises or issuance of trespass notices. Remedial or disciplinary action for employees must be done in consultation with Employee Services, and a disciplinary review committee as required in accordance with the procedure made pursuant to this Policy.

6.5. Human Rights Organizational Change Program

6.5.1. In keeping with TDSB's positive obligations, the TDSB shall maintain a systemically focused and proactive Human Rights Organizational Change Program that will aim to prevent discrimination and harassment and enable, support and advance the creation and preservation of a transformational culture of human rights at the TDSB in which all members of the TDSB community:

- equitably flourish with dignity and respect; and
- achieve equitable outcomes in TDSB learning and working environments, free from discrimination and harassment.

6.5.2. The program shall include, but not necessarily be limited to, the following, as further specified in section 6.5.3 to 6.5.7 below:

- (a) A process to identify, remove and prevent potential systemic forms of discrimination in TDSB policies, procedures or practices, whether by virtue of acts of commission or omission;
- (b) 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;

- (c) 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
- (d) 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.

6.5.3. Review of Policies, Procedures and Practices

- (a) The TDSB will review policies, procedures and practices, and revise or develop these whenever necessary to ensure compliance with this Policy.
- (b) The HRO shall establish a Human Rights Impact Assessment (HRIA) framework to be used in identifying, assessing, mitigating, remedying or preventing systemic discrimination, including as this manifests in policies, practices, or procedures, or the lack thereof.
- (c) The HRO may initiate a Human Rights Impact Assessment of a TDSB policy, practice or procedure, or lack thereof, where it believes there may be a significant discriminatory effect. In conducting the HRIA, the HRO will consider the potential extent and depth of adverse impacts and outcomes on prohibited grounds, and offer recommendations to eliminate and prevent these.
- (d) TDSB members must comply with HRO requests for information for the purposes of Human Rights Impact Assessments (unless deemed legally privileged and confidential). The HRIA process may include inviting public input from affected stakeholders.
- (e) The results of Human Rights Impact Assessments will be posted publicly on a Board website.

6.5.4. Performance Management and Accountability

- (a) The TDSB will ensure that human rights are evaluated as a standalone competency in the context of performance appraisals and in hiring and promotion decisions for system leaders, administrators, teachers, and other employees who undergo applicable performance appraisals. This competency will have increasing degrees of weight and consideration for directing minds, according to their power and supervisory authority, owing to their additional corporate responsibilities to protect and advance human rights in areas under their supervision. For positions involving direct responsibility for or engagement with students, it will be a primary and necessary competency and a required qualification.

- (b) Violations of human rights will be tracked and considered in employment hiring and promotion decisions.
- (c) The TDSB will incentivize system leaders to advance human rights organizational change, including by recognizing and rewarding excellence in safeguarding and promoting human rights.

6.5.5. Data Collection, Analysis and Reporting

6.5.5.1. Recognizing the value of quantitative and qualitative data for evaluating human rights compliance and progress, identifying human rights issues and trends, and informing appropriate evidence-based, remedial or preventative interventions, TDSB Senior Team members will at least annually analyze and review the results of relevant existing human rights data including, but not limited to, as collected through the RBH Portal, HRO inquiry and complaint process, the Student and Parent Census, the [Staff Census & Well-Being Survey](#), and school climate surveys.

6.5.5.2. The HRO will consider, and where appropriate, develop additional human rights data collection tools and indicators, in collaboration with other Board departments, including but not limited to the creation and annual administration of human rights focused surveys through an online engagement tool (e.g. [The Pulse](#)) as an additional means to gather the perspectives/experiences of students, parents, employees and other TDSB members.

6.5.5.3. The HRO will produce an Annual Human Rights Report for the Board of Trustees including the above de-identified data findings. This Report will be released publicly including by posting it on a TDSB website.

6.5.6. Information, Learning and Awareness

The Board will build TDSB members' capacity to promote an equitable, accessible, respectful and inclusive environment free of discrimination and harassment including by:

- (a) Making information, and where appropriate instruction, available to ensure TDSB members are aware of their human rights and responsibilities, and how to fulfill these, as stipulated in this Policy and related procedures.
- (b) Requiring all managers, as well as employees who are new to the TDSB, to receive information and training on this Policy and associated procedures as part of their orientation.

- (c) Requiring existing managers (including executives) to participate in education and/or training on this Policy and related procedures at least every five (5) years, or whenever there are significant changes to this Policy or related procedures.
- (d) Ensuring that age-appropriate, accessible, user-friendly information, resources, and education about student human rights and responsibilities, and associated redress processes, are provided to students on an ongoing basis, and as appropriate in response to specific incidents.
- (e) Designating a staff member or staff members as Student Human Rights Advocate(s) to advise, support and assist students whose human rights may have been violated at the TDSB.
- (f) Ensuring that accessible, user-friendly information and resources about human rights related policies, procedures and practices are provided to parents on an ongoing basis.

6.5.7. Review of Human Rights Organizational Change Program

The Board shall review the Human Rights Organizational Change Program at least every five years, or as needed, and consult with affected TDSB community members on any changes, as part of the review process.

6.6. Roles and Responsibilities

6.6.1. All members of the TDSB community

- (a) All TDSB members are responsible for respecting the human rights and dignity of each person within their respective sphere of interaction and influence, playing their part in the creation and maintenance of TDSB environments that are free of discrimination and harassment.
- (b) All members of the TDSB community must cooperate fully in appropriate attempts under this Policy or associated procedure to address a situation or complaint, including an investigation, to the extent of their capacity (e.g. considering age, cognitive impairment etc.) and to the extent permitted by law.

6.6.2. Employees

- (c) All employees, including those who witness incidents, should report discrimination, harassment, hate activity, and other violations of this Policy to the appropriate person (typically one's supervisor or the next level supervisor not involved or implicated) in accordance with PR515 and PR728 and any other procedure made pursuant to this Policy.
- (d) Employees must be aware of and sensitive to issues of discrimination and harassment, and should support individuals who are, or have been, targets of discrimination and harassment, wherever possible.

6.6.3. Director

The Director of Education, who holds primary responsibility for implementation of this Policy, will safeguard and promote an equitable, accessible, respectful and inclusive environment free of discrimination and harassment including by:

- (a) Regularly assessing the effectiveness of measures designed to protect and advance human rights within the Board, and, when needed, revising such measures, or replacing them with new ones, to achieve requisite degrees of effectiveness, in consultation with the Human Rights Office.
- (b) Taking necessary proactive steps to identify, address, and prevent systemic discrimination, and advance human rights organizational change, including by ensuring effective implementation of related program measures, as identified in section 6.5.
- (c) Ensuring the implementation of an appropriate process to identify, handle, investigate, and remedy instances, potential instances, allegations, and complaints of discrimination, harassment, poisoned environment and reprisal in a manner appropriate in the circumstances, through this Policy and the associated procedure.
- (d) Holding all TDSB members accountable for complying with this Policy, particularly system leaders who are directing minds of the Board.
- (e) Ensuring that the Human Rights Office is independent and impartial as it carries out its mandate, and taking reasonable measures to ensure it is seen to be as such by all members of the TDSB community.

- (f) Designating and preserving adequate resources for ensuring the full and proper implementation of this Policy and related procedures.

6.6.4. Supervisory and Managerial Personnel

Supervisors are responsible for not only their own conduct, but also for addressing the conduct of those under their supervision. To prevent and address instances, potential instances, allegations, and complaints of discrimination, harassment, poisoned environment, hate activity, and reprisal, supervisors will:

- (a) Lead by example by not engaging in, tolerating or condoning discrimination or harassment or any other violations of this Policy.
- (b) Make all reasonable efforts to promote an environment that encourages reporting violations of this Policy.
- (c) Make all reasonable efforts to protect those under their supervision from all forms of discrimination and harassment by maintaining equitable, accessible, respectful and inclusive learning and working environments that are free of discrimination, harassment, poisoned environments, and reprisal.
- (d) Post this Policy and associated procedure in a conspicuous location in the workplace or service location under their supervision, where it would be likely to come to TDSB members' attention and make the Policy and procedure available (electronically or by hard copy).
- (e) Be aware and knowledgeable of this Policy and associated procedure.
- (f) Educate or provide educational opportunities for TDSB members to ensure they are aware that discrimination and harassment will not be tolerated, and that they understand their rights and responsibilities as they relate to this Policy and associated procedure.
- (g) Take all instances, potential instances, and complaints of discrimination and harassment, or any other violations of this Policy, seriously, including by promptly:
 - (i) intervening when it occurs or is suspected to have occurred;
 - (ii) investigating allegations, instances, potential instances, and complaints of discrimination, harassment, and any other violations of this Policy, in accordance with this Policy, associated procedures, the *Code*, the *Canadian Charter of Rights and Freedoms*, and where applicable the *OHSA*;

- (iii) making inquiries or consulting with other Board departments, as appropriate, to assist in effectively managing allegations, instances, potential instances, and complaints; and
- (iv) taking remedial and/or disciplinary action with any person found to have engaged in conduct in violation of this Policy.

6.6.5. Human Rights Office

6.6.5.1. As the TDSB's centre of human rights expertise, the Human Rights Office ("HRO") will:

- (a) Advise members of the TDSB community about their human rights and obligations;
- (b) Impartially and fairly investigate, resolve, mediate and address human rights complaints and incidents, including in the areas of employment and education; and,
- (c) Proactively and systemically advance human rights organizational change including through:
 - (i) identification of systemic human rights issues;
 - (ii) professional development, education, and capacity building;
 - (iii) policy review and development;
 - (iv) outreach and engagement; and,
 - (v) research, data collection, analysis, reporting and evaluation of the TDSB's performance in protecting and advancing human rights.

6.6.5.2. The HRO will function as the facilitative lead for the development, coordination and implementation of the Board-approved Human Rights Organizational Change program, pursuant to section 6.5., in collaboration with other Board Departments (e.g. Equity, Indigenous Education, Employee Services, Research, Special Education and Inclusion, Disability Management Office, Accessibility Office etc.) and identified lead areas.

6.6.5.3. The HRO may self-initiate inquiries, environmental scans or investigations where it reasonably believes that rights under this Policy may have been violated, including in the absence of a complaint.

6.6. Addressing Policy Violations

Members of the TDSB community should refer to the procedures created pursuant to this Policy for information on addressing instances, potential instances, allegations, and complaints of violations of this Policy.

7. SPECIFIC DIRECTIVES

The Director has authority to issue operational procedures to implement this Policy.

8. EVALUATION

This Policy will be reviewed, at minimum, every year from the effective date.

9. APPENDICES

- Not Applicable

10. REFERENCE DOCUMENTS

Legislation

- *Canadian Charter of Rights and Freedoms*
- *Education Act*
- *Occupational Health and Safety Act*
- *Ontario Human Rights Code*

Policies

- Caring and Safe Schools (P051)
- Equity (P037)
- Workplace Harassment Prevention for Non-Code Harassment (P034)

Procedures

- Reporting and Responding to Racism and Hate Incidents Involving or Impacting Students in Schools (PR728)
- Workplace Harassment Prevention and Human Rights Procedure (PR515) [Note: currently under review]