

DRAFT

Student/Family Human Rights Issue, Incident and Complaints Resolution Procedure

Adopted under the Human Rights, Anti-Discrimination and Anti-Racism Policy

1.0 Objective

- 1.1 The objective of the Student/Family Human Rights Incident/Issue and Complaint Resolution Procedure is to support the implementation of the Durham District School Board's (DDSB) Human Rights, Anti-Discrimination/Anti-Racism Policy (the "Human Rights Policy").
- 1.2 This procedure addresses human rights issues, incidents and complaints against or involving employees for not following or for violating the rights of students under the Human Rights Policy.
- 1.3 The District takes all human rights issues and complaints seriously. All forms of discrimination under the Human Rights Policy are unacceptable and will not be condoned.
- 1.4 This procedure shall be read in conjunction with the Human Rights Roles, Responsibilities and Accountability Framework, the Human Rights, Anti-Discrimination and Anti-Racism Procedure and the Human Rights Inclusive Design and Accommodation Procedure adopted under the Human Rights Policy.
- 1.5 The District recognizes the unique and distinct rights of Indigenous Peoples. Indigenous students and families may elect to pursue any right under the Human Rights Policy and this procedure or under the Indigenous Education Policy and procedures, as they may deem appropriate in any given circumstance.
- 1.6 It is recognized that issue and complaint resolution processes can be complex and hard to navigate for students or their parents/guardians. The purpose of this procedure is to give students and families accessible ways to raise issues and complaints that focus on informal or formal options, safety and support for students/families, early resolution and restorative practices. The procedure also outlines transparent, fair and accountable steps to address issues and complaints.
- 1.7 Nothing in this procedure prevents anyone from seeking to address a human rights issue or complaint through the Human Rights Tribunals of Ontario or as otherwise may be lawfully available through other means or forums.
- 1.8 This procedure does not replace or duplicate other resolution processes identified in other policies, procedures, or guidelines (e.g., Accommodation Review Committee or the Identification, Placement and Review Committee) or those established by law.
- 1.9 Student complaints against other students or District community members will be addressed through the Code of Conduct.

2.0 Definitions

- 2.1 This procedure refers to certain terms related to human rights and equity that are defined in Appendix A (Glossary of Terms) of the Human Rights Policy.

3.0 Procedure

- 3.1 This procedure applies to all students and their parents/guardians and to all Human Rights Code related grounds (and intersection of grounds) as set out in the Human Rights Policy. This procedure also includes specific considerations in issue resolution and complaints processes related to disability, sexual orientation, gender identity, gender expression and race.
- 3.2 All organizational practices and decision making related to the resolution of student/family human rights issues, incidents and complaints will comply with this procedure and uphold the strategic direction of the Human Rights Policy.
- 3.3 The District shall investigate potential discrimination upon becoming aware of it (or where it should reasonably be known), including when a formal written complaint has not been submitted.

Key Principles

- 3.4 When addressing human rights issues, incidents and complaints, responsible staff will:
- a) Treat all parties involved in the issue or complaint with dignity and respect;
 - b) Handle issues and complaints sensitively and with care;
 - c) Consider and address safety needs and related support;
 - d) Provide accessible options that focus on agency, empowerment, early resolution and restorative practices;
 - e) Uphold principles of procedural fairness;
 - f) Use transparent and accountable processes;
 - g) Support consistent approaches and decision making that are thorough, contextual and flexible to adapt to specific situations and circumstances;
 - h) Keep parties informed about the process and next steps, and address issues and complaints in a timely manner;
 - i) Reinforce confidentiality and protection from reprisal;
 - j) Apply human rights, anti-discrimination and anti-racism principles and analyses, including intersectionality, to all aspects of issue and complaint resolution processes;
 - k) Focus on the impacts and effects of conduct (whether intentional or unintentional) that may be discriminatory;
 - l) Take appropriate responsive, remedial, corrective and disciplinary actions to address findings of discrimination, prevent it from happening again and to support learning;
 - m) Address potential underlying systemic issues, where appropriate; and
 - n) Collect and analyze incident and complaint data to identify, address and report on potential trends.
- 3.5 To support these principles, students (or their parents/guardians on their behalf) may choose to:
- a) Raise human rights issues and incidents directly with their teacher, principal or another employee (Issue and Incident Reporting and Response Process); or
 - b) File a complaint through a formal complaints process, which includes alternative dispute resolution options or an investigation (Complaints Process)

Note: If a student (or their parent/guardian) initially chooses (a) and is not satisfied with the response, they may choose to proceed with (b).

3.6 This procedure has three main parts:

- a) Part I is the Issue and Incident Reporting and Response Process;
- b) Part II is the Complaints Process; and
- c) Part III are general requirements and considerations that apply to both processes.

I. Issue and Incident Reporting and Resolution Process

3.7 This part sets out the process for reporting and responding to issues and incidents of discrimination (including and not limited to racist, ableist, xenophobic, sexist, gendered, homophobic, transphobic and faithist hate, bias, slurs, epithets and behaviours) based on all Human Rights Code grounds, intersecting grounds and classism. A student (or their parent/guardian) may speak with their teacher or the school principal about any issues and incidents of discrimination that affect students at school or at a school-related activity or event, or that affects the learning environment.

3.8 Anyone who witnesses or becomes aware of an incident or issue that affects students in District learning environments should report it to a District employee.

Employees Must Act

3.9 When an employee becomes aware of an issue or incident (or sees or overhears discriminatory actions or words that affect students) the employee must act and report it to the principal or their supervisor (or if the matter involves the principal or supervisor, to the next level manager not involved or implicated in the issue or incident). The employee must:

- a) Interrupt and intervene immediately to stop the conduct;
- b) Name the discriminatory act;
- c) Immediately acknowledge that what was said or done was inappropriate and harmful (in way a that is appropriate to the circumstances and based on a student's age, level of understanding, etc.); an employee may consult with their principal or manager/supervisor where needed to support this discussion;
- d) Consider potential opportunities to support discussions/learning about why the conduct was inappropriate;
- e) Determine potential safety or supports for individuals involved or impacted in the matter; and
- f) Report the incident to their principal (or manager/supervisor) immediately.

Principal's Actions

- 3.10 If an issue or incident involves a possible hate crime, the principal must contact Positive School Climates, the superintendent and the police. District responses and the principal's actions (as outlined below) may need to await police direction/investigation. The principal will consult with the police on any steps the District can take to support safety and to communicate to affected students (and their parents/guardians), pending any police investigation.
- 3.11 Where an issue, incident or complaint raises a suspicion on reasonable grounds that a child may be in need of protection, steps will be taken immediately to contact the Children's Aid Society (see the Board's Procedure on Reporting Children and Youth in Need of Protection). This decision will be based on objective information and not on biases, stereotypes or assumptions about the student or their parent/guardian based on any Human Rights Code protected ground or combinations of grounds.
- 3.12 For all other issues/incidents, the principal will:
- a) Assess if any immediate or additional steps or safety/supports are required, and if so, will act on it;
 - b) Notify the parent/guardian as soon as possible;
 - c) Notify the superintendent within one day;
 - d) Contact emergency services if medical attention is required;
 - e) Note the names of any witnesses and preserve any pertinent evidence or information; and
 - f) Document all actions taken on the incident reporting form [template attached].

Note: Depending on the circumstances, all steps above may not be necessary or may not happen sequentially; the principal will assess the circumstances and act based on the nature of the incident, steps/action already taken and what may be required to immediately address the situation.

- 3.13 The principal may need to speak to the parties involved and those impacted to gather preliminary information and details about the incident.
- 3.14 All incidents/issues must be reported to the superintendent. This is a mandatory requirement regardless of the circumstances, including where the principal assesses that the situation does not require any further action or response. The principal will submit the completed incident reporting form to the superintendent, with a copy to the Human Rights and Equity Advisor.

Superintendent's Action

- 3.15 The superintendent will assess steps taken and consider if further action is appropriate based on whether:
- a) The issue has been appropriately resolved at the school level;
 - b) Any further supports, actions or communications are required to immediately address the incident, as well as longer-term impacts; and
 - c) The situation requires an integrated response team (discussed below).

- 3.16 The superintendent will also assess if there is sufficient information to take appropriate restorative, corrective and disciplinary action against the person(s) who engaged in the discriminatory incident. If further information is required, the superintendent and/or principal will arrange to meet with students and/or employees, including potential witnesses, to gather additional information, investigate the incident and take appropriate action.
- 3.17 The superintendent will report all issues and incidents to the Associate Director of Equitable Education. Where the issue/incident involves a hate crime, the superintendent will notify the Director of Education.
- 3.18 If the superintendent determines that further action is required, the superintendent will:
- a) Direct the principal to take additional action and will document all steps taken to address the issue; and
 - b) Consider convening an integrated response team to collaborate on additional actions that may be required, based on the following criteria:
 - Severity, scale, extent and intensity of the impact of the incident;
 - Previous incidents at the school or involving same party(ies);
 - Nature of impact (or number of people involved or impacted);
 - Risks to persons and/or property;
 - Legal and/or reputational risks;
 - Public interest and impacts;
 - Potential systemic issues;
 - Other reporting or consulting requirements (e.g., under Positive School Climates policies and procedures);
 - Expertise required to address the issue; and
 - Other relevant factors based on the circumstances.
- 3.19 If the superintendent determines that an integrated response team is appropriate, the superintendent will:
- a) Notify the Associate Director of Equitable Education and the Human Rights and Equity Advisor;
 - b) Convene a response team within three days of being notified of the incident; depending on the nature of the incident, the response team may include (where appropriate) representatives from:
 - Administration at the affected school (unless they are involved or implicated in the incident);
 - Leads from relevant portfolios:
 - Indigenous Education
 - Equity and Inclusive Education
 - Positive School Climates
 - Inclusive Student Services
 - Mental Health and Well-Being
 - Student Success/Curriculum
 - Human Rights and Equity Advisor;
 - General Counsel;
 - Critical friends, subject matter experts or other individuals at the discretion of the superintendent, provided that anyone not employed by the District shall only be engaged with the express consent of the student/family/guardian;
 - Other internal DDSB personnel as may be deemed appropriate by the superintendent based on the specific incident(s) and input/expertise required (e.g., Human Resources, Associate Director of Equitable Education, Director of

Education, etc.).

- 3.20 Depending on the nature of the incident, safety concerns and confidentiality requirements, the superintendent may also engage and seek input from individuals impacted, student voice, school employees and school community members.
- 3.21 The response team will respect confidentiality and develop an appropriate response based upon consideration of all relevant facts and circumstances including:
- a) Safety and supports for affected students, parents/guardians, employees and community members;
 - b) Responsive, restorative, remedial, corrective and/or disciplinary action, up to and including dismissal (for employees), suspension or expulsion (for students) and other actions as necessary to address inappropriate behaviours and to restore the learning environment; Note: any discussions about outcomes for specific employees (e.g., potential discipline) will be strictly limited to Human Resource Services, the employee's supervisor and senior team members as may be required;
 - c) Potential systemic issues or actions that may be required;
 - d) Individual, team/group, school or organizational learning and growth (e.g., professional development/learning needs, including coaching/mentoring and other potential preventative individual or systemic actions for the classroom, school or District);
 - e) Communications to those impacted and the broader school, District/DDSB community (including the Director of Education and Trustees), where appropriate; this may include interim communications while an appropriate response is developed and implemented; and
 - f) Monitoring and follow up as may be required to ensure that the response was appropriate and to consider if:
 - Additional or ongoing support or actions are required; and
 - Any new or continuing issues or incidents need to be addressed.
- 3.22 Based on the work of the response team, the superintendent will develop a response action plan [attached form] with timelines to implement the response and recommendations. The principal and other identified leads will fulfill the required actions and report back to the superintendent once completed.
- 3.23 After the response has been implemented, the superintendent and principal will debrief to discuss potential lessons learned, promising practices and potential preventative measures.
- 3.24 All responses and communications will be kept confidential subject to section x.xx. Specific details about individual disciplinary responses involving students or employees are confidential matters and will generally not be disclosed. However, disaggregated data on disciplinary actions taken to address human rights issues and complaints may be included as part of annual reports and trends analysis. The District may communicate about other aspects of a response (e.g., systemic actions) to support transparency and accountability and without sharing confidential information.

II. Complaint Process

- 3.25 Where there is a concern that the Board's Human Rights Policy has been breached or is not being following, a student or a parent/guardian (on the student's behalf) may file a complaint using the attached complaint form [template] and submit it to their superintendent. This could include concerns that a student's Human Rights Code related needs have not been accommodated to the point of undue hardship or concerns as to systemic barriers.
- 3.26 Before filing a complaint, individuals are encouraged to tell the person who is engaging in discriminatory actions to stop. However, the District recognizes that students (or their parents/guardians on their behalf) and community members may be vulnerable, have safety concerns, fear reprisal and/or require assistance and support. There may also be power imbalances. This step is therefore not required.
- 3.27 A complainant may withdraw a complaint at any time during the complaint resolution process. Depending on the circumstances and the stage of the complaint resolution process, the District may speak with the complainant to determine if the withdrawal is because of safety concerns or fear of reprisal, and the District will attempt to address those concerns.
- 3.28 It is noted that the District must investigate potential discrimination upon becoming aware of it (or where it should reasonably be known), even in the absence of any complaint or if a complaint is withdrawn. In the case of a withdrawal, if the District proceeds with an investigation, the complainant may be treated as a witness.

Types of Complaints

- 3.29 Group complaints (i.e., where several individuals file a complaint dealing with the same or similar issue or involving the same respondent) raise potential procedural concerns and other investigative challenges. The District encourages people who have human complaints to raise them individually. Where the District receives multiple complaints involving the same situation or same individual, the District may process them together (e.g., assign the matters to the same investigator).
- 3.30 Where the District receives an anonymous complaint, the District may be limited in how it can address it based on the information provided in the complaint, and the District's ability to reasonably gather additional information or to resolve the matter. The District will assess and treat the complaint in a manner deemed appropriate in the circumstances. No formal investigation summary will be provided to any party to an anonymous complaint.
- 3.31 Where the District becomes aware of potential discrimination in the absence of a formal complaint or where a complainant withdraws a complaint, the District may proceed with a management-initiated complaint. This is to support the District's commitment to addressing potential discrimination. The principal (or manager/supervisor) will consult with their superintendent, the Human Rights and Equity Advisor and General Counsel before initiating a complaint.

Preliminary assessment

- 3.32 Upon receipt of a complaint, the superintendent will review and assess if the matter falls under the scope of the Human Rights Policy and procedures. The superintendent will consider if any of the allegations, if they were found to be true, would amount to discrimination under the Human Rights Code.

- 3.33 If the allegations involve a hate crime or other criminal activity, the superintendent will contact the Positive School Climates superintendent, the Associate Director of Equitable Education, and the police for direction on next steps, including support for and communications to the complainant.
- 3.34 If the superintendent assesses that the matter does not fall under the Human Rights Policy, the superintendent will consider whether the complaint is best addressed through another policy or procedure (e.g., Code of Conduct) and may take appropriate action to address it or refer the matter to the principal or another appropriate area for handling and shall notify the complainant in writing of the determination.
- 3.35 If the complaint is assessed to fall under the scope and application of the Human Rights Policy and procedures, the superintendent shall:
- a) Report the matter to the Associate Director of Equitable Education and inform the Human Rights and Equity Advisor;
 - b) Determine if interim safety or supports are required pending the resolution of the matter; and
 - c) Consider potential early resolution options.

Early Communication with the Parties

- 3.36 The superintendent will notify the respondent about the complaint in writing and may provide either a copy or a summary of the complaint so that the respondent has sufficient information to respond. Where appropriate, the superintendent will also inquire if the respondent would be willing to participate in early resolution efforts.
- 3.37 The respondent may provide a written response to the complaint.
- 3.38 The superintendent will remind the parties of the following as outlined in this procedure:
- a) Confidentiality;
 - b) Protection from reprisal; and
 - c) The right to have a support person.

The superintendent will also inquire if the parties have any human rights accommodation needs (e.g., translator) to participate in a resolution process.

Holding the Complaint in Abeyance

- 3.39 The superintendent will also consider if there are other factors that affect if the matter can proceed or may need to be held in abeyance if, for example:
- a) One or both parties are not able to participate in the investigation because of medical or other issues that cannot be accommodated;
 - b) The matter is being addressed through another process (e.g., an application to the Human Rights Tribunal of Ontario); or
 - c) The complaint involves a criminal matter, and the police are investigating.

Where appropriate, the District will continue to provide necessary supports and interim safety measures. The superintendent will inform the parties that complaint is being held in abeyance, why (without disclosing any confidential information about the parties) and when the District expects to proceed with the complaint.

Direct Action

- 3.40 Where the information and any supporting documents provided in a complaint and response to a complaint provides clear evidence of a violation of the Human Rights Policy, the superintendent may be able to make a finding and take direct action to address the violation. The superintendent will provide the respondent with an opportunity to respond before taking any action and will consider mitigating and aggravating factors as part of bias aware progressive discipline and employment related progressive discipline policies and practices.
- 3.41 The superintendent will take appropriate actions and communicate the outcomes to the parties.

Early Resolution

- 3.42 Where the superintendent believes that the complaint may be resolved, the superintendent will seek the parties' consent and arrange a resolution conference meeting or a more structured mediation. Note: It is recognized that some complaints may not be suitable or appropriate for early resolution processes.
- 3.43 A resolution conference or a mediation is confidential, without prejudice and voluntary. Both parties must agree to participate. Any party can revoke their consent/agreement at any time, including during the resolution conference.
- 3.44 The purpose of these processes is to bring the parties together to collaboratively explore ways to create their own solution to the resolve the complaint and restore or repair relationships.
- 3.45 Mediation may include a restorative circle or other facilitated resolution options to address a complaint. The facilitator may be a trained mediator, community leader or other person agreeable to the parties to the complaint.
- 3.46 The superintendent must approve the terms of settlement before they are binding. This will help ensure that the matter is appropriately resolved, including as to any systemic issues or power imbalances.

Investigation

- 3.47 An investigation is a process of gathering information to determine if the policy has been violated and to make findings of fact related to the complaint. This includes determining, based on evidence and a balance of probabilities, if the allegations amount to a violation of the policy. An investigation assists with decision making and may also help identify potential underlying issues and concerns. An investigation typically involves interviewing the complainant, respondent and witnesses, and collecting, reviewing and assessing documentary and other information and records.
- 3.48 The investigation process must be fair, objective, impartial, thorough, timely and confidential. Investigations must also follow the principles and rules of administrative/procedural fairness which includes, among other things, that respondents have the right to know about the complaint and to respond to it, to identify witnesses and to produce relevant information.
- 3.49 All investigators, whether internal or external to the District, will apply human rights and anti-discrimination, intersectional and trauma informed principles and approaches to the investigation process, analysis and decision.

Pre-Investigation Planning

- 3.50 If the superintendent determines that an investigation is appropriate to address the complaint, the superintendent will consult with the Associate Director of Equitable Education and decide on an appropriate investigator: the principal, the superintendent (or delegate), another District employee or an external investigator. When making this decision, they will consider factors including but not limited to:
- a) Any real or perceived conflicts of interest;
 - b) Knowledge and awareness of human rights issues and analyses, including systemic and intersectional analyses;
 - c) Scope of the investigation (e.g., number of people to be interviewed);
 - d) Complexity of the allegations and analyses required;
 - e) Understanding of the legislative framework and the DDSB's Human Rights Policy and procedures;
 - f) Investigation procedures; and
 - g) Availability and capacity to conduct the investigation in a timely manner.
- 3.51 The superintendent will notify the parties that the complaint has been assigned to an investigator and explain the role of the investigator and shall remind the parties about of the terms of the Human Rights Policy and this procedure as to confidentiality; protection from reprisal; the right to have a support person; identifying any accommodation needs to participate in the investigation process; and provide all parties with a copy of the Human Rights Policy and this procedure.
- 3.52 As the investigation proceeds, the superintendent will assess potential opportunities to resolve the matter. The complainant or respondent may also request resolution at any time. If the parties agree to a resolution and the complaint is resolved, the investigation will not proceed.

Conducting the investigation

- 3.53 The investigator is responsible for ensuring a thorough, fair and impartial investigation of the allegations in the complaint, and for completing the investigation as expeditiously as possible in the circumstances.
- 3.54 The investigator will interview (separately) the complainant, respondent and any identified or potential witnesses and review and request relevant documents or materials. Usually, an investigator will meet with the complainant first so that the investigator fully understands the complaint and to obtain the names of any witnesses or other people who the complainant feels may be helpful to the investigation. Prior to interviewing the respondent, the investigator will provide the respondent with a summary of the allegations to allow the respondent to prepare for the interview, and so that the respondent may also identify potential witnesses.
- 3.55 District employees are required to participate in investigations and cooperate with the investigator, and not interfere with the investigation. Interfering with an investigation is a violation of the Human Rights Policy.
- 3.56 When arranging the interview and before the interview begins, the investigator will remind the interviewee about confidentiality, protection from reprisal and the right to a support person and will ask about any Human Rights Code related accommodation needs to participate in the interview.

- 3.57 The investigator will thoroughly interview the complainant and the respondent(s) using a trauma informed approach. The respondent should be given the opportunity to respond to each of the specific allegations raised by the complainant.
- 3.58 If the investigator believes that other people not named as witnesses may have information relevant to the complaint, the investigator may interview them.
- 3.59 The investigator will take detailed notes at each interview and each interviewee will have an opportunity to review and confirm the accuracy of the interview statement (or make any necessary corrections). Internal investigators may wish to have a note taker at the interview (subject to potential conflict of interest concerns). The note taker will not participate in the investigation and will maintain confidentiality.
- 3.60 Parties may need to be interviewed more than once to clarify information and to address new information that the investigator may learn during the investigation. Relevant parties to the complaint are entitled to know of this new information and have a full opportunity to respond.
- 3.61 Where the investigator learns information that may raise concerns about safety or potential reprisal or that the complaint may have been made in bad faith, the investigator will inform the Associate Director of Equitable Education.
- 3.62 Where an investigator assesses potential systemic issues, the investigator will notify the Director of Education to determine if the systemic concerns will fall under the scope of the investigation or will be addressed as part of a separate systemic review process. If the scope includes potential systemic concerns, the investigator may also request and review additional information (e.g., other District policies, procedures, data, etc.) to help identify potential barriers, disparities and disproportionalities that may affect the complaint.

Analysis of Evidence and Findings

- 3.63 The investigator will review all interview statements and evidence gathered to make findings of fact and determine if the incident(s) of alleged discrimination took place and, if so, assess if the incident(s) amounts to discrimination under (or any other violation of) the Human Rights Policy.
- 3.64 In making this assessment, the investigator will thoroughly examine the context and circumstances and will:
- a) Reconcile conflicting evidence, where possible;
 - b) Assess if the effect/impact of alleged behaviour(s), action(s) or inaction(s) was discriminatory, regardless of the intent;
 - c) Consider that a Human Rights Code ground(s) need only be a factor (and does not need to be the only reason for or the main factor) when making a finding of discrimination; and
 - d) Apply critical human rights, anti-discrimination, anti-racist and intersectional analyses to the complaint, evidence and findings, including the effects of privilege, positionality and power and the impacts of historical and ongoing discriminatory structures, ideologies, biases, stereotypes and assumptions, as well as potential systemic analyses.
- 3.65 The investigator may consult with subject matter expertise to help make this assessment.
- 3.66 The District recognizes that in some instances, it can be difficult to find evidence of discrimination because it can often be subtle, systemic and/or not overt. The investigator may make inferences based on evidence available and systemic human rights analyses.

Investigation Findings

- 3.67 The investigator will apply the appropriate standard of proof to the evidence, factual findings and analysis. The standard of proof for human rights investigations is the legal “balance of probabilities” standard. This means that an allegation(s) is supported if the evidence and information provided or gathered shows that the allegation was more likely than not to have occurred.
- 3.68 The investigator will determine if, on a balance of probabilities, the alleged incident(s) of discrimination took place and whether it amounts to a breach of the Human Rights Policy.

Vexatious or bad faith complaint

- 3.69 If it is determined based on objective, clear and compelling evidence that a complaint is vexatious or was filed in bad faith, the investigation process may be discontinued, and disciplinary action may be taken against the person(s) responsible for making the complaint.
- 3.70 People who have human rights issues and concerns should raise them. A vexatious or bad faith complaint is not the same thing as an unsubstantiated complaint (for which the investigator has not found sufficient evidence on a balance of probabilities that an incident occurred and that it amounted to discrimination).

Investigation report

- 3.71 The investigator will provide a written report summarizing the allegations and responses, the steps taken during the investigation, the evidence gathered, the analysis of the evidence, and the investigation findings and conclusions.
- 3.72 Where issues arise during the investigation that do not relate directly to the allegations but must be raised to the District’s attention, the investigator will summarize these in a separate confidential report. Depending on the scope of the investigation, the investigator may also make confidential recommendations for further action, or about systemic or other issues uncovered during an investigation.
- 3.73 The investigator will provide a copy of the draft summary report to the Human Rights and Equity Advisor, who will review to ensure that the appropriate human rights analyses have been applied and that the findings are supported by the evidence. The purpose of this review is not to advise on the investigation or to question, challenge or influence the outcome. It provides an opportunity to raise potential or perceived gaps in the investigation process, report, evidence or human rights analyses. This is in keeping with the District’s responsibility to ensure that investigation reports and analyses are sound and can withstand third party scrutiny.
- 3.74 The investigator will meet with the complainant and respondent individually to verbally share the draft summary report and will provide a copy of to the parties to give them an opportunity to comment.
- 3.75 The investigator will consider any comments on the draft summary report and may adjust the report. The investigator will issue a final summary report to the complainant, respondent and Associate Director of Education.
- 3.76 All parties will keep the report and findings confidential, subject to section 3.17.

Requesting a review of the investigation findings

- 3.77 A complainant or respondent who wishes to request a review of an investigator's findings may submit a written request to the Associate Director of Equitable Education explaining the reasons for the request and providing any supporting information.
- 3.78 The review request must be submitted in writing within ten regular business days from the date the final investigation report was received.
- 3.79 The Associate Director of Equitable Education will only consider a review request if the request asserts:
- a) Lack of procedural fairness;
 - b) That the findings of fact do not support the conclusion; or
 - c) New facts or evidence that could affect the outcome decision and that could not have been reasonably obtained during the investigation.
- 3.80 The request for review is not intended to duplicate the investigation that was completed and is not a process or mechanism to reinvestigate a complaint.
- 3.81 The Associate Director will inform the other party that a review has been requested and provide the other party an opportunity to respond, including as to any new information provided as part of the review request.
- 3.82 The Associate Director will determine if the investigator's findings stand, should be adjusted or if the matter requires further or a new investigation and will communicate the decision to the parties. There is no further internal appeals mechanism or process.

Investigation Outcomes: Corrective, Disciplinary and Other Action

Complaint Not Substantiated

- 3.83 Where a complaint is found to not be substantiated, the Associate Director of Equitable Education will nonetheless assess whether any action is required to address any findings in the investigation report (e.g., inappropriate behaviour that does not amount to discrimination).

Complaint Substantiated (in whole or in part)

- 3.84 Where one or more of the allegations are found to be substantiated, the District will:
- a) Consider the complaint on an individual basis and assess the specific facts, circumstances and findings; and
 - b) Take appropriate responsive, remedial, restorative, corrective and disciplinary actions, as appropriate, to address the findings.
- 3.85 Consideration shall also be given to addressing any potential underlying or systemic issues (for example, addressing issues in the learning environment that may persist despite any corrective and disciplinary actions taken against an individual respondent).
- 3.86 To support these findings, the superintendent responsible for Human Resources shall convene an Investigation Outcome Committee ("IOC"). The purpose of the IOC is to support consistent organizational approaches and decision making that is in accordance with relevant policies, procedures and collective agreement provisions (where applicable).

3.87 The IOC will be comprised of:

- a) The respondent's superintendent or senior manager;
- b) The Human Rights and Equity Advisor;
- c) the superintendent responsible for Human Resources;
- d) An employee relations advisor (where the respondent is a member of union, federation/association);
- e) General Counsel; and
- f) Where applicable/appropriate, the Superintendent of Indigenous Education, Inclusive Student Services, Equity and Inclusive Education and Positive School Climates or other portfolio(s) relevant to the complaint to address the specific investigation findings.

3.88 Before the IOC meets, the superintendent responsible for Human Resources shall convene an opportunity to respond meeting with the respondent and their union/association/federation representative, where applicable. The purpose of the opportunity to respond meeting is for the respondent to provide information about any potential mitigating factors.

3.89 The IOC shall consider:

- a) The investigation findings;
- b) The effect of the respondent's behaviour, actions or inactions (e.g., on the complainant and others in the District's learning and working environment, where applicable);
- c) The results of any file review and opportunity to respond meeting and any mitigating or aggravating factors;
- d) The principles of progressive discipline;
- e) The District's human rights related (and other applicable) policies, procedures, accountability framework and expectations, including (and not limited to):
 - Anti-oppression, anti-discrimination and anti-racism principles and approaches to decision making; and
 - Individual and organizational roles, responsibilities and accountability for human rights;
- f) Actions that may be required to restore the relationship(s) or environment(s);
- g) Other relevant factors based on the circumstances of the complaint; and
- h) Potential systemic actions that may be required to address the findings; this may include reflecting on data and other trends to assess the need for potential preventative and/or systemic actions.

3.90 The IOC will maintain confidentiality.

Investigation Response Action Plan

3.91 The IOC will make a recommendation to the Associate Director of Equitable Education about the appropriate corrective, disciplinary and systemic response to the complaint and suggested timelines. The recommendations will be documented in an investigation response action plan (template).

3.92 Human Resource Services and the appropriate superintendent(s) are responsible for implementing the investigation response plan (including corrective, disciplinary and systemic actions) and reporting back to the Associate Director once the actions have been completed.

Possible Corrective and Disciplinary Actions

3.93 Where the respondent is an employee, corrective and disciplinary actions will be in accordance with discipline policies, procedures and collective agreements and may include:

- a) A restorative meeting or approaches;
- b) An apology;
- c) A permanent separation of the parties;
- d) Training or professional development;
- e) Counseling;
- f) Letter of expectations/letter of counsel; and
- g) Discipline, up to and including termination of employment.

3.94 Where an allegation is found to be substantiated and results in discipline for the employee, a record of the discipline will be placed in the employee's file.

Possible Systemic Actions

3.95 Possible systemic actions in response to a substantiated complaint may include:

- a) Learning, training or professional development for groups (e.g., at a school, system department or system level);
- b) Review of a policy, procedure, practice or professional development to identify, prevent and address barriers in accordance with anti-discrimination principles in the Human Rights Policy; and
- c) A systemic review of the learning environment.

Notifying the Parties and Communicating the Outcome

3.96 The Associate Director of Equitable Education will provide the complainant and respondent with written notification of the investigation findings. The notice to the respondent will advise of any corrective or disciplinary actions involving the respondent. The notice to the complainant will advise of corrective and disciplinary action to be taken to address the substantiated findings, without specific details of confidential personnel matters involving the respondent, and of any systemic actions that will be taken.

3.97 The Associate Director of Equitable Education will keep the Director of Education informed about substantiated findings and the investigation response action plan and may also share this information with supervisory employees as may be required to support the implementation of corrective, disciplinary and systemic actions. The Associate Director will consider additional communications that may be required, depending on the circumstances and while protecting confidentiality.

3.98 For some employee groups, the District may also have obligations to report substantiated findings to employee professional associations and colleges.

Concerns About the Findings or Outcome of the Investigation

3.99 Where a complainant is dissatisfied with the outcome of the complaint, they may pursue other options available to them such as filing an application with the Human Rights Tribunal of Ontario.

3.100 Employees may have options under collective agreements (e.g., grievance rights), where applicable.

Monitoring and Follow Up: Restoring Relationships and Learning Environments and Preventing Discrimination

- 3.101 Human rights issues, incidents and complaints affect parties and witnesses (and relationships among them) and other people in the learning and working environment. As part of the resolution of all issues, incidents and complaints, the District will take appropriate action to help restore relationships and the environment and to prevent potential recurrences. This may include:
- a) Offering additional opportunities for meetings/mediation to repair relationships;
 - b) Building relationships and partnerships with school communities and community organizations to better understand issues and concerns and to build trust and confidence;
 - c) Identifying, preventing and addressing any systemic issues or factors that contributed or led to the incident or complaint at the individual or broader school community levels; this can include monitoring data and trends (e.g., School Climate data, complaints data);
 - d) Conducting local surveys, consultations or focus groups to better understand experiences and underlying causes/issues and to inform possible solutions;
 - e) Arranging or facilitating human rights learning opportunities and resources for students and employees to enhance understanding of power, privilege and discrimination and how they operate in learning environments; and
 - f) Consulting with Positive School Climates and other system departments for information and support to help (re-)build safe, welcoming, inclusive, equitable and accessible learning environments.
- 3.102 All school leaders should consider including these actions in their strategies and plans to proactively prevent human rights issues, incidents and complaints.

III. General Requirements and Considerations

Safety, Supports and Interim Measures

- 3.103 When addressing issues, incidents and complaints, the District will explore, assess and address potential immediate and ongoing safety needs or other interim measures for any impacted parties, pending the outcome of the matter. This includes providing support to any District community member who witnesses or has been affected by an incident of discrimination in District learning or working environments.
- 3.104 This may include asking affected students (and their parent/guardian) how they can be best supported, with a focus on cultural safety. Supports could include referrals to a social worker, guidance counsellor, other counseling services or culturally appropriate community resources, agencies and support services. In some cases, it may also involve separating the parties, where feasible, and developing a safety plan.
- 3.105 Employees who witness incidents of discrimination may contact the Employee and Family Assistance Program (for employees for whom this service is available) or their principal or manager/supervisor for support.
- 3.106 The District will also communicate and follow up with affected students, parents/guardians and community members in a timely manner to provide updates and supports, as may be required. As new information becomes available or as circumstances change, additional safety considerations, supports and actions may be required.

Additional Safety Concerns

3.107 The District recognizes the unique safety and confidentiality concerns based on disability (including mental health and “non-evident” disabilities), sexual orientation, gender identity and gender expression. In some cases, a student’s identity may be “visible” and they may be more vulnerable to discrimination and bullying. In other cases, “invisible” or non-evident aspects of identity may also cause safety and confidentiality concerns based on stigma, stereotypes, biases and barriers. Although sharing of some information may be required to support an issue or complaint resolution process, the District will make efforts to protect confidentiality as much as possible. The District will also carefully and sensitively consider situations where students who identify as members of 2SLGBTQI communities may not be “out” or may not have support from their parents/guardians.

Sexual Orientation, Gender Identity and Gender Expression

3.108 The District recognizes the unique considerations and safety needs of students based on sexual orientation, gender identity and gender expression. Students may choose to not disclose their sexual orientation, gender identity or gender expression, or may face heightened discrimination and bullying when they are coming out, because of historical and ongoing discrimination, homophobia and transphobia. This includes and is not limited to stereotypes, harassment, slurs, misgendering, intrusive and inappropriate personal questions, stigmatization, barriers, exclusion, bullying, hate and violence.

3.109 In addition, students who identify as (or are perceived to identify as) a member of 2SLGBTQI communities may be subjected to:

- a) Repeated or ongoing intrusive and threatening comments about their personal life which may amount to sexual harassment;
- b) Inaccurate and offensive stereotypes that misrepresent, distort or overemphasize sexuality;
- c) Behaviours that pressure students to disclose or deny their sexual orientation or gender identity;
- d) Heteronormativity, heterosexism, homophobia, cisnormativity/cisgenderism, cissexism, biphobia and transphobia in learning environments;
- e) Compounding and intersectional discrimination based on other Human Rights Code grounds.

Students may not have access to safe support and resources. Students may:

- a) Feel that they need to conceal their identity;
- b) Share information only with certain individuals; and/or
- c) Have enhanced confidentiality and safety concerns in issue and complaints resolution processes, analyses and outcomes.

Support Person

3.110 Complainants, respondents and witnesses have the right to have a support person accompany them during an issue or complaint resolution process. The support person must not be a party or witness to the complaint or have a real or perceived conflict of interest. A support person may include a: parent/guardian, colleague or family member, union/federation/association representative (where applicable), a friend, school staff, another student, teacher, or community advocate, member or representative.

3.111 Where a parent/guardian submits a complaint on behalf of a student, the parent/guardian may have a support person and the student attend meetings if they wish.

- 3.112 For students, their parent/guardian usually participates as a support person. A student may have another person attend as a support person.
- 3.113 Parties also have the right to attend issue or complaint resolutions meetings with a translator or interpreter.
- 3.114 All persons acting as a support person within the scope of these procedures must keep any information regarding the complaint confidential. A support person may be required to sign a confidentiality agreement when attending investigation or other issue or complaint resolution meetings.
- 3.115 The role of the support person is to be available to a party to an investigation to provide general emotional support or advice. Unions/associations and federations may have other responsibilities to their members in this capacity.
- 3.116 All support persons must not answer questions or advocate on behalf of the interviewee or obstruct the investigation process in any way.

Confidentiality

- 3.117 Information about the issue or complaint is provided only to those who need to know in order to address and resolve the issue or complaint. All responsible staff will:
- a) Maximize privacy;
 - b) Maintain the confidentiality of personal information related to the complaints and the complaints process;
 - c) Retain complaints information in a secure location that only authorized designated personnel can access; and
 - d) Only disclose this information with the student (or parent/guardian's) or community member's consent, unless:
 - Required or permitted in legal proceedings or as required by law; and/or
 - To respond to and address the issue/complaint, including potential safety measures, investigation processes and outcomes, and corrective/disciplinary action; this includes sharing relevant information with the respondent.
- 3.118 Any DDSB community member who raises an issue or complaint or who participates in a complaint resolution meeting or process (e.g., mediation, investigation) under this procedure must maintain strict confidentiality and not discuss, release or disclose information about the complaint to anyone. This includes the complainant, respondent, witnesses and support persons who may be a party to or who participate in the issue or complaint resolution process, and any District employees involved in addressing the issue or complaint, or in implementing the resolution processes and outcomes.
- 3.119 In communications about the complaint process and to those involved in the complaint resolution process (including witnesses and support persons), responsible staff shall convey:
- a) The importance of confidentiality;
 - b) The right to be protected from reprisal; and
 - c) The consequences of breaching confidentiality and engaging in reprisal.
- 3.120 General information about a person's involvement in a complaint resolution matter may need to be provided to District employees (for example, to arrange for release time for an employee to participate in an investigation meeting). Details about the parties or the allegations will not be disclosed.

- 3.121 Details about the outcome of an issue or complaint resolution process (e.g., the specific nature of or details about corrective and disciplinary action) will only be disclosed to those who need to know this information in order to execute their duties (e.g., to arrange for professional learning or to implement corrective and disciplinary actions in accordance with the processes set out in this procedure).
- 3.122 The Human Rights Tribunal of Ontario (HRTO) is a public forum. If a District community member chooses to file an application (complaint) to the HRTO, details of the complaint and findings (where applicable) may become publicly available.
- 3.123 The District emphasizes the critical importance of protecting privacy and confidentiality in sensitive issue and complaint resolution procedures. The District also recognizes that bringing forward issues and complaints of discrimination can be stressful, and that people who have been subjected to discrimination may require support from peers, community members or support networks. The District encourages a party to a complaint to limit discussions to their support person to protect the fidelity of the issue and complaint resolution processes. When assessing potential confidentiality breaches, the District will consider all circumstances.

Protection from Reprisal

- 3.124 It is recognized that students, families/parents/guardians, employees and community members may not feel comfortable or safe identifying human rights issues or complaints because they fear that they will be subject to stigmatization, discrimination or reprisal.
- 3.125 Reprisal is a violation of the Human Rights Policy and is unacceptable and will not be condoned. No student (or their parent/guardian) or community member will be penalized, threatened, negatively treated or be subject to reprisal for asserting their rights under the Human Rights Code or this procedure, including:
- a) Requesting information about human rights;
 - b) Requesting an accommodation;
 - c) Raising a human rights issue or concern about an incident, the accommodation process or outcome;
 - d) Filing a human rights related complaint, application to the Human Rights Tribunal of Ontario or raising a complaint to another external body to assert their rights; and
 - e) Providing information related to an issue or complaint or participating as a party or witness in a complaint or issue resolution process.
- 3.126 Protection from reprisal extends to any District community member who is a complainant, witness, advisor, support person or representation, investigator, decision maker or District representative responsible for implementing the outcome of a complaint.
- 3.127 All complaints about reprisal should be raised to the superintendent as soon as possible. Where reprisal is substantiated, it will be reported to the Director of Education. Persons who are found to have reprimed against students, parents/families/guardians or community members are subject to corrective and disciplinary action, up to and including dismissal.

Race Related Grounds

- 3.128 The District recognizes that in some cases, incidents of racial discrimination and systemic racism may be overt and in other cases, it may be subtle with little or no direct evidence. Assessing allegations of racism requires (among other things):
- a) Examining all of the circumstances and the full context of the allegations, including intersectional analyses and assessing the effects of historical and ongoing systemic discrimination and the individual circumstances of the complaints;

- b) Considering how dominant discriminatory ideologies, biases, assumptions and stereotypes are “normalized” and internalized and affect perspectives and decision making;
- c) Understanding how racism operates in systems and structures (e.g., in policies and practices which may appear neutral but that create or perpetuate disadvantage and may discriminate against or exclude racialized people, and how this affects services, learning environments and cultures); and
- d) Analyzing comparative evidence and drawing inferences based on patterns of behaviour and decision making (e.g., reviewing data to assess potential disparities and disproportionalities).

Note: The District recognizes that these also apply to assessing discrimination based on all other grounds.

- 3.129 To address these concerns and considerations, the District will apply human rights, anti-oppression, anti-discrimination and anti-racism principles and analyses, including intersectional analyses, to all issue/incident and complaints resolution processes (including safety and confidentiality considerations), findings and decisions/outcomes.

Talking About Discrimination

- 3.130 Promoting and protecting human rights and addressing discrimination often involves conversations or discussions that may make people feel uncomfortable. It is generally not discriminatory to respectfully, sensitively and safely (in ways that are appropriate to students’ ages and levels of understanding):
- a) Affirm, positively promote, respect and support the expression of diverse identities based on ancestry, race, sex, disability, sexual orientation, gender identity, gender expression, religious/creed identities, all other Human Rights Code grounds and intersection of grounds;
 - b) Teach about diverse identities, voices, stories, cultures, histories, experiences and perspectives of the communities the District serves and of Ontario, including where this may conflict with individual creed related beliefs (see Human Rights Inclusive Design and Accommodation Procedure);
 - c) Engage in conversations about the effects of historical and ongoing colonialism, oppression and discrimination; and/or
 - d) Challenge racism, sexism, ableism, homophobia, biphobia, transphobia, faithism and all forms of discrimination.

Timelines to Raise an Issue or Complaint

- 3.131 Issues or complaints should be raised as soon as possible, and within one year from the date of the incident that led to the issue or complaint (or, if the complaint is about a series of connected incidents, then one year from the date of the last incident). The District will consider reasonable exceptions where:
- a) There is a good faith reason for not raising the issue sooner;
 - b) No party to the complaint will be negatively affected or substantially prejudiced by the delay; and
 - c) The issue or complaint raises significant concerns.
- 3.132 Timelines for submitting applications to the Human Rights Tribunal of Ontario or complaints through other external processes may differ from the timelines for submitting complaints/issues under this procedure. A student (or their parent/guardian) may wish to consider timelines under other processes when determining when to submit a complaint under this procedure.

Flexible Procedures

- 3.133 It is recognized that in some situations or where there are extenuating circumstances, resolution procedures may need to be adopted to best fit the situation or to resolve a matter outside of these procedures. In these cases, the responsible staff will document the rationale and inform the parties. Any adapted approach must maintain the principles of the Human Rights Policy and this procedure.
- 3.134 It is recognized that issue/incident and complaint resolution processes may be stressful for all parties involved. The District is committed to acting as quickly as is reasonably possible to resolve the matter and will keep parties informed about any delays in the process.

Interference with an Investigation

- 3.135 Any participant (complainant, respondent, witness, support person, etc.) in an issue or complaint investigation process has an obligation to cooperate and not interfere in the process. Interference in an investigation is a violation of the Human Rights Policy and this procedure

Issue, Incident and Complaint Documentation and File Retention

- 3.136 All documentation related to a human rights issue/incident or complaint (records of action taken, complaint form, communications, mediation agreement, witness statements, documentary and other evidence, investigator's notes, consultation notes, investigation report, meeting notes, responses to the investigation report, outcome and actions) will be kept confidential, in a secure area which will be maintained only by authorized personnel and will be kept separate from any employee's employment file. Information and documentation regarding any disciplinary action will be kept in the individual's file as appropriate. This information may be stored electronically.
- 3.137 These records shall be kept for a period of 15 years. At that time, the District will determine if the documents should continue to be retained or disposed of. A record of the type of document destroyed, by whom and when should be kept in accordance with privacy legislation.
- 3.138 Records related to discipline will be retained in the employee's file in accordance with collective agreement provisions (where applicable), or, where not applicable, the employee may request that the disciplinary letter be removed from their file xx years after the date that the discipline was issued.

Competing Rights

- 3.139 The District recognizes that in a complex and diverse service and employment organization, a human rights issue or incident may affect the legal right of another person in the learning or working environment, or that rights may come into conflict with one another. The District:
- a) Recognizes that no rights are absolute and there is no hierarchy of human rights;
 - b) Respects the importance of all sets of rights; and
 - c) Will collaboratively explore options and solutions to address conflicting and competing rights and to maximize rights for everyone.
- 3.140 If a human rights issue conflicts with the rights or Human Rights Code related needs of another student or employee, the District will consider each situation on a case-by-case basis using the OHRC's framework and steps set out in its Policy on Competing Rights, including (but not limited to):
- a) Assessing the needs of both parties;
 - b) Considering potential accommodation needs, options and combinations of solutions that may resolve the potential competing rights; and

- c) Consulting with internal resources/expertise (Indigenous Education, Equity and Inclusive Education, Inclusive Student Services, Mental Health and Well-Being, Positive School Climates, Human Rights and Equity Advisor, Human Resource Services, General Counsel, etc.), other areas impacted and/or external expertise as appropriate.

Accommodation to Participate in the Complaint or Issue Resolution Process

- 3.141 Students (or their parents/guardians) may have Human Rights Code related needs (e.g., disability, language barrier, etc.) that affect their ability to raise issues or complaints and/or to understand their rights, responsibilities and options under the Human Rights Policy and this procedure. If so, they will be accommodated to the point of undue hardship (e.g., with alternate formats, translation services, assistance completing forms, etc.). To support accessibility and reduce barriers to bringing forward complaints, students (or their parents/guardians) may:
- a) Submit a complaint in the language of their choosing; and/or
 - b) Raise a complaint in an alternative way (e.g., verbally) if they are unable to submit it in writing.

The District employee who receives the issue or complaint will document it on the complaint form. Other flexible options will be explored as may be needed on an individualized, case-by-case basis.

- 3.142 Students, parents/guardians, support persons or community members involved in an issue or complaint resolution process may require accommodation (e.g., translator, other supports) to participate, and should make their human rights related needs known in advance by submitting the attached accommodation request form [template]) and collaboratively engaging in the accommodation process so that the District can facilitate appropriate accommodation.

Organizational Trends Analysis

- 3.143 The Director of Education and designates will collect and analyze issue, incident and complaints data in accordance with Human Rights Policy, related procedures and accountability framework to monitor organizational human rights trends and issues. Where appropriate, this data may be used to inform:
- a) Professional development planning;
 - b) Revisions to relevant procedures and practices; and
 - c) Special initiatives, programs strategies, plans or actions to address unique and intersecting issues or barriers that affect students and employees based on ancestry, race, disability, sexual orientation, gender identity, gender expression, creed/religion, and any other Human Rights Code related ground or combination of grounds. The District will engage and co-create any such programs with communities the District serves and those who are most affected by the program.

Communications and Information Sharing

- 3.144 The Director and designates will communicate about and publicly post this procedure in accordance with the requirements of the Human Rights Policy, procedures and accountability framework. Alternative formats will be made available upon request.
- 3.145 This procedure shall be referenced in School Codes of Conduct, School Handbooks, and on school websites. It should also be referenced in newsletters, reports, meetings, school websites and other appropriate communication tools to help bring awareness of the procedure to the community.

- 3.146 The District will regularly share information about its commitment to human rights and the issue and complaints resolution process. This will be posted on the District's website and will also be communicated in, among other things, student application, registration and returning student materials, orientation packages, student information forms, newsletters, survey invitations, etc.

Review Process

- 3.147 The Director of Education and designates will review and update this procedure as required and at least every five years. To support the review process, the review will include:
- a) Data (for example, School Climate and Well-Being survey data, Student Census/Identity survey, Workforce Census data, complaints data, accommodations data, etc.); and
 - b) Wide consultation with students, employees, parents/guardians, School Community Councils and community partners.
- 3.148 The District will follow the DDSB Policy Consultation process and will communicate consultation meetings and methods (e.g., surveys, focus group meetings and or formal meetings) with all stakeholders.
- 3.149 The District will share the consultation results with all stakeholders.

4.0 Reference Documents

4.1 Policies

- Indigenous Education
- Human Rights Policy
- Consultative Process
- Equity and Inclusive Education
- Equitable Recruitment
- Positive School Climates
- Workplace Harassment Prevention, Workplace Sexual Harassment Prevention and Safe and Respectful Workplace Policy

4.2 Procedures

- Classroom Practices: Teaching and Learning
- Human Rights, Anti-Discrimination and Anti-Racism Procedure
- Human Rights Roles, Responsibilities and Accountability Framework
- Equity and Inclusive Education
- Equitable Recruitment
- Positive School Climates
- Complaints Procedure - Workplace Harassment Prevention, Workplace Sexual Harassment Prevention and Safe and Respectful Workplace

4.3 Other Documents

- Universal Declaration of Human Rights
- United Nations Declaration on the Rights of Indigenous Peoples
- United Nations Convention on the Rights of the Child, Rights of Persons with Disabilities, Yogyakarta Principles and other United Nations documents and instruments
- Charter of Rights and Freedoms
- Ontario Human Rights Code
- Anti-Racism Act
- Accessibility for Ontarians with Disabilities Act

- Education Act
- Ontario Human Rights Commission’s policies, guidelines, reports and resources
- Anti-Racism Directorate’s Anti-Racism Policy, Anti-Racism Strategy and Data Standards for the Identification and Monitoring of Systemic Racism
- Ministry of Education strategies, plans, and policy and procedures memoranda
- Toronto District School Board’s Reporting and Responding to Racism and Hate Incidents Involving or Impacting Students in Schools Operating Procedure

Appendix:

[NOTE: Forms and templates referenced in procedure to be added to final draft package and will be based on consultation feedback]

Effective Date

YYYY-MM-DD

Amended

YYYY-MM-DD