

# NEW HUMAN RIGHTS POLICY

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Date: June 4, 2024

## **POLICY INFORMATION**

**Policy:** Human Rights

**Section:** Administration and Governance

**Lead department:** Legal Services

### **Phase I. INITIATE POLICY REVIEW**

This workplan will be discussed at the Regular Board meeting meeting on: June 13, 2024.

A Human Rights policy for the TCDSB should include these components:

- Statement of organizational commitment to human rights
- Commitment to regular training of board, staff and leadership on human rights and related obligations as critical supports to an environment that respects rights and that works to prevent human rights breaches
- Statement of respect for human rights, and the significance of human rights law in our society
- Statement of the areas (education as a service under the Code, employment, contract)
- Listing of the prohibited grounds of discrimination as per the Human Rights Code
- Definitions/explanations of discrimination, harassment, sexual harassment
- Definitions/explanations of types of discrimination – i.e. direct discrimination and adverse impact discrimination
- Definitions of disability as per Human Rights Code and the broad range and degree of conditions it addresses
- Discussion of the duty to accommodate based on disability, the concept of undue hardship, and the procedural and substantive duty to accommodate
- Discussion of the duty to accommodate based on all prohibited grounds
- Protections against reprisal or threat of reprisal for claiming and enforcing their human rights, refusing to infringe human rights of another person, and participating in human rights processes as a witness
- Protection against discrimination based on association with a person identified by a prohibited ground of discrimination

- Provision that reflects the *Code* provision (referenced above) that preserves the rights and privileges of separate schools under the Canadian Constitution, 1982 and *Education Act*

The proposed new policy are due to the following reason(s):

- Legislation
- Government directives/policies
- Board decisions
- Operational requirements

## **Phase II. ENGAGEMENT**

Are external engagements applicable to this Policy? No, a Human Rights policy supports the implementation the board's obligations under the Ontario Human Rights Code, the Education Act, the Canadian Charter of Rights and Freedoms, and the Occupational Health and Safety Act.

## **Phase III. DRAFTING, REVIEW AND APPROVAL**

Present draft policy to GAP for review & consideration; on September 3, 2024.