

Policy Title	Human Rights		
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Review Date	October 1, 2026	Originator	Board of Trustees
References			
Education Act; Canadian Charter of Rights and Freedoms; Ontario Human Rights Code; Occupational Health and Safety Act; Inclusive Language Guidelines; BP and AP 6303-D “Equity and Inclusive Education”; BP 5450-D “Textbooks (Approvals)”; Toronto District School Board “Human Rights Policy”; BP 6820-D “Safe and Accepting Schools”; BP 6302-D “Indigenous Self-Identification”; BP 7523-D “Workplace Violence”; BP 1411-D “Accessibility Standards”; BP 7310-D “Hiring Practices”; AP 6825-D “Progressive Discipline – Students”; BP/AP 7530-D “Progressive Discipline – Employees”; BP/AP 7523-D “Workplace Violence”; BP 1601-D “Policy –The Development and Implementation of Board Policy”			

1.0 RATIONALE

- 1.1 Bluewater District School Board policies will support and provide direction necessary to achieve the board’s Vision, Mission and Strategic Plan priorities.
- 1.2 Bluewater District School Board is committed to meeting its obligation under the Canadian Charter of Rights and Freedoms (The Charter), the Occupational Health and Safety Act (OHSA), and the Ontario Human Rights Code (OHRC) by providing safe schools and workplaces that respect the rights of every individual.
- 1.3 Students, employees, trustees, parents/guardians, and community members have the right to a workplace and educational environment free of discrimination and any form of harassment.

2.0 LEGISLATIVE REFERENCES

2.1 Canadian Charter of Rights and Freedoms

The Canadian Charter of Rights and Freedoms (The Charter) and Supreme Court of Canada decisions made under The Charter guarantee everyone equality regardless of race, national or ethnic origin, colour, religion, sex, age or mental or physical disability. The Charter and Supreme Court decisions also promote the development of programs which are designed to redress the conditions of disadvantaged individuals or groups. The Charter guarantees the following fundamental freedoms: a) freedom of conscience and religion; b) freedom of thought, belief, opinion, and expression, including freedom of the press and other media of communication; c) freedom of peaceful assembly; and d) freedom of association. The Charter also guarantees the following rights: right to vote; right to life, liberty, and security of the person; equality rights; legal rights of persons accused of crimes; official languages rights; and protection of multicultural heritage.

The Charter works in coordination with provincial legislation (i.e., Ontario Human Rights Code).

2.2 Ontario Human Rights Code

The Ontario Human Rights Code (OHRC) prohibits actions that discriminate against people based on the following protected grounds: age, ancestry, colour, race, citizenship, ethnic origin, place of origin, creed, disability, family status, marital status (including single status), gender identity, gender expression, receipt of public

assistance (in housing only), record of offences (in employment only), sex (including pregnancy and breastfeeding), and sexual orientation.

The provisions of the OHRC apply to private parties and provincial public institutions. The OHRC exists to prevent discrimination and harassment and, through its special program provisions, to foster proactive steps to promote human rights. Human rights law prohibits the creation and/or fostering of negative or poisoned environments that threaten basic human rights.

2.3 Occupational Health and Safety Act

The Occupational Health and Safety Act (OHSA) includes definitions of workplace harassment and workplace violence (any behaviour that would meet the definition of workplace violence is addressed by board policy BP 7523-D “Workplace Violence”).

2.3.1 Workplace Harassment

Workplace harassment is defined in OHSA as "engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome" and includes workplace sexual harassment [subsection 1(1)]. Please refer to AP 7520-D “Prevention and Resolution of Harassment, Discrimination, Objectionable Behaviour and Human Rights Violations” for additional information.

2.3.2 Workplace Violence (BP/AP 7523-D “Workplace Violence”)

Workplace violence is defined in the OHSA as:

- i. the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker,
- ii. an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker,
- iii. a statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker [subsection 1(1)].

3.0 POLICY

- 3.1 It is the policy of Bluewater District School Board to create and maintain an environment where every student, employee, trustee, parent, and community member has the right to freedom from harassment or discrimination as defined by The Charter, the OHRC, and OHSA.
- 3.2 Bluewater District School Board celebrates the diversity of all individuals that make up its school communities. Discriminatory behaviour toward any individual or group is unacceptable and will be dealt with based on the board’s progressive discipline approach.
- 3.3 Bluewater District School Board is committed to promoting respect for human rights and endeavours to ensure equality of opportunities for all employees and students. The board will seek out and remove systemic and attitudinal barriers and biases to employment and learning opportunities that have a discriminatory effect on any individual.
- 3.4 This policy is aligned with and supports the principles and expectations of relevant board policies and their related procedures (including but not limited to) AP 7521-D “Religious Accommodation”, AP 7520-D “Prevention and Resolution of Harassment, Discrimination, Objectionable Behaviour, and Human Rights Violations”, AP 7522-D “Exemption from Instruction in Human Development and Sexual Health (Grades 1-8)”, BP 6303-D “Equity and Inclusive Education”, BP 6820-D “Safe and Accepting Schools”, BP 6302-D “Indigenous Self-Identification”, and BP 1411-D “Accessibility Standards”, along with provisions concerning OHRC compliance that exist within collective agreements that are held between the board and applicable employee groups.
- 3.5 This policy applies to all Bluewater District School Board students, employees, trustees and other users such as members of committees, clients of the board, parents, volunteers, permit holders, contractors, and employees of organizations not related to the board but who nevertheless work on or are invited onto

board premises. This policy also covers discrimination and harassment by such persons which occur outside the learning/working environment, and which are proven to have repercussions that adversely affect the board's learning/working environment. This policy will act as a foundation for all board operations.

- 3.6 This policy does not deny or limit access to other avenues of redress open under the law, such as a human rights complaint or a grievance.

4.0 SYSTEM EXPECTATIONS

- 4.1 Through the implementation of this policy and its related procedures, Bluewater District School Board strives to:
- i. create and maintain a working and learning environment that is free from bias, privilege, discrimination, and harassment, through greater awareness of and responsiveness to their harmful effects;
 - ii. educate students, employees, trustees, parents, and community members that discrimination and harassment in the workplace and in our schools is unacceptable;
 - iii. establish a procedure by which Bluewater District School Board will deal with complaints of harassment or discrimination in the workplace or educational environment, ensuring all complaints are dealt with consistently, expeditiously, and effectively (AP7520-D);
 - iv. establish a procedure by which Bluewater District School Board will handle requests for religious accommodation (AP 7521-D "Religious Accommodation");
 - v. establish a procedure by which Bluewater District School Board will handle requests for exemption from instruction in human development and sexual health (Grades 1-8) (AP 7522-D "Exemption from Instruction in Human Development and Sexual Health (Grades 1-8)"); and
 - vi. develop, monitor, and evaluate systemic hiring and promotional practices that are fair, transparent, consistent and equitable, in order to ensure that the board continues to seek out, encourage, support, and promote qualified individuals, while also extending this philosophy to students within the system. As coordinated with board policy BP 7310-D "Employee Hiring Practices" and applicable collective agreements, diversity, human rights, qualifications and merit, and employment mobility will be considered.

5.0 DUTIES AND RESPONSIBILITIES

Bluewater District School Board is committed to meeting its obligations under the Charter, OHSA, and the OHRC by providing an environment respectful of human rights and free of discrimination and harassment for all persons served by it. The board must be ever vigilant of anything that might interfere with this duty. In fostering this environment, the board expects that the following responsibilities will be upheld.

- 5.1 Bluewater District School Board is responsible for:
- i. supporting a working and learning environment that is respectful of human rights and operates with the goal of preventing discrimination and harassment;
 - ii. taking reasonable steps to remove any discriminatory barriers in policies and practices and in accessing programs, resources, and facilities;
 - iii. providing access to awareness training, as appropriate;
 - iv. supporting, implementing, and operationalizing this policy and its related procedures; and
 - v. ensuring this policy is reviewed as often as necessary, but at least annually (OHSA Section 32.0.1(1)). Required changes will be reported to the Policy Standing Committee.
 - a. The Policy Standing Committee shall review this policy at a minimum, in accordance with the standard cyclical review cycle established in BP 1601-D "Policy –The Development and Implementation of Board Policy".

- 5.2 The Human Resources Services Department is responsible for:
- designating resources towards ensuring the implementation of and compliance with this policy and related procedures.
- 5.3 Superintendents, principals, managers, and supervisors (where applicable) are responsible for:
- communicating and reviewing this policy and its related procedures with the staff they supervise or manage;
 - managing the processes related to the implementation of AP 7520-D “Prevention and Resolution of Harassment, Discrimination, Objectionable Behaviour and Human Rights Violations”;
 - coordinating the process outlined in AP 7522-D “Exemption from Instruction in Human Development and Sexual Health (Grades 1-8)”;
 - handling requests for religious accommodation in accordance with AP 7521-D “Religious Accommodation”;
 - ensuring that the workplace and learning environment are free from discrimination and harassment;
 - taking all allegations of discrimination and harassment seriously and responding promptly;
 - supporting individuals who are, or have been, targets of discrimination and harassment;
 - formulating, communicating, and enforcing work requirements and behavioural expectations; and,
 - administering progressive, corrective disciplinary action, if required.
- 5.4 All employees are responsible for:
- being aware of, and sensitive to, issues of discrimination and harassment, and taking proactive steps to encourage human rights and respectful behaviour with students, parent(s)/guardian(s), other employees, and the community;
 - demonstrating professional and positive behaviour consistent with expectations for individuals who are responsible for the safety, learning, and well-being of students;
 - cooperating in the investigation of complaints, and working to achieve resolution at the earliest possible stage;
 - participating in all required awareness training that is provided by the board;
 - not demonstrating, allowing, or condoning behaviour contrary to this policy, including reprisal; and
 - immediately responding to and/or reporting any conduct contrary to this policy that they become aware of.

6.0 COMPLAINTS

All those covered by this policy are entitled and encouraged to bring forward complaints about discrimination and harassment and are entitled to have access to the complaint procedures. In order to stop discrimination and harassment, supervisory, and managerial personnel must expeditiously address and attempt to resolve complaints under this policy and related procedures. In addition, nothing in this policy precludes individuals who believe they are targets of (or have witnessed) discrimination or harassment from directly expressing that the behaviour is inappropriate and must stop immediately. Many complaints can be resolved quickly and effectively using this approach. Please refer to AP 7520-D “Prevention and Resolution of Harassment, Discrimination, Objectionable Behaviour and Human Rights Violations” for additional information.