

Human Rights Policy: Engagement and Consultation (Phase One) Summary of Findings

The development of the Human Rights Policy started from listening. HWDSB engaged students, families, staff and stakeholders to identify barriers they face as well as gaps in current policies, procedures and practices. We engaged people through a survey and focus groups discussions (listening sessions).

Who did we hear from?

From November 2021 to January 2022, HWDSB hosted 27 virtual sessions attended by over 200 people. We took a targeted approach to facilitating the engagement sessions, prioritizing the needs of diverse communities that experience discrimination due to disabilities, race, gender, sexual orientation, ancestry, ethnicity, religion, and other code grounds. For people who wished to participate in a different format, a survey was also launched, and we received 657 responses.

Students
 Families
 Staff
 Community
 Members

27
 Engagement
 Sessions

200+
 Participants

657
 Survey
 Responses

What themes did we hear? Report on survey findings

Understanding of human rights, roles and responsibilities and process

How informed do you feel about each of the following?	Well informed	Somewhat informed	Not informed	Total # of responses
Your human rights within HWDSB	24.60%	52%	23.40%	500
Your responsibilities to protect your and other people's human rights at HWDSB	31.60%	49.40%	19%	500
How to report a human rights concern at HWDSB	14.57%	38.72%	46.71%	501
Who to talk to if you experience or witness human rights discrimination or harassment at HWDSB	18.44%	40.88%	40.68%	499
How to request an accommodation at HWDSB	15.29%	36.63%	46.08%	497

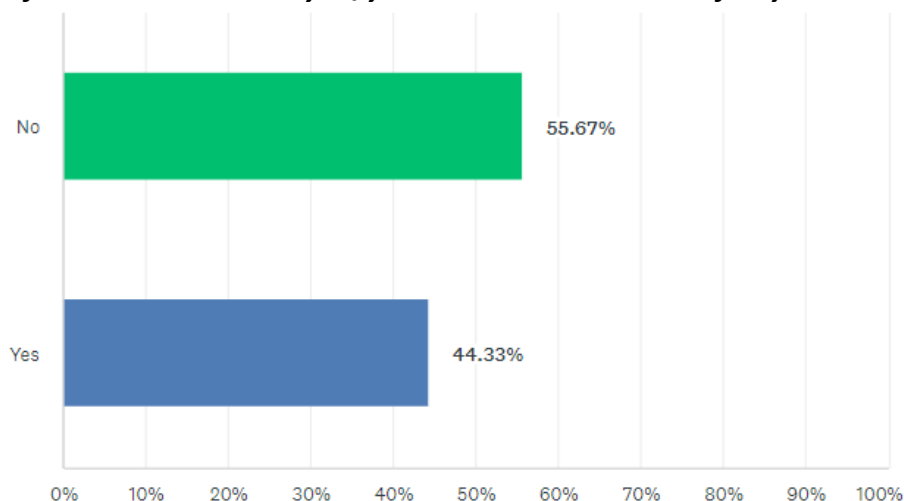
Familiarity with HWDSB policies and procedures

How familiar are you with the following HWDSB policies and procedures?	Very familiar	Somewhat familiar	Not familiar	Total # of responses
HWDSB's policies on First Nation, Métis and Inuit Education	8.13%	39.73%	52.14%	443
HWDSB's Equity and Inclusion Policy	18.51%	53.27%	28.22%	443
HWDSB's Code of Conduct	26.58%	52.03%	21.40%	444
HWDSB's policies on Religious Accommodation	12.19%	44.47%	43.34%	443
HWDSB's policies on Accommodation for People with Disabilities	17.83%	50.56%	31.60%	443
HWDSB's Workplace Violence & Harassment Prevention Policy	24.83%	40.41%	34.76%	443
HWDSB's policies on Barrier-free Learning Environments	11.79%	43.08%	45.12%	441
HWDSB's Integrated Accessibility Standards Policy and procedure	9.57%	36.45%	53.99%	439
HWDSB's Addressing Questions or Concerns Protocol	10.23%	36.59%	53.18%	440
The Ontario Human Rights Code	33.56%	51.47%	14.97%	441
The Canadian Charter of Rights and Freedoms	41.10%	46.58%	12.33%	438

Processes for addressing human rights concerns at HWDSB

To what extent do you agree with the following regarding HWDSB's processes for addressing human rights concerns?	Agree	Neutral	Disagree	Total # of responses
I know who to contact if I have a human rights concern.	27.42%	31.72%	40.86%	372
I believe human rights concerns are taken seriously.	32.44%	37.80%	29.76%	373
I am confident human rights complaints will be addressed in a timely manner.	21.77%	40.59%	37.63%	372
I believe HWDSB allocates appropriate resources to protect and promote human rights.	22.04%	43.82%	34.14%	372
The complaint process has been communicated to students, families and staff at HWDSB.	12.10%	38.98%	48.92%	372
HWDSB should do more to help students, families, and staff to understand their rights and responsibilities.	68.28%	22.58%	9.14%	372
The accommodation process is clear and easy to navigate.	10.22%	50.27%	39.52%	372
I know who to ask if I have a religious, disability, or other accommodation.	21.24%	34.41%	44.35%	372

Experience with unfair treatment: Have you/your child been treated unfairly at HWDSB?



Reasons for unfair treatment

For which of the following reasons were you/your child treated unfairly at HWDSB? (Select all that apply).	%	# of respondents (out of 153 total responses)
Another reason	35.95%	55
Disability	24.18%	37
Sex	16.99%	26
Race or colour of skin	14.38%	22
Prefer not to answer	13.73%	21
Sexual orientation	11.11%	17
Gender identity	11.11%	17
Gender expression	11.11%	17
Age	9.80%	15
Family status (single parent/caregiver/guardian, childcare/elderly/family responsibilities, etc.)	9.15%	14
Ancestry, ethnic or cultural origin	8.50%	13
Religion/creed	8.50%	13
Socioeconomic background	7.19%	11
Marital status (single, married, separated, divorced, widowed, etc.)	3.92%	6
Language	2.61%	4
For being on social assistance	1.96%	3
Indigeneity	1.31%	2
Status in Canada (newcomer, immigrant, refugee, etc.)	1.31%	2

Actions after experiencing unfair treatment

What happened when you/your child were treated unfairly? (Select all that apply)	%	# of respondents (out of 164 total responses)
Your concern was not resolved	51%	84
You talked about it with family/friends/someone else outside HWDSB	50%	82
You made a complaint to someone where it happened	47.56%	78
You reported it to a principal/supervisor/superintendent/Human Rights Office	42.07%	69
You had a discussion with the person who treated you unfairly	21.95%	36
You kept it to yourself and did not report it to anyone	21.34%	35
Other (please describe)	15.24%	25
Your concern was addressed & resolved	10.98%	18
You filed a complaint with the Human Rights Tribunal of Ontario	3.05%	5

Reasons for not reporting unfair treatment

Why didn't you report the unfairness issue to HWDSB? (Select all that apply)	%	# of respondents (out of 143 total responses)
I felt nothing would change even if I reported it.	51.05%	73
I felt I wouldn't be listened to or helped.	45.45%	65
I didn't think HWDSB would take it seriously.	37.06%	53
I was worried about negative action against me.	31.47%	45
Other	31.47%	45

Themes identified from listening sessions and open-ended survey questions

Questions asked in the listening sessions and survey

1. What are some of the human rights issues in HWDSB that should be addressed in the Human Rights Policy?
2. Currently, there are some ways human rights concerns can be brought forward. Schools and the Board have the obligation to address issues in a timely manner.
 - What is working? What is not working? What should we do to improve?
3. How can HWDSB best communicate about the new Human Rights Policy and procedure with staff, students and families?

Human rights issues that should be addressed in the policy:

Participants shared stories of how they have seen or felt discrimination based on parts of their identity. They identified opportunities to address bullying, discrimination, 'microaggressions' and stereotypes based on different human rights grounds. Some of the most discussed issues are:

- experiences of racial discrimination and bullying (e.g. slurs, hate activities, etc);
- experiences of discrimination based on gender identity and sexual orientation (e.g., deadnaming, misgendering, homophobic slurs, etc);
- sense of belonging and appropriate accommodation for those who follow non-Christian faith. (e.g. celebrating non-Christian faiths and holidays as we do Christian ones);
- the need to address ableism, promote the agency of students with disabilities and their families, and right to access to education equitably;
- the need to provide students with accessible facilities and technology needed to learn;
- to have representation and transparency in hiring practices;
- to respect the role every person plays in our education system regardless of status;
- to protect employees' right to safe workplace;
- to ensure accountability and consequences for those who violate other's human rights;
- lack of affirming spaces for students in schools; and
- fear of or experience with retaliation/reprisal, fear of those with position of authority, power imbalance.

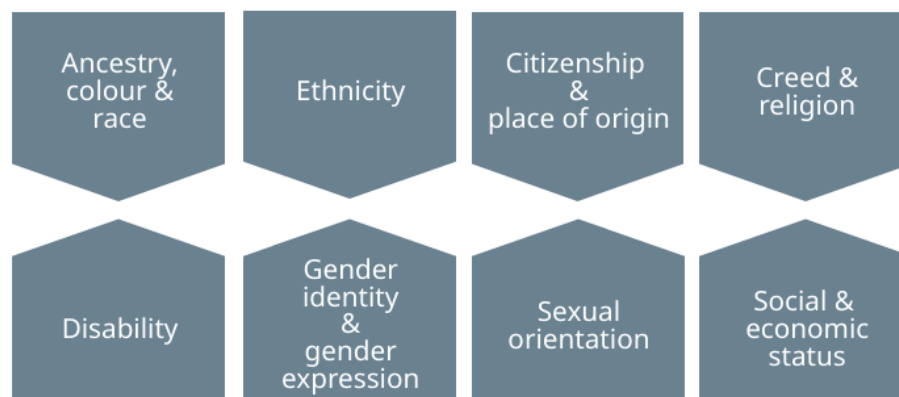
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Racialized students are dumbed down when they are smart and can contribute.
”

“
My child has spent years segregated from the class. When an exclusion takes place, I feel like my child is being punished for their disability.
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“
We need more acknowledgement about what is going on in the world, especially after the London attacks. There was no space for us to talk about it. Could there be a day with no tests where we can talk about what happened?
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Gender neutral washrooms are far and difficult to access. Teachers always get mad when we're gone too long. It's like I'm being punished for using the washroom.
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The following human rights grounds were identified that should be protected under the policy:



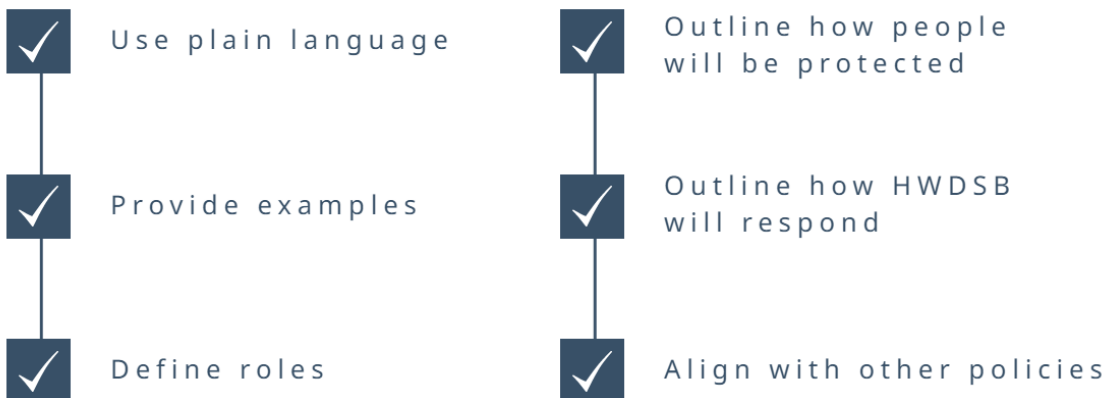
Other protected grounds included in the *Ontario Human Rights Code*, such as age, family status, marital status, sex, and record of offenses will also be included in HWDSB's policy.

Some participants expressed concerns about COVID-19 mandates in relation to rights and restrictions on personal freedom. The policy follows guiding principles based on the *Code* in balancing individual rights and obligations to health and safety.

Writing the policy

Participants had the following suggestions for what to include in the policy and how to write it:

- Write the policy in language that is easy to understand
- Policy needs to define roles and responsibilities of students, families, staff, leadership, third-party contractors, etc.
- Make clear and provide examples of what constitutes a human rights violation, including small acts which cause just as much harm as bigger incidents
- Policy should outline how to respond to issues in a proactive as well as reactive way (i.e., preventing discrimination as well as addressing it when happens)
- Outline how people who report will be protected
- Outline expected timelines for responding to violations
- Policy should be aligned with other HWDSB policies such as the anti-bullying policy, whistleblower policy, anti-Black racism policy, etc.



Reporting a human rights violation

Participants in the engagement sessions and surveys identified several concerns for the process of reporting a human rights incident or violation. For example, not knowing an issue could be reported; not wanting to cause any problems; not having a safe space or person to tell; not being believed; fear that their report will not be confidential; fear of facing reprisal such as fewer opportunities for advancement (staff) or compromising relationship with the school (parents); and lack of trust in leadership to act and address discrimination.

These findings are aligned with the survey results, which found that close to 75% of participants were 'not informed' or only 'somewhat informed' about how to report a human rights concern, who they should talk to if they experience discrimination, and how they should request an accommodation.



Participants had the following suggestions for the reporting process:

- Anonymous reporting (however, this presents challenges when there is follow up needed)
- Have a process that is clear, straight forward and easy to access
- Allow people to have a support person with them when reporting
- Be consistent as different schools/administrators will implement the policy in different ways
- Practice accountability – act quickly and be transparent with how violations are being addressed
- Communicate what the consequences are and how future incidents will be addressed
- Use diagrams and other visuals to outline the process for reporting
- Ensure there is no reprisal for reporting
- Investigations should be done experts, and others need to be trained how to properly investigate

Education about human rights

In the engagement sessions, participants shared ideas for an education program to prevent discrimination. Participants shared that there is a lack of buy-in or support for human rights work and more must be done to help people understand why it is important. They also noted a lack of representation in schools; the need for authentic (rather than tokenistic) allyship; and a need to educate others about the harmful impact of discrimination.

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It isn't right to tell people not to do or say things without explaining why it isn't right and how it affects others. Take opportunities to teach and educate. Otherwise people will just repeat their mistakes.

”

Participants had the following suggestions for a human rights education program:

- Training by people who understand the importance of human rights
- Continuous opportunities to learn rather than one-off training
- More education on *how* to take action to address discrimination
- Integrate learning into the classroom and everyday actions
- Normalize talking about human rights issues
- Organize groups where people with similar experiences can support one another
- Start education early – at onboarding for staff and at a young age for students

Communicating the policy

Participants shared the following ways they would like to receive information about the Human Rights Policy:

- Staff meetings
- Onboarding
- Professional development
- The Hub
- Individual school outreach
- Information packages
- Newsletter
- Email
- Voicemail
- Townhalls
- Paper copies
- Parent Portal
- HWDSB website
- ASL video and audio
- Braille
- Classrooms
- Embedded in curriculum
- Posters
- Social media
- Assemblies
- Student Senate
- Clubs
- School Messenger
- Community organizations
- Community events

To accommodate the different ways people receive information, participants encouraged HWDSB to communicate regularly, in multiple formats, in multiple languages and in engaging ways.

What are next steps?

Feedback gathered from the listening sessions and surveys is used to create the draft Human Rights Policy. Some of the ideas will also be incorporated in the Human Rights Procedure, which will be developed after the policy is approved. The Human Rights Policy draft is now available for review and feedback (Phase 2 of the consultation process). The draft policy is available here: <https://www.hwdsb.on.ca/draft-human-rights-policy/> ([PDF version](#))