

**AGENDA: 6:15 pm**

1. Call to Order and Land Acknowledgement
2. O Canada
3. Meeting Roll Call
4. Approval of the Agenda
5. Declarations of Conflict of Interest
6. [Confirmation of the Minutes: September 12, 2022](#)

Reports from Trustee Special Committees:

7. [Finance & Facilities – September 15, 2022](#)
8. [Policy – September 14, 2022](#)
9. [Audit – September 22, 2022](#)

Reports from Legislated Committees:

10. [Parent Involvement Committee – September 13, 2022](#)
11. Report from Committee of the Whole (private) – October 3, 2022
12. [Written Notices of Motion: Chair Danko re: Strategic Directions](#)
13. Oral Reports from Liaison Committees:
  - A. City/School Board Liaison Committee
  - B. Hamilton-Wentworth Home & School Association
  - C. Hamilton Foundation for Student Success (HWDSB Foundation)
  - D. Ontario Public School Boards' Association (OPSBA)
14. Adjournment

Meeting times and locations are subject to change. Please refer to our website for the latest information.  
<http://www.hwdsb.on.ca/trustees/meetings/>

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**Trustees: Kathy Archer, Becky Buck, Dawn Danko, Penny Deathe, Cam Galindo, Alex Johnstone, Maria Felix Miller, Carole Paikin Miller, Ray Mulholland, Paul Tut and Elizabeth Wong. Student Trustees Gloria Li and Aisha Mahmoud.**

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**Regrets were received from Trustee Maria Felix Miller**

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**1. Call to Order**

Dawn Danko, Chair of the Board, called the meeting to order at 5:34 p.m.

**2. Swearing-in Student Trustees for 2022-23 term**

Student Trustees Gloria Li and Aisha Mahmoud read the swearing in Oath of Student Trustees for the 2022-23 term. A warm welcome was extended to the Student Trustees.

**3. Approval of the Agenda:**

**RESOLUTION #22-124:** Trustees Buck/Wong moved: **That the Board agenda be approved.**

**CARRIED**

Student Trustees Gloria Li and Mahmoud voted in favour.

**4. Declaration of Conflict of Interest**

None were declared.

**5. Confirmation of the Minutes: June 13 and July 7, 2022**

The minutes of June 13, 2022 and July 7, 2022 were confirmed.

**6. Correspondence: letter re: Board's response to the threats of a school shooting, dated 3 June 2022**

A response was given to the author of the letter and emails were answered. Staff received some guidance regarding these situations.

Trustee Tut joined the meeting at 5:45 p.m.

**Report from Legislated Committees:**

**7. Parent Involvement Committee – June 14, 2022**

**RESOLUTION #22-125:** Trustees Buck/Deathe moved: **That the Parent Involvement Committee Report – June 14, 2022 be received.**

**CARRIED**

Student Trustees Gloria Li and Mahmoud voted in favour.

**8. Special Education Advisory Committee – June 15, 2022**

**RESOLUTION #22-126:** Trustees Johnstone/Deathe moved: **That the Special Education Advisory Committee Report – June 15, 2022 be received.**

**CARRIED**

Student Trustees Gloria Li and Mahmoud voted in favour.

**9. September Start-Up**

Staff shared a presentation regarding the September start-up.

**10. Appointment to Trustee Special Committee: Human Resources (up to 2 Trustees)**

There were no Trustees who shared an interest at this time.

## **11. Oral Reports from:**

### **A. City/School Board Liaison Committee**

A meeting was held earlier in the day where a number of topics were discussed:

- Updates were made to the Terms of Reference including three members from the City. There were also three Student Trustee members from Secondary Schools who are not voting members and not required for quorum. Also added was an item to “promote the health and well-being of children and their families.
- There will be a continuation of the online format.
- Received minutes from the Property Assessment Committee.
- Received a joint report regarding the berms at Bernie Custis. It is possible to remove one of the berms and the calculation of costs will be discussed.
- A motion was passed to have Public Health provide a report on strategies and collaborative work to support our students.

### **B. Hamilton-Wentworth Home & School Association**

There is nothing to report at this time. The next meeting is on September 15, 2022.

### **C. Hamilton Foundation for Student Success (HWDSB Foundation)**

There is nothing to report at this time. The next meeting is on October 12, 2022.

### **D. Ontario Public School Boards' Association (OPSBA)**

- Legislative updates were shared.

## **12. Oral Reports from:**

### **A. Student Trustees' Report – Local Activities & Ontario Student Trustees' Association (OSTA) Report**

Student Trustees Li and Mahmoud introduced themselves and shared their goals for the upcoming year. Thanks, was extended to staff for a great start of the school year.

### **B. Director's Report**

The Director, Sheryl Robinson Petrazzini, shared that at the recent Service Leaders Breakfast where questions were submitted from Hess Street Elementary School and Sir Allan MacNab Secondary School through the speaker's corner. The Director was also part of Chair Danko's Facebook live along with Associate Director Dunlop and Vice Chair Buck. The Director visited Food4Kids and really saw the heart of Hamilton. She also visited Greensville Elementary, Orchard Park Secondary and Eastdale Elementary on the first day of school. The Director shared examples of how HWDSB is implementing HWDSB guiding principles.

### **C. Chair's Report**

The Chair also shared that it was a great start to the school year and echoed sentiments already heard. She welcomed everyone back. The Board will be continuing with online committee meetings and a hybrid of Board meeting. OPSBA is currently reviewing electronic meetings with the Ministry as it provides a reduction of barriers. She also reported that the Ministry is reviewing the funding for transportation and increases in funding is expected.

The meeting adjourned at 7:08 p.m.

The recording of the Board meeting can be found here:

[https://hwdsbonca.sharepoint.com/sites/tv\\_trustees/\\_layouts/15/stream.aspx?id=%2Fsites%2Ftv%2Ftrustees%2FVideos%2F2022%2D2023%2FBoard%20Meeting%20%2D%20Sept122022%2Emp4&ga=1](https://hwdsbonca.sharepoint.com/sites/tv_trustees/_layouts/15/stream.aspx?id=%2Fsites%2Ftv%2Ftrustees%2FVideos%2F2022%2D2023%2FBoard%20Meeting%20%2D%20Sept122022%2Emp4&ga=1)

## COMMITTEE REPORT

Presented to: Board

Date of Meeting: October 3, 2022

From: Finance and Facilities Committee

Date of Meeting: September 15, 2022

The committee held a virtual meeting from 5:35pm to 5:50pm on September 15, 2022 with Trustee Cam Galindo presiding as Chair.

Members participating were: Trustees Becky Buck, Dawn Danko, Cam Galindo and Paul Tut.  
Regrets were received from: Trustee Alex Johnstone.

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### MONITORING ITEMS:

#### A. Capital Projects Update

Staff presented the ongoing quarterly report on Capital Projects in progress. Work has been progressing well and to date. The report included a summary of the capital projects underway and their status, categorized by each projects' funding source and project initiative.

Respectfully submitted,  
Cam Galindo, Chair of the Committee

**COMMITTEE REPORT**

Presented to: Board

Date of Meeting: October 3, 2022

From: Policy Committee

Date of Meeting: September 14, 2022

The committee held a meeting from 5:30 p.m. to 6:39 p.m. on September 14, 2022, with Trustee Miller presiding.

Members present were: Trustees Kathy Archer, Becky Buck, Dawn Danko and Maria Felix Miller.

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**ACTION ITEMS:****A. Trustee Honorarium Policy**

The Committee considered the Trustee Honorarium Policy. Ontario Regulation 357/06 requires a Trustee Honorarium policy be developed and reviewed by each school board, prior to the term ending for the current Board of Trustees. Currently, there have been no revisions to the regulation issued by the Government. The Committee reviewed the attendance amount and requested the distance portion of the honorarium formula be expensed upon, although noted it does not apply to Trustees at HWDSB.

On the motion of Trustee Danko, the Policy Committee recommends that the attendance amount be included as part of the Trustee Honorarium.

CARRIED

On motion of Trustee Danko, the Policy Committee recommends the approval of the Trustee Honorarium Policy as amended.

CARRIED

**B. Human Rights Policy**

The Committee considered the Human Rights Policy following completion of consultations. Staff shared that the policy applies to all members of the HWDSB community in all HWDSB environments and all other policies will be reviewed and aligned with the Human Rights Policy. The purpose of this policy is:

- to affirm HWDSB's commitment to foster and maintain a culture of human rights in all HWDSB environments;
- to ensure that members of the HWDSB community understand their rights and responsibilities in upholding and protecting human rights where they learn, work, access or provide services;
- to put in place accountability measures and procedures for human rights concerns to be brought forward, and be resolved in a fair and timely manner using culturally responsive approaches; and
- to articulate the Board's commitment in fulfilling its positive human rights obligations.

On motion of Trustee Danko, the Policy Committee recommends the approval of the Human Rights Policy.

CARRIED

**C. Anti-Black Racism Policy**

The Committee considered the Anti-Black Racism Policy following completion of consultations. The purpose of this policy is:

- To strongly acknowledge the existence of anti-Black racism and affirm HWDSB's commitment to take a proactive and systemic approach to identify and address it in HWDSB learning and working environments.
- To acknowledge the need of incorporating awareness of intersectional identities in addressing inequities caused by racism and other forms of oppressions.
- To ensure HWDSB community members understand their roles and responsibilities in identifying and addressing the urgent issues that Black students face in a more targeted way, but in a way that will also benefit all students.
- To promote an approach of targeted universalism to remove systemic barriers experienced by the communities most negatively impacted by the construct of race, in ways that contribute to the universal goal of achieving educational equity for all students.
- To address the Ontario Human Rights Commission recommendations to address Anti-Black racism in a way that provides an intersectional analysis of interconnected socio-economic and racial inequities.
- To promote respect, protection and fulfilment of all human rights and fundamental freedoms by people of African Descent, as recognized in the Universal Declaration of Human Rights.
- To promote a greater knowledge of and respect for the diverse heritage, culture and contribution of people of African descent to the development of societies.

On motion of Trustee Buck, the Policy Committee recommends the approval of the Anti-Black Racism Policy.

CARRIED

Respectfully submitted,  
Maria Felix Miller, Chair of the Committee

# Trustee Honorarium

Date Approved: XXXX

Projected Review Date: XXXX

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## PURPOSE:

Hamilton-Wentworth District School Board will pay an honorarium to its trustees in accordance with the provisions set forth in the Education Act and all other associated regulations.

## GUIDING PRINCIPLES:

The Board is committed to:

- Recognizing the responsibilities and duties of trustees by providing an honorarium
- Being compliant with Ontario Regulation 357/06, Honoraria for Board Members

## INTENDED OUTCOMES:

Trustees are provided an honorarium for performing their duties associated with being a Board member.

## RESPONSIBILITY:

Director of Education  
Associate Director, Support Services  
Officer, Trustee Services

## TERMINOLOGY:

*Average Daily Enrolment (ADE):* The enrolment on a daily basis over the course of an academic year for both elementary and secondary students.

*Honorarium:* Payment in recognition of the duties performed as a member of the Board of Trustees with HWDSB.

*Term of Office:* A Board members' term of office is four years in length, beginning on December 1 of the election year and ending November 30 of the next election year, as described in the Education Act.

*Trustee:* Trustees are responsible for the operation of the public school system. They are elected in accordance with the Education Act at each municipal election, by the electoral group the board represents. A trustee is responsible, as a member of the board:

- to govern and set policy for the board
- to govern for the provision of curriculum, facilities, human and financial resources for the board
- to advocate for the needs of their communities

# Trustee Honorarium

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- as a constituency representative, to explain the policies and decisions of the board to residents

Trustees are available to help taxpayers, parents and others to address any issues they may have about the public school system

## ACTION REQUIRED:

The Director of Education, with assistance from the Officer of Trustee Services, will automatically adjust the Trustee Honorarium on an annual basis throughout the term of office to reflect the average daily enrolment (ADE) in the calendar year.

Components of the Trustee Honorarium include:

### 1. Base Amount

As set forth in Ontario Regulation 357/06, the base amount for all Trustees is \$5900 per year beginning on December 1, 2018.

For each year of a term of office beginning on or after December 1, 2010, the amount calculated for a year of the previous term of office, increased by the percentage increase in the Ontario Consumer Price Index as published by Statistics Canada for the period between:

- July 1 of the calendar year in which the previous term of office started, and
- June 30 of the calendar year in which the term of office starts

The amount paid to the Chair shall be \$5,000 in addition to the base amount (\$10,900) and the amount paid to the Vice Chair shall be \$2,500 in addition to the base amount (\$8,400).

### 2. Enrolment Amount

The enrolment amount is calculated on an annual basis. The limit for each year of office is connected to the estimate of the board's average daily enrolment (ADE) of day school students for the previous year.

In addition to the base amount set out above, the enrolment amount paid to every member of the board is 100% of \$1.75 multiplied by the board's ADE.

In addition to the base and enrolment amounts set out above, the amount paid to the Chair shall be the enrolment amount plus the sum of the ADE multiplied by five cents (\$0.05), with a minimum of five hundred dollars (\$500) and a maximum of five thousand dollars (\$5,000).

In addition to the base and enrolment amounts set out above the amount paid to the Vice Chair shall be the enrolment amount above plus the sum of the ADE multiplied by two and one-half cents (\$0.025), with a minimum of two hundred and fifty dollars (\$250) and a maximum of two thousand five hundred dollars (\$2,500).



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### 3. Attendance Amount

Ontario Regulation 357/06 sets out that an attendance amount (limited to \$50 per meeting) can be paid to a member for attending any meeting of a committee of the Board that is required to be established by an Act or a regulation made under the Act.

There are currently four committees that require membership of one or more trustees under the Education Act;

- Audit Committee
- Parent Involvement Committee
- Supervised Alternative Learning Committee
- Special Education Advisory Committee

### 4. Distance Amount

O. Reg. 357/06 permits a distance amount that does not exceed a limit of \$50, provided that:

- the board area is greater than 9,000 square kilometers, as set out in Table 1 of Ontario Regulation 412/00 (Elections to and Representation on District School Boards)
- the board dispersal factor is greater than 25, as set out in Table 5 of Ontario Regulation 412/00 (Elections to and Representation on District School Boards)
- the distance to the meeting from the member's residence is greater than 200 kilometres

This component of the calculation for trustee honorarium is not applicable to trustees at HWDSB.

### PROGRESS INDICATORS:

Intended Outcome	Assessment
Trustee are provided an honorarium for performing their duties associated with being a board member.	Annually, the calculation for Trustee Honorarium will be reviewed and approved prior to the next year of the term commencing.

### REFERENCES:

#### Government Documents

Ontario Regulation 357/06, Honoraria for Board Members

Ontario Regulation 412/00, Elections to and Representation on District School Boards

# Human Rights Policy

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## PURPOSE:

Hamilton Wentworth District School Board (HWDSB) is committed to providing learning and working environments that are welcoming, respectful, accessible, and free from discrimination and harassment. The *Human Rights Policy* is complementary to and does not substitute individual or group rights and responsibilities under the *Ontario Human Rights Code (the Code)*. The purpose of this policy is:

- to affirm HWDSB's commitment to foster and maintain a culture of human rights in all HWDSB environments;
- to ensure that members of the HWDSB community understand their rights and responsibilities in upholding and protecting human rights where they learn, work, access or provide services;
- to put in place accountability measures and procedures for human rights concerns to be brought forward, and be resolved in a fair and timely manner using culturally responsive approaches; and
- to articulate the Board's commitment in fulfilling its positive human rights obligations.

The *Human Rights policy* applies to all members of the HWDSB community in all HWDSB environments, and affirms that:

- All forms of discrimination and harassment based on one or any combination of the human rights protected grounds identified in the [Ontario Human Rights Code](#) are prohibited in all HWDSB environments.
- HWDSB will take reasonable and proactive steps to foster a culture of human rights in all HWDSB environments and create accessible, respectful, and inclusive learning and working environments free of discrimination and harassment.
- HWDSB upholds and affirms Indigenous peoples' distinct, inherent and collective rights including Indigenous students' rights to language and culture.
- All HWDSB community members have the right to participating in addressing human rights-related concerns, without facing reprisal.
- HWDSB commits to treat all human rights concerns seriously and will not tolerate, condone or ignore discrimination and harassment issues in all HWDSB environments. When there is a policy violation, action will be taken according to applicable policies and procedures.
- HWDSB commits to put in place adequate measures in identifying and addressing adverse human rights impacts through inclusive design, prevention, mitigation and, where

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appropriate, remediation. The Board commits to providing reasonable and appropriate accommodations when inclusive design is not possible.

## GUIDING PRINCIPLES:

### HWDSB community members and Human Rights

- HWDSB reaffirms the principles of equality, equity and non-discrimination in upholding universal human rights and dignity of all people.
- All HWDSB community members have a right to learn, work, access or provide services in an environment that is free of discrimination and harassment as set out in international agreements and Canadian law including the [United Nations Universal Declaration of Human Rights](#), the [Convention on the Rights of the Child](#), the [Canadian Charter of Rights and Freedoms](#), the [Ontario Human Rights Code](#), the [Education Act](#), the [Accessibility for Ontarians with Disabilities Act \(AODA\)](#), and the [Occupational Health and Safety Act](#).
- HWDSB affirms that education is foundational to human rights and is committed to prepare students for their role in society as engaged and responsible citizens that are not only aware of their rights, but also accept their responsibilities for protecting their own rights and the rights of others.
- Fostering and maintaining a culture of human rights at HWDSB requires providing equitable and inclusive services grounded in the principles of equity, inclusive design, anti-racism, anti-colonialism and decolonization, and anti-oppression; and identifying and addressing discriminatory biases and systemic barriers. The Board commits to governance and services grounded on human rights-based approach centred on principles of participation, inclusion, belonging, transparency and accountability.
- HWDSB acknowledges and commits to identifying and addressing impacts of historical and ongoing systemic discrimination and oppression that continue to have adverse impacts on the rights of individuals in accessing services and employment; including, but not limited to ableism, ageism, antisemitism, biphobia, classism, homophobia, islamophobia, racism (including Anti Indigenous racism, Anti Black racism, Anti Asian racism, and other specific forms of racism), sexism, transphobia and other systems of oppressions.
- When making a decision affecting a child, HWDSB commits to upholding the best interests of the child as set out in the United Nations Convention on the Rights of the Child and legislated in Ontario by [Katelynn's Principle](#), including centering the child, listening and respecting the child's voice, and giving the child's view due weight in accordance with the child's age and maturity.
- HWDSB recognizes and values the diversity of HWDSB community. Sometimes rights may come into conflict with one another. HWDSB will equip its leadership with knowledge and skills to recognize

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and address competing rights, by encouraging cooperation and shared responsibility for finding agreeable solutions that maximize enjoyment of rights, and considering the key legal principles that include:

- No rights are absolute
- There is no hierarchy of rights
- Rights may not extend as far as claimed
- The full context, facts and constitutional values at stake must be considered
- Must look at extent of interference (only actual burdens on rights trigger conflicts)
- The core of a right is more protected than its periphery
- Aim to respect the importance of both sets of rights.
- Statutory defences may restrict rights of one group and give rights to another.

## Indigenous Peoples and Human Rights

HWDSB recognizes Indigenous Peoples as the original inhabitants of this land. HWDSB commits to listening, understanding, encouraging care and respect, and cultivating reciprocal trust with Indigenous students, families and communities.

HWDSB acknowledges the devastating and ongoing harm that churches, the Canadian government on behalf of the Crown and educational systems have caused to First Nations, Métis, and Inuit people. So-called Residential and Training “Schools” and Federal Indian Day Schools used the guise of education and the guise of religion as a tool for forced assimilation and genocide to erase Indigenous cultures, governance models, knowledges, languages, laws and traditions.

HWDSB acknowledges that true reconciliation requires restorative steps based on renewed friendships, hope, honesty, mutual respect, peace, and trust. We must undertake meaningful reconciliation work guided by the four ethical standards of the teaching profession: care, integrity, respect to earn trust.

As treaty partners, all members of the HWDSB community, including trustees, staff, parents, guardians and caregivers, students, unions, volunteers, and partner organizations, are called to consider their individual and collective ethical responsibilities, to nurture and grow this relationship, and to enhance knowledge in support of commemoration, education, and healing/wellness.

Treaty responsibilities include working together with Indigenous peoples, in particular the local urban Indigenous communities, the Six Nations of the Grand River and the Mississaugas of the Credit First Nation in the spirit of the Two Row Wampum. We also consider responsibilities within the Dish with One Spoon Wampum, the Friendship Belt and the Silver Covenant Chain. All are based on the foundation of eternal friendship, respect and peace.

HWDSB affirms the *United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)* and that Indigenous peoples have an inherent and collective right to sovereignty, self-determination and self-

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government.

HWDSB confirms the *United Nations Declaration of the Rights of the Child* which states that every child has the right to understanding and love, protection, education, housing, nutrition and medical care. In addition, all children, including Indigenous children, have the right to an education that is affirming and free from discrimination or harassment. These rights also include every child's right to their nation of birth, their language, their name, and their right to be raised by their parent(s). Indigenous children lived under the threat of the genocidal policy regarding residential schools that was quietly expunged from the Indian Act in 2014. Every Child Matters.

## INTENDED OUTCOMES:

- HWDSB community members are able to learn, work, and access services and facilities in all HWDSB environments without discrimination and harassment.
- Structures to ensure Human Rights are protected and upheld are in place including:
  - A process to identify, monitor and address barriers in organizational systems relating to *Code* grounds
  - Human Rights education and awareness of rights and responsibilities for all
  - Accountability measures and an effective and fair complaints procedure

## RESPONSIBILITY:

Director of Education  
Members of Executive Council  
All members of the HWDSB community

## TERMINOLOGY<sup>1</sup>:

*Accommodation*: are changes or modifications that organizations make to ensure a person is able to fully access facilities or services by removing barriers and discriminatory practices. Under *the Code*, organizations are required to prevent and remove barriers by providing reasonable accommodations.

*Adverse impact*: having a harmful result. Sometimes treating everyone the same will have a negative effect on some people.

*Anti-racism*: a proactive and consistent process of acknowledging racism; and of seeking to identify, challenge, disrupt and eliminate racism in all its forms (individual, institutional, systemic racism).

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<sup>1</sup> Sources for definitions are Ontario Human Rights Commission, Ontario Anti-racism Directorate, Ontario Education Equity Action Plan, Restorative Journey: Indigenous Educational Wellness

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**Anti-oppression:** a proactive and consistent process of acknowledging different forms of oppression (colonialism, racism, ableism, classism, sexism, homophobia, biphobia, transphobia, classism, islamophobia, antisemitism, and other forms); and of seeking to identify, challenge, disrupt and eliminate oppressive ideologies, practices and outcomes.

**Barrier:** anything that prevents a person or groups of people with shared identities from fully taking part in all aspects of society, including physical, architectural, information or communications, attitudinal, economic and technological barriers, as well as policies or practices.

**Board:** Hamilton Wentworth District School Board or HWDSB

**Board of Trustees:** locally-elected representatives of the public, who are required to carry out their responsibilities in a manner that assists the Board in fulfilling its duties under the *Education Act*.

**Collective Rights:** Inherent rights which Indigenous peoples have practiced and enjoyed since time immemorial. Each First Nation historically functioned as a distinct society, so there is no one official overarching Indigenous definition. In general, they include rights to the land, rights to subsistence resources and activities, the right to self-determination and self-government, and the right to practice one's own culture and customs including language and religion. Collective rights are the result of Indigenous peoples' own occupation of their ancestral home territories as well as their ongoing social structures, patterns, political and legal systems. Therefore, collective Indigenous rights are separate and distinct from rights afforded to non-Indigenous citizens under Canadian common law and were to be protected in Indigenous/Crown treaties. It should be noted that inherent rights were entrenched with responsibility. For example, Sewatokwá:tsera'/the Dish With One Spoon treaty agreement outlines the rights to utilize the entities that Mother Earth carries on her body, to share the sustenance and to protect her, in order to protect this same right for the coming faces.

**Colonialism:** The policy or practice of acquiring full or partial political control over another country, occupying it with 'unsettlers'<sup>2</sup>, and exploiting it economically. In Canada, this historically and currently means that Western European-derived ways of being, believing, knowing, and doing are implicitly or explicitly imposed as the standard or norm. Colonialism remains embedded in the legal, political and economic context of Eurocentric Canada today and in the lived experience of marginalized Indigenous peoples. For example, the Indian Act and the Canadian institutions known as Indian Residential "Schools", historic provincial child welfare misapplications, and non-Indigenous peoples' refusal to acknowledge the land and treaty rights of Indigenous people continues to contribute to this legacy.

**Competing rights:** situations where parties involved in a dispute claim that the enjoyment of an individual or group's human rights and freedoms, as protected by law, would interfere with another's rights and freedoms.

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<sup>2</sup> Term used in place of "settler" as Indigenous Peoples don't see colonization as settling anything.



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*Culture:* The way in which people live, think and define themselves as a community.

*Culturally Responsive Services:* In this policy context, culturally responsive approaches mean providing services in ways that respect and take into consideration the relevance of the beliefs, backgrounds, practices, cultural, linguistic and other needs of the diverse communities in HWDSB environments, especially those that have historically and currently experienced discrimination. Culturally responsive services intentionally consider diverse cultural approaches, strengths, perspectives, experiences of the communities that are being served to make the service more welcoming, accessible, appropriate, relevant and fair.

*Decolonization:* In Canada, decolonization is related to Indigenous people reclaiming and restoring their culture, land, language, laws, relationships, knowledge, and a reaffirmation of traditional governance. Decolonization is also associated with other relationships between groups of people within Canada and in other countries and contexts around the world and can be linked to broader principles of inclusion and equity. Canada's identity as an '*unsettler*', colonial state complicates the task of decolonization, since the original colonizers are still here and acts of colonization continue to the present.

*Discrimination:* any form of unequal treatment based on a *Code* ground, whether imposing extra burdens or denying benefits. It may involve direct actions that are discriminatory on their face, or it may involve rules, practices or procedures that appear neutral, but have the effect of disadvantaging certain groups of people. It can be direct or indirect, individual or systemic. It may be intentional or unintentional, and it may take obvious forms (direct), or occur in very subtle ways (indirect). In any case, even if there are many factors affecting a decision or action, if discrimination is one factor, that is a violation of this policy. Hate activities and harassment are forms of discrimination. Putting measures to correct, relieve or remedy hardship or systemic discrimination experienced by persons or groups in an attempt to achieve equity, is not discrimination.

*Duty to accommodate:* Under the *human rights Code*, people identified by *Code* grounds are entitled to the same opportunities and benefits as everybody else. In some cases, they may need special arrangements or "accommodations" to take part equally in the social areas the *Code* covers, such as employment, housing and education. Employers, housing providers, and education providers have a legal obligation to accommodate *Code*-identified needs, unless they can prove it would cause them undue hardship.

*Equality:* The principle that each person must be treated equally by and under the law. In Canada, the right to equality is enshrined in provincial and federal human rights legislations and the *Charter*. Equality is often understood by the notions of both formal equality (treating everyone the same in all situations) and substantive equality (treating some differently than others in order to treat some equally).

*Equity:* A condition or state in which access to opportunities and resources are distributed fairly, justly and equitably. Equity involves treating some people differently or giving them what they need so they may meet the same outcomes as others.

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**Harassment:** is defined in the Code as engaging in a course of vexatious comment or conduct that is known, or ought reasonably to be known, to be unwelcome. This policy covers code-based harassment, which is a type of harassment that is directed towards a person or group on the basis of a protected code ground(s). It can involve words or actions that are known or should be known to be offensive, embarrassing, humiliating, demeaning, or unwelcome. More than one event may take place for there to be a violation of the Code. However, one incident could be significant or substantial enough to be interpreted as harassment. Some examples of harassment are: name-calling, unwelcome remarks, jokes, slurs, displaying derogatory or offensive messages, and bullying. This policy covers code-based harassment. Other types of harassment are addressed through other policies, for e.g.- Workplace Harassment and Prevention Policy.

**Hate Activity:** comments or actions against a person or group motivated by bias, prejudice or hate based on factors connected to one or more code grounds. Examples are: hate incidents (non-criminal activities), hate crime (criminal activities), hate propaganda, advocating violence, bullying, promoting hate, and publicly displaying hate in notices, signs, symbols, and emblems.

**HWDSB Community:** means students, staff, parents, guardians, caregivers, trustees, community advisory committee members, school council members, permit holders, vendors, service providers, contractors, volunteers, visitors, all other persons who are invited to, access or provide services, or attend Board and school events and any person or entity who enters into an agreement, or uses school board property.

**HWDSB Environment:** means Board property, schools, school buses, virtual or digital learning and working environment, social media, school or work-related events or activities, before- and after-school programs, extracurricular activities, co-instructional activities, excursions, and may include any other locations outside HWDSB that may have an impact on the school or work climate.

**HWDSB Leadership:** Senior administration (Executive Council, Principals, Vice Principals, Managers, Supervisors) and any person placed in a position of added responsibility within HWDSB.

**Human Rights Office (HRO):** The Human Rights department at HWDSB that operates free of interference and is responsible for:

- Providing advice to the HWDSB community about their human rights and responsibilities.
- Managing the human rights procedure including resolving, mediating, investigating human rights concerns, in a consistent, timely, impartial, and fair manner.
- Initiating reviews, inquiries and investigations to identify human rights trends, discriminatory practices, and systemic issues; and make recommendations based on findings.
- Providing professional development and educational opportunities to create awareness and build capacity on issues of human rights and related topics under this policy.
- Collaborating and engaging meaningfully with community members to build trust, ensure accountability and receive feedback/input.
- Monitoring, evaluating, and reporting human rights trends at HWDSB.



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*Intersectionality:* recognizes how each person simultaneously exists within multiple and overlapping identities. Intersectional oppression may arise out of the combination of experiences of oppressions, which, compounded, produce a distinct experience of discrimination or oppression. (See also 'Intersecting Grounds')

*Intersecting Grounds:* Discrimination can be connected to the compounding effects of more than one grounds of discrimination. For example, a Black Muslim woman can be seen as a "Black person," or as a "Muslim," or as a "woman" and is protected under the grounds of race, religion, and gender. She may experience discrimination on these intersecting grounds. (See also 'Intersectionality')

*Inclusive design:* Considering differences among individuals and groups when designing something, to avoid creating barriers. Inclusive design can apply to systems, facilities, programs, policies, services, etc.

*Poisoned environment:* a negative, hostile, or unpleasant learning or work environment created due to comments or conduct or activities that harass or discriminate against a person or a group. It might not be directed at a specific individual. A poisoned environment may result from a series of incidents or a single serious incident. Allowing inappropriate behavior to continue and failing to adequately remedy and restore the environment following the incident(s) may result in poisoned environment.

*Positive Human Rights Obligations:* means an organization's duty to put in place measures to prevent human rights violations from occurring. Examples include implementing policies to ensure human rights are fully recognized and respected, providing training, identifying, and addressing barriers to create inclusive and equitable environments by proactively applying principles of inclusive design, whenever reasonably possible.

*Protected grounds/Code grounds:* These are the human rights grounds upon which discrimination is prohibited under the *Code* and this policy:

- Age
- Ancestry
- Citizenship
- Colour
- Creed (includes religion)
- Disability (including mental, physical, developmental, or learning disabilities)
- Ethnic origin
- Family status (such as a parent-child relationship, elder relationships)
- Gender Identity and Gender Expression
- Marital status (including the status of being married, single, widowed, divorced, separated, or living in a conjugal relationship outside of marriage, whether in a same sex or opposite sex relationship)

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- Place of origin (may include language<sup>3</sup>)
- Race
- Sex (including pregnancy and breastfeeding)
- Sexual Orientation
- Record of offences (criminal conviction for a provincial offence, or for an offence for which a pardon has been received) (applies to employment only)
- Association or relationship with a person identified by one of the protected grounds
- Perception that one of the above grounds applies
- Socio-economic status (not a protected ground under the *code*, but protected under this policy)

*Policy Violations:* Under this policy, human rights violations include, but are not limited to:

- Discrimination and Harassment (examples: name-calling, unwelcome remarks, inappropriate jokes, slurs, displaying derogatory or offensive messages, bullying and intimidation and so on);
- Creating or contributing to a poisoned environment;
- Hate activities;
- Allowing inappropriate behavior to continue, and failing to remedy and restore the environment
- Failure of staff in fulfilling the Board's duty to accommodate, up to the point of undue hardship.
- Reprisal; (punishment and retaliation against a person for reporting an issue or complaint)
- Bad faith allegations, complaints, or accusations
- Providing false or misleading statements or information to in an investigation under this policy
- Failure to identify and eliminate discriminatory practices (including systemic discrimination)

*Reconciliation:* In Canada, the term was used by the federal government when it was required to establish the Truth and Reconciliation Commission as part of the Indian Residential Schools Settlement Agreement. It has come to describe attempts made by individuals and institutions to raise awareness about colonization and its ongoing effects on Indigenous peoples. Reconciliation also refers to efforts made to address the harms caused by various policies and programs of colonization. For some, the word represents an opportunity to reflect on the past, to heal and to make right. For others, however, current gestures of reconciliation are merely performative and lack meaningful action to address the harms done by colonization. Ideally, reconciliation is something that both parties would agree to, as opposed to having it announced, ordered or proclaimed.

*Reprisal:* an action or threat that is intended as retaliation or punishment for claiming or enforcing a right under the *Code and under this policy*. Section 8 of the *Code* protects people from reprisal or threats of reprisal.

*Remedy/ Remediation:* The means to recover a right, or to prevent or repair a wrong. Remedies for violations of this policy may include but are not limited to a victim impact statement, an apology,

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<sup>3</sup> *Language is a characteristic that may be racialized or connected to one of the race-related Code grounds such as, ancestry, ethnic origin, and place of origin. There is also a link between an accent spoken and these Code grounds.*

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healing circle, counselling, education, reprimands, suspension, expulsion, transfer, or termination of employment, depending on the nature and severity of the behaviour.

*Self-determination:* The right of Indigenous Peoples to manage their affairs, provide stewardship over the land, maintain a cultural and political community, and uphold government-to-government relations with all other nations, including present-day nation states. The criteria for maintaining nationhood status, language, culture, ceremony, governance and territory, must be honored.

*Special programs:* are programs or measures that an organization may create to address inequalities and help generate opportunities for people who experience discrimination, hardship, and disadvantage. To be a special program, the program must meet one of the following conditions: (a) it must relieve hardship or economic disadvantage, or (b) help disadvantaged people achieve, or try to achieve, equal opportunity, or (c) help eliminate discrimination.

*Sovereignty:* Indigenous peoples maintain a distinct identity as the only group who have nation to nation agreements with the Crown. Treaty and other rights and freedoms entrenched in *The Royal Proclamation of 1763* and *the Canadian Charter of Rights and Freedoms* related to land resources and protections, as well as the right to deal directly with the Crown.

*Systemic barrier:* a barrier embedded in the social or administrative structures of an organization, including the physical accessibility of an organization, organizational policies, practices and decision-making processes, or the culture of an organization. These may appear neutral on the surface but exclude members of groups protected by the *Human Rights Code*.

*Systemic discrimination:* patterns of behaviour, policies or practices that are part of the social or administrative structures of an organization which create or perpetuate a position of relative disadvantage, advantage, or privilege for people of certain for groups.

*Treaty:* A treaty is a legal, nation to nation agreement. Indigenous/ European treaties were expressed as promises and conveyed in wampum (purple and white beads of quahog shell) between peoples. They are sacred and are to be honored forever - "as long as the sun shines, as long as the grass grows, as long as the rivers flow".

*Undue Hardship:* Circumstances involving cost, health or safety issues that would make it impossible or extremely difficult for an employer or service provider to meet the duty to accommodate. Organizations covered by the *Code* have a duty to accommodate to the point of undue hardship.

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## ACTION REQUIRED:

To effectively implement this policy, the following steps will be taken.

### Human Rights Procedure: Reporting and Complaints Process

- establish a human rights procedure that defines the internal resolution process, grounded on principles of equity, accountability, and transparency.
- address and remedy violations of this policy appropriately, in a timely, fair, and culturally responsive manner, in accordance with applicable policies, procedures and the law. **Policy Violations** under this policy include, but are not limited to:
  - a) Discrimination and Harassment connected to a human rights ground (examples: name-calling, unwelcome remarks, inappropriate jokes, slurs, displaying derogatory or offensive messages, bullying and intimidation and so on);
  - b) Creating or contributing to a poisoned environment;
  - c) Hate activities;
  - d) When those with position of authority allow inappropriate behavior to continue, and failing to remedy and restore the environment
  - e) Failure of staff in fulfilling the Board's duty to accommodate, up to the point of undue hardship.
  - f) Reprisal; (punishment and retaliation against a person for reporting an issue or complaint)
  - g) Bad faith allegations, complaints, or accusations
  - h) Providing false or misleading statements or information to in an investigation under this policy
  - i) Failure to identify and eliminate discriminatory practices (including systemic discrimination)

### Accommodations

- Meet the Board's duty to accommodate persons based on a protected ground(s), up to the point of undue hardship, in accordance with *the Code* and other applicable legislations; fostering principles of dignity, independence, inclusion and full participation.
- Existing accommodation related policies and procedures must be reviewed and updated to align with the Human Rights Policy.
- Accommodation processes (e.g., creed/religious accommodation, accommodation based on disability, accessibility) must be communicated regularly and must be made to be accessible and easy to navigate.

### Proactive measures based on equity and accountability principles

- Identify and address systemic barriers and trends that may lead to discriminatory outcomes, and meet its positive human rights obligations, when applicable, applying principles of inclusive design and by setting up special programs.

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- Ensure that all new policies, procedures, guidelines, programs, and reviews of existing ones, comply with this policy and the *human rights code*;
- Promote human rights education and build capacity to embed human rights into all decision making with a goal of integrating human rights responsibilities in Board governance and across all classrooms, schools, and systems.
- Acknowledge inherent and collective Indigenous rights and develop specific culturally responsive strategies to identify and address barriers to Indigenous education by consulting with Indigenous communities, staff, students and families.
- Create an accountability framework to accompany the human rights procedure to nurture public trust and ensure accountability around human rights concerns, solutions, and outcomes.

## Policy implementation, monitoring and review:

- A human rights procedure and communication plan will be developed and implemented.
- HWDSB community members will receive information regularly about this policy and its associated procedure through communications, training, and education.
- Annually, a public report will be compiled on the number, types, trends and systemic issues of human rights concerns, complaints, and other related issues pursuant to this Policy.
- A feedback mechanism will be created to consistently evaluate the effectiveness of the policy and its associated procedure, which will be reviewed on a regular basis.

## PROGRESS INDICATORS:

Intended Outcome	Assessment
HWDSB community members are able to learn, work, and access services and facilities in all HWDSB environments without discrimination and harassment	Human rights incidents, inquiries, reviews and reports School climate surveys Staff voice surveys Parent/community voice surveys Human rights- Data collection and feedback mechanism
Structures to ensure Human Rights are protected and upheld are in place including: <ul style="list-style-type: none"> <li>• A process to identify, monitor and address barriers in organizational systems relating to <i>Code</i> grounds</li> <li>• Human Rights education and awareness of rights and responsibilities for all</li> <li>• Accountability measures and an effective and fair complaints procedure</li> </ul>	Environmental scan reports, policy reviews Human rights incidents, inquiries, reviews and reports Training evaluation and feedback School climate surveys Staff voice surveys Parent/community voice surveys Human rights- Data collection and feedback mechanism

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## REFERENCES:

### Legal Framework

[United Nations Universal Declaration of Human Rights](#)

[United Nations Declaration on the Rights of Indigenous Peoples](#)

[United Nations Convention on the Rights of Person with Disabilities](#)

[United Nations Declaration on the Rights of the Child](#)

[Canadian Charter of Rights and Freedoms](#)

[Ontario Human Rights Code](#)

[Occupational Health and Safety Act](#)

[Accessibility for Ontarians with Disabilities Act](#)

[Education Act](#)

[The Final Report and Calls to Action of the Truth and Reconciliation Commission](#)

[Jordan's Principle](#)

[Katlynn's Principle Act \(Decisions Affecting Children\)](#)

### HWDSB Policies and Resources

[HWDSB First Nations, Métis and Inuit Education Policy](#)

[Equity and Inclusion Policy 5.4.](#)

[HWDSB Code of Conduct Policy 5.3.](#)

[Accommodation of Staff Policy 4.1.](#)

[Barrier-Free Learning Environments Policy 1.1.](#)

[Occupational Health and Safety Policy 4.3](#)

[Workplace Violence and Harassment Prevention Policy 4.9](#)

[Bullying Prevention and Intervention Policy 5.2](#)

[HWDSB Indigenous Cultural Safety Team](#)

### Other resources:

[Policy on Ableism and Discrimination Based on Disability \(OHRC\)](#)

[Policy on Accessible Education for Students with Disabilities \(OHRC\)](#)

[Policy and Guidelines on Racism and Racial Discrimination \(OHRC\)](#)

[Policy on preventing Discrimination on the Basis of Creed\(OHRC\)](#)

[Policy on preventing Sexual and Gender-based Harassment\(OHRC\)](#)

[Policy on preventing Discrimination because of Gender Identity and Gender Expression\(OHRC\)](#)

[Policy on Discrimination and Harassment because of Sexual Orientation\(OHRC\)](#)

[To Dream Together: Indigenous Peoples and Human Rights Dialogue Report \(OHRC\)](#)

[Restorative Journey: Indigenous Educational Wellness \(2021\)](#)



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## PURPOSE:

Hamilton Wentworth District School Board (HWDSB) is committed to dismantling structural and institutional anti-Black racism by identifying, preventing, and removing barriers in all HWDSB environments. This policy underlines HWDSB's commitment to understanding and addressing historical and current impacts of systemic anti-Black racism and discrimination that results in inequities experienced by Black students, staff and other members of the HWDSB community.

The United Nations proclaimed 2015-2024 The International Decade for People of African Descent. In proclaiming this Decade, the international community recognized that people of African descent represent a distinct group whose human rights must be promoted and protected. Around 200 million people identifying themselves as being of African descent live in the Americas. Many millions more live in other parts of the world, outside of the African continent. People of African Descent are not a monolithic group and represent multitudes of cultures, backgrounds and histories.

The impact and consequences of historical and ongoing marginalization have created systemic barriers that prevent students from fully participating in Ontario's education system including HWDSB. This is especially true for Black students who are disproportionately impacted by systemic Anti-Black racism and inequitable outcomes such as lower graduation rates, over representation in special education classes, and less likely to learn about their histories in school or to see themselves represented within school staffs in their K-12 school careers.

### The purpose of this policy is:

- To strongly acknowledge the existence of anti-Black racism and affirm HWDSB's commitment to take a proactive and systemic approach to identify and address it in HWDSB learning and working environments.
- To acknowledge the need of incorporating awareness of intersectional identities in addressing inequities caused by racism and other forms of oppressions.
- To ensure HWDSB community members understand their roles and responsibilities in identifying and addressing the urgent issues that Black students face in a more targeted way, but in a way that will also benefit all students.
- To promote an approach of targeted universalism to remove systemic barriers experienced by the communities most negatively impacted by the construct of race, in ways that contribute to the universal goal of achieving educational equity for all students.
- To address the Ontario Human Rights Commission recommendations to address Anti-Black racism in a way that provides an intersectional analysis of interconnected socio-economic and racial inequities.
- To promote respect, protection and fulfilment of all human rights and fundamental freedoms by people of African Descent, as recognized in the Universal Declaration of Human Rights.

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- To promote a greater knowledge of and respect for the diverse heritage, culture and contribution of people of African descent to the development of societies.

## GUIDING PRINCIPLES:

- HWDSB structures must provide accountability and transparency to all stakeholders.
- K-12 classrooms promote culturally inclusive and responsive programming and assessment practices in ways that recognize Black heritages, histories, experiences, perspectives and contributions.
- HWDSB learning and working environments reflect employment equity and workforce diversity by recruiting, hiring and retaining Black educators, leaders and staff.
- HWDSB policies and procedures are free from anti-Black racism and bias with stakeholder input and feedback.
- Inclusive school-community relationships/partnerships are respectful, and intentionally engage Black students, staff and community organizations and service organizations.
- Learning and working environments promote a positive culture and well-being for students and staff through targeted programming and supports for Black students/staff.
- Professional learning on equity, anti-racism and anti-Black racism is provided for all employees and trustees.
- HWDSB fosters a shared leadership approach to the principles of equity and human rights education.

## INTENDED OUTCOMES:

- HWDSB community members are able to learn, work, and access services and facilities in all HWDSB environments without facing anti-Black racism, discrimination or harassment.
- Structures are in place to ensure a proactive approach to identify and address biases, barriers and discriminatory actions related to anti-Black racism including:
  - Supportive positive learning and workplace environments where all students and staff feel safe, supported and accepted.
  - Support inclusive community partnerships and engagement as well as communicate ongoing progress on related goals and strategies.
  - Advance barrier-free practices in recruitment, hiring and promotions.
  - Support workforce diversity and leadership that is inclusive of Indigenous, racialized and Black employees and honors intersectional identities.
  - Enhance data collection, analysis, and reporting for evidence-based decision-making, and clearly communicating how the data will be used.
  - Increase understanding of systemic racism and anti-Black racism.
  - Identify and address acts and systems of White Supremacy
  - Increase understanding of the Canadian Black Community and Black history in Hamilton.



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## RESPONSIBILITY:

Director of Education  
Members of Executive Council  
All members of the HWDSB Community

## TERMINOLOGY:

**Accountability:** Refers to the process whereby organizations and institutions as members of a diverse community are subject to the obligation to maintain a certain level of ethics and responsiveness and reporting regarding the quality, effectiveness and relevance of their service or practices and the method of delivery.

**Adverse impact:** having a harmful result. Sometimes treating everyone the same will have a negative effect on some people.

**African Descent (also referred to as Black, Black Canadian, and African Canadian):** The terms African Canadians, Black Canadians, and Black people are used interchangeably to refer to all people of sub-Saharan African ancestry living in Canada, regardless of whether they arrived in Canada directly from their ancestral homeland on the continent of Africa or from other parts of the world. These terms include all people of African descent living in Canada, regardless of their citizenship status. Black Canadians are made up of a diverse mix of cultures, religions, backgrounds, and identities.

**Anti-Black Racism:** Prejudice in attitudes and beliefs, stereotyping and discrimination that is directed at people of African descent and is rooted in their unique history and experience of enslavement and its legacy. Anti-Black racism is deeply entrenched in Canadian institutions, policies and practices, to the extent that anti-Black racism is either functionally normalized or rendered invisible to the larger society. Anti-Black racism manifests in the current educational marginalization of African Canadians, which includes unequal opportunities, disproportionately low academic achievement, lessened experiences of well-being, and overrepresentation in the disciplinary and Special Education data.

**Anti-racism:** a proactive and consistent process of acknowledging racism; and of seeking to identify, challenge, disrupt and eliminate racism in all its forms (individual, institutional, systemic racism).

**Anti-oppression:** a proactive and consistent process of acknowledging different forms of oppression (colonialism, racism, ableism, classism, sexism, homophobia, biphobia, transphobia, classism, islamophobia, antisemitism, and other forms); and of seeking to identify, challenge, disrupt and eliminate oppressive ideologies, practices, and outcomes.

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**Barrier:** anything that prevents a person or groups of people with shared identities from fully taking part in all aspects of society, including physical, architectural, information or communications, attitudinal, economic, and technological barriers, as well as policies or practices.

**Bias:** An opinion, preference, prejudice, or inclination that limits an individual's or a group's ability to make fair, objective, or accurate judgements.

**Board:** Hamilton Wentworth District School Board or HWDSB

**Board of Trustees:** locally elected representatives of the public, who are required to carry out their responsibilities in a manner that assists the Board in fulfilling its duties under the *Education Act*.

**Black People:** The terms African Canadians, Black Canadians, and Black people are used interchangeably to refer to all people of sub-Saharan African ancestry living in Canada, regardless of whether they arrived in Canada directly from their ancestral homeland on the continent of Africa or from other parts of the world. These terms include all people of African descent living in Canada, regardless of their citizenship status. Black Canadians are made up of a diverse mix of cultures, religions, backgrounds, and identities.

**Community Partnerships:** Collaborative relationships between institutions and groups within the community in which there is recognition of the experience of participants and evidence of their involvement in the decision making of the institutions.

**Competing rights:** situations where parties involved in a dispute claim that the enjoyment of an individual or group's human rights and freedoms, as protected by law, would interfere with another's rights and freedoms.

**Culture:** The way in which people live, think, and define themselves as a community.

**Culturally Responsive Curriculum:** A curriculum that accurately reflects and uses the variety of knowledge of all peoples as the basis for instruction; that acknowledges and respects the diverse social backgrounds, identities and experiences of all students, and places them at the centre of the learning environment. The curriculum provides opportunities for students to understand the similarities, differences, and connections between people of diverse communities. The curriculum helps students to acquire the skills and knowledge that enable them to challenge unjust practices and to build positive human relationships among their peers and among all members of the society.

**Curriculum:** Curriculum is defined as the total learning environment, including physical environment, learning materials, pedagogical practices, assessment instruments and co-curricular and extracurricular activities.

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**Discrimination:** Unfair or prejudicial treatment of individuals or groups because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status, disability, gender expression, gender identity, receipt of public assistance, record of offences (in employment only), as set out in the Ontario Human Rights Code, or based on other, similar factors. Discrimination, whether intentional or unintentional, has the effect of preventing or limiting access to opportunities, benefits, or advantages that are available to other members of society. Discrimination may be evident in organizational and institutional structures, policies, procedures, and programs, as well as in the attitudes and behaviours of individuals.

**Diversity:** The presence of a wide range of human qualities and attributes within a group, organization, or society. The dimensions of diversity include, but are not limited to, ancestry, culture, ethnicity, gender identity, language, physical and intellectual ability, race, religion, sex, sexual orientation, and socio-economic status.

**Employment Equity:** A program designed to remove systemic barriers to equality of outcome in employment by identifying and eliminating discriminatory policies and practices, remedying the effects of past discrimination, and ensuring appropriate representation of designated groups, i.e., women, Indigenous peoples, persons with disabilities and members of visible minorities. Employment equity programs usually involve setting goals and timelines in order to ensure that defined objectives are met by a specified date.

**Equality:** The principle that each person must be treated equally by and under the law. In Canada, the right to equality is enshrined in provincial and federal human rights legislations and the *Charter*. Equality is often understood by the notions of both formal equality (treating everyone the same in all situations) and substantive equality (treating some differently than others in order to treat some equally).

**Equitable:** Just or characterized by fairness or equity. Equitable treatment can at times differ from same treatment.

**Equity:** A condition or state in which access to opportunities and resources are distributed fairly, justly, and equitably. Equity involves treating some people differently or giving them what they need so they may meet the same outcomes as others.

**Ethnic / Ethnicity:** The shared national, ethnocultural, racial, linguistic, and/or religious heritage of a groups of people, whether or not they live in their country of origin.

**Ethnocultural Group:** A group of people who share a particular cultural heritage or background.

**Harassment:** is defined in the Code as *engaging in a course of vexatious comment or conduct that is known, or ought reasonably to be known, to be unwelcome*. This policy covers code-based harassment, which is a type of harassment that is directed towards a person or group on the basis of a protected code ground(s). It can involve words or actions that are known or should be known to be offensive,

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embarrassing, humiliating, demeaning, or unwelcome. More than one event must take place for there to be a violation of the *Code*. However, one incident could be significant or substantial enough to be interpreted as harassment. Some examples of harassment are name-calling, unwelcome remarks, jokes, slurs, displaying derogatory or offensive messages, and bullying.

**Inclusion:** While diversity is the presence of a wide range of human qualities and attributes within a group, organization, or society, inclusion is about people with different identities feeling valued, accepted, and welcomed within an environment. Having diversity does not mean there is inclusion.

**Inclusive Education:** Education that is based on the principles of acceptance and inclusion of all students. Students see themselves reflected in their curriculum, their physical surroundings, and the broader environment, in which diversity is honoured and all individuals are respected.

**Inclusive school-community relationships:** Relationships and partnerships that reflect the principles of equity and inclusive education and engage a cross-section of diverse students, parents, staff, community members and community organizations.

**Identity-based data:** Refers to the socio-demographics information about a person including, but not limited to, their race, ethnicity, sexual orientation, and gender identity and so on.

**Intersectionality:** recognizes how each person simultaneously exists within multiple and overlapping identities. Intersectional oppression may arise out of the combination of experiences of oppressions, which, compounded, produce a distinct experience of discrimination or oppression. (See also *'Intersecting Grounds'*)

**Intersecting Grounds:** Discrimination can be connected to the compounding effects of more than one grounds of discrimination. For example, a Black Muslim woman can be seen as a "Black person," or as a "Muslim," or as a "woman" and is protected under the grounds of race, religion, and gender. She may experience discrimination on these intersecting grounds. (See also *'Intersectionality'*)

**Leadership:** The Board of Trustees, Senior Administration, Principals, Managers and any person placed in a position of added responsibility within HWDSB.

**Ontario Human Rights Code:** A provincial law that gives everyone equal rights and opportunities, without discrimination, in devoted areas such as education, jobs, housing, and services. The goal of the Code is to address and prevent discrimination and harassment. (Available at [www.ohrc.on.ca](http://www.ohrc.on.ca))

**Race:** A social construct that groups people based on common ancestry and characteristics such as colour of skin, shape of eyes, hair texture, and/or facial features. The terms are used to designate the social categories into which societies divide people according to such characteristics. Race is often confused with ethnicity; there may be several ethnic groups within a racial group.

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**Racism:** A set of erroneous assumptions, opinions and actions stemming from the belief that one race is inherently superior to another. Racism may be evident in organizational and institutional structures, policies, procedures, and programs, as well as in the attitudes and behaviours of individuals.

**Reprisal:** an action or threat that is intended as retaliation or punishment for claiming or enforcing a right under the *Code* and under this policy. Section 8 of the *Code* protects people from reprisal or threats of reprisal.

**Special programs:** are programs or measures that an organization may create to address inequalities and help generate opportunities for people who experience discrimination, hardship, and disadvantage. To be a special program, the program must meet one of the following conditions: (a) it must relieve hardship or economic disadvantage, or (b) help disadvantaged people achieve, or try to achieve, equal opportunity, or (c) help eliminate discrimination.

**Systemic barrier:** a barrier embedded in the social or administrative structures of an organization, including the physical accessibility of an organization, organizational policies, practices and decision-making processes, or the culture of an organization. These may appear neutral on the surface but exclude members of groups protected by the Human Rights Code.

**Systemic discrimination:** patterns of behaviour, policies or practices that are part of the social or administrative structures of an organization which create or perpetuate a position of relative disadvantage, advantage, or privilege for people of certain for groups.

**Targeted Universalism:** Targeted universalism, as a principle, recognizes that everyone benefits from HWDSBs targeted removal of systemic barriers faced by the most disadvantaged communities. Reducing barriers and disparities leads to a better HWDSB learning and working environment for everyone.

**White Supremacy:** The belief that white people constitute a superior race and should therefore dominate society, typically to the exclusion or detriment of other racial and ethnic groups, in particular Black or Jewish people.

**Workforce Diversity:** Workforce diversity is a characteristic of a workplace that is comprised of people with a wide range of experiences, backgrounds, and characteristics. Those key characteristics include (but are not limited to): race, ethnicity, gender, religion, age, ability, gender identity and sexual orientation. In the education sector, strengthening diversity in leadership and in the classroom is proven to be important; not only to promote a sense of belonging among students, but also to enhance innovation and creativity in the school environments.

## ACTION REQUIRED:

- Implement culturally inclusive and responsive programming and assessment practices, taking proactive instructional steps to identify, prevent and mitigate systemic barriers in all classrooms.



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- Take proactive steps to identify, prevent and remove systemic barriers in hiring practices with measurable outcomes.
- To create an Anti-Black Racism Strategy that includes an intersectional anti-oppressive approach to address racial disparities in HWDSB learning and working environments.
- Use disaggregated race data to assist in assessing the potential of systemic barriers in board policies and procedures, taking into consideration that racism is experienced differently by various Black identifying and racialized groups, and within those groups, based on other dimensions of diversity including ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex (including pregnancy), sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status, disability and language.
- Create structures for respectful, open and ongoing communication between HWDSB and Black staff, students and community members by creating advisory groups. The lived experience, perspectives and guidance of those most adversely impacted by anti-Black racism will be considered when developing policies and programs.
- Use the approach of targeted universalism when identifying, removing, and preventing systemic barriers thereby supporting all students and staff in achieving full participation in all HWDSB learning and working environments. The targeted removal of systemic barriers faced by the most disadvantaged communities will reduce barriers for all communities in HWDSB.
- Develop and implement anti-Black racism capacity and competency building for all students, employees and trustees. All will be required to complete anti-Black racism training in order to promote and develop anti-racism competency, capacity and understanding and build a shared understanding of the principles of equity.
- Structure capacity building in a way that is customized for students, families and staff so all HWDSB members are able to share leadership and share in identifying and removing barriers that exist to full participation in the system.
- Regular review of mental health strategies/resources to ensure students and staff impacted by anti-Black racism or oppression, whether as targets or witnesses, are provided with the support to implement strategies for self-care and dialogue to address concerns and prioritize students feeling safe mentally, emotionally and physically.

## PROGRESS INDICATORS:

Intended Outcome	Assessment
HWDSB community members are able to learn, work, and access services and facilities in all HWDSB environments without facing anti-Black racism, discrimination or harassment.	<ul style="list-style-type: none"> <li>• Human rights incidents, inquiries, reviews and reports related to anti-Black racism</li> <li>• School climate surveys</li> <li>• Staff voice surveys</li> <li>• Parent/community voice surveys</li> <li>• Student Voice Surveys</li> </ul>

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<p>Structures to ensure a proactive approach to identify and address biases, barriers and discriminatory actions related to anti-Black racism including:</p> <ul style="list-style-type: none"> <li>• Supportive positive learning and workplace environments where all students and staff feel safe, supported and accepted.</li> <li>• Support inclusive community partnerships and engagement as well as communicate ongoing progress on related goals and strategies.</li> <li>• Advance barrier-free practices in recruitment, hiring and promotions.</li> <li>• Support workforce diversity and leadership that is inclusive of Indigenous, racialized and Black employees and honors intersectional identities.</li> <li>• Enhance data collection, analysis, and reporting for evidence-based decision-making, and clearly communicating how the data will be used.</li> <li>• Increase understanding of systemic racism and anti-Black racism.</li> <li>• Identify and address acts and systems of White Supremacy</li> <li>• Increase understanding of the Canadian Black Community and Black history in Hamilton.</li> </ul>	<ul style="list-style-type: none"> <li>• Environmental scan reports, policy reviews</li> <li>• Training evaluation and feedback</li> <li>• School climate surveys</li> <li>• Staff voice surveys</li> <li>• Parent/community voice surveys</li> <li>• Human rights- Data collection and feedback mechanism</li> <li>• Student Voice surveys</li> <li>• Create a feedback mechanism to consistently evaluate the effectiveness of the policy and its associated strategy to be reviewed on a regular basis.</li> <li>• Community Partner data base and feedback</li> </ul>
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## REFERENCES:

[Ontario Anti-Racism Act, 2017](#)  
[Ontario's Education Equity Action Plan, 2017](#)  
<http://www.edu.gov.on.ca/eng/policyfunding/inclusiveguide.pdf>  
 Ontario's Equity and Inclusive Education Strategy, 2009  
[Ministry of Education | ontario.ca](#) Policy and Program Memorandums 119, 145, 151, 159 and 165  
[Education Act](#)  
[Student and Family Advocates initiative | ontario.ca](#)  
[Ontario's Anti-Black Racism Strategy | ontario.ca](#)  
 UN General Assembly [resolution 68/237](#), The International Decade for People of African Descent  
[United Nations Declaration on the Rights of the Child](#)  
[Canadian Charter of Rights and Freedoms](#)  
[Ontario Human Rights Code](#)  
[Equity and Inclusion Policy 5.4.](#)  
[HWDSB Code of Conduct Policy 5.3.](#)

# Anti-Black Racism Policy

Date Approved: XXXXX

Projected Review Date: XXXXX

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[Barrier-Free Learning Environments Policy 1.1.](#)

[Workplace Violence and Harassment Prevention Policy 4.9](#)

[Bullying Prevention and Intervention Policy 5.2](#)

[Policies - Hamilton-Wentworth District School Board](#)5.7

[Professional Advisory on Anti-Black Racism - oct.ca](#)



**COMMITTEE REPORT**

Presented to: Board

Date of Meeting: October 3, 2022

From: Audit Committee

Date of Meeting: September 22, 2022

The committee held a virtual meeting from 5:33pm to 6:06 pm on September 22, 2022, with Trustee Paul Tut presiding.

Participating Members were Trustees Becky Buck, Dawn Danko and Paul Tut.  
External Members participating were Divya Iyengar and Angela Zehr.

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**ACTION ITEMS:****A. Election of the Chair**

On the motion of Trustee Dawn Danko, **the Audit Committee appoints Trustee Paul Tut as Chair of the Audit Committee for 2022-2023, pending the results of the Municipal Election and the selection of Trustee committees.**

**CARRIED****B. Annual Reports to the Board of Trustees and Ministry for 2021-22**

Staff presented the two annual reports that are required under Regulation 361/10.

On motion of Trustee Becky Buck, the Audit Committee **RECOMMENDS** that the **“Annual Report to the Board of Trustees for the year ended August 31, 2022” be forwarded to the Board of Trustees for information.**

**CARRIED**

On motion of Trustee Dawn Danko, the Audit Committee **RECOMMENDS** that the **“Annual Report to the Board of Trustees and Forwarded to the Ministry of Education for the year ended August 31, 2022” be sent to the Ministry.**

**CARRIED****MONITORING ITEMS:****C. Review of Audit Committee Work Plan and Audit Committee Terms of Reference**

Committee members reviewed both items.

**D. Update on School Board Sector Issues**

Director provided an update of return to in-person learning. Director also provided an update on central bargaining status.

**E. Update from Regional Internal Audit Team**

Andrea Eltherington Baker presented the update on the work being done by the Regional Internal Audit Team. She advised of a cyber-incident where their files are stored. She reviewed the continuing professional development being done by the Regional Internal Audit Team; there is an annual requirement that it is reported to Audit Committees. The Regional Internal Audit Mandate is reviewed annually and anytime there is a change in Chair or committee membership. The Regional Internal Audit Mandate will be signed by the new Director and Chair of the committee.

Respectfully submitted,  
Paul Tut, Chair of the Committee

## **Annual Report to the Board of Trustees For the year ended August 31, 2022**

This report summarizes the audit committee's actions for the year ending August 31, 2022.

### **Audit Committee Members**

The audit committee consisted of 5 members listed below:

- Trustee Paul Tut- Chair
- Trustee Christine Bingham (until December 2021), Trustee Becky Buck (commencing March 2022) and Trustee Dawn Danko – Trustee representatives
- John Laratta, Divya Iyengar - External representatives

In addition, regular attendees at the Committee meetings were:

- Andrea Eltherington – Regional Internal Audit Manager
- David Marks – Partner, Audit, KPMG LLP
- Saman Al-Rawee – Senior Manager, Audit, KPMG LLP
- Manny Figueiredo – Director of Education HWDSB (until February 2022)
- Stacey Zucker – Associate Director, Support Services HWDSB
- Denise Dawson – Senior Manager, Business Services HWDSB

### **Administrative Tasks**

At the beginning of the year and in accordance with recommended good practice various administrative tasks were completed. These included:

- Annual review of the Audit Committee's Terms of Reference;
- Developing a work plan;
- Developing a meeting schedule and agenda for the year; and
- Signing off on the Declaration of Conflicts of Interest form

### **Meetings**

It was agreed to hold three meetings throughout the year with a fourth meeting, from December to May, if necessary. All meetings have been held as planned.

The members in attendance at each meeting were as follows:

<i>Member's Name</i>	<i>Sept 23, 2021</i>	<i>Nov 11, 2021</i>	<i>March 24, 2022</i>	<i>May 26, 2022</i>
<i>Paul Tut</i>	X	X	X	X
<i>Christine Bingham</i>			n/a	n/a
<i>Becky Buck</i>	n/a	n/a	X	X
<i>Dawn Danko</i>	X	X	X	X
<i>Divya Iyengar</i>	X	X		X
<i>John Laratta</i>	X	X	X	X

## **Governance**

The audit committee operated throughout the fiscal year ending August 31, 2022. All of the members satisfied the eligibility requirements in accordance with Ontario Regulation 361/10.

## **External Auditors**

The relationship with the external auditors has been satisfactory and private meetings were held during the year. The external auditors *KPMG* presented the scope and extent of their work to the committee, which the committee reviewed and recommended for approval at the September 23, 2021 meeting. The external auditors confirmed their independence in the letter dated November 29, 2021. The audit committee reviewed and recommended the approval of the annual audited financial statements on November 11, 2021. The audit committee recommended the reappointment of the external auditors for the next fiscal year during the meeting held March 24, 2022.

## **Internal Auditors**

The relationship with the internal auditors has been satisfactory and private meetings were held during the year. The Committee reviewed the results of the risk assessment, as well as the annual audit plan for the 2021-22 fiscal year.

The internal auditors performed the following work during the year:

### **PLANNED AUDITS:**

- BAS 2000 Data Analytics
- IT Vulnerability and Security
- Back-up, Disaster and Recovery
- Health and Safety
- Capital Projects
- Privacy Audit

For all completed audits, the following is a summary of risks and findings made by the internal auditor:

<b><i>Audit</i></b>	<b><i>Risks</i></b>	<b><i>Findings</i></b>
BAS 2000 Data Analytics	•	• <i>Three remaining open action items</i>
IT Vulnerability	•	• <i>Thirteen remaining open action items</i>
Health and Safety	•	• <i>Seven remaining open action items</i>
Back-up & Disaster Recovery	•	• <i>Eight remaining open action items</i>
Capital Projects	• <i>A control rating of “satisfactory” was assigned to this audit.</i>	• <i>One remaining open action items</i>
Privacy Audit	• <i>A control rating conclusion of “unsatisfactory” was assigned to the original audit.</i>	• <i>Sixteen remaining open action items</i>

The audit committee endorsed each report, including management’s action plan, and advised the board of trustees to accept it. Presentation of all audit reports were discussed in-camera.

The audit committee received reports from internal audit that assessed the progress toward management’s implementation of action plans developed in response to previous audit findings. This enabled the audit committee to engage management in a discussion regarding findings not satisfactorily actioned, as well as encouraging renewed efforts on overdue action plans.

### **Summary of the work performed**

In addition to the items noted above, the following outlines further work performed by the audit committee in the last 12 months:

- Received a report from the internal auditors on their review of the effectiveness of controls across the school board;

- Confirmed that the external and internal auditors did not encounter any difficulties in the course of their work;
- Undertook a review of the external auditors' performance;
- Obtained confirmation from the Director of Education that the school board was compliant with all current federal and provincial Acts, Regulations and Statutes.
- Undertook an evaluation of the effectiveness of the internal audit function, including the performance of the regional internal audit manager and her team;
- Queried management on their approach to risk management as well as their strategy to manage such risks; and

By the signature noted below, we attest that we have discharged our duties and responsibilities under Ontario Regulation 361/10.

On behalf of the audit committee,



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Audit Committee Chair

**Annual Report to the Board of Trustees and Forwarded  
To the Ministry of Education  
For the year ended August 31, 2022**

**District School Board Name:** Hamilton-Wentworth District School Board

**Fiscal Year:** 2021/2022

**Re:** Annual audit committee report to the Ministry of Education as per Ontario Regulation 361/10

During the 2021/2022 fiscal year, the following internal audits or other engagements were started by the regional internal audit team but not completed by August 31st:

- *Sparkrock O365 Logical Security Review*

In addition to those listed above, the following audits were completed in the 2021/2022 fiscal year:

- *Nil*

**AND**

Based on the internal audit plan, we are not expecting any enrolment audits to be performed.

September 23, 2022

Date

*Paul Tut*

Signature

Audit Committee Chair

Title

## Committee Report

Presented to: Board

Meeting date: October 3, 2022

From: Parent Involvement Committee

Meeting date: September 13, 2022

The committee held a MS Teams meeting on Sep 13<sup>th</sup> from 6:30 pm. to 8:35 p.m. with Chair Mike Palma presiding.

Members present were: Adriana Harris, Alyse Nishimura, Amanda Fehrman, Amanda Lloyd, Cheryl Hue, Christine Sandor, Christine Schewee, Cindy Bourassa, Cindy Stranak, Corrie Ledgerwood, Daniel Howe, David Campos, Emma Haslam Topping, Heather Harvey, Heather Lambert-Hillen, Heather McCully, Heidi Oglesby, Jay Edington, Katrusia Marunchak, Leah Ferleyko, Melanie Roberts, Mike Palma, Shelley Clemence, Shelley Stacey

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### INFORMATION ITEMS:

#### A. Director

Director Sheryl Robinson Petrazzini greeted the committee, shared her history and experience and her support for the work and advisory of the PIC Committee. Provided update on consultation and collaboration work that is beginning on new strategic directions.

#### B. Communications

Shawn McKillop, Manager of Corporate Communications provided an update on school year start up communications and the launch of the new HWDSB mobile app for community use. Upcoming information session for School Council Chairs to be held October 12<sup>th</sup> 2022. This will be an opportunity for Communications to share the new communications standards and the result of the School Council report.

#### C. Home & School

Heather Lambert-Hillen provided update on Hamilton Wentworth Council upcoming meeting. Membership drives for Home and School Associations are now taking place in schools and Roots of Empathy will be welcomed to present at the HWC meeting.

#### D. Trustee Update

Trustee Penny Deathe provided update on Collective Agreements and provincial and local bargaining. Trustee Becky Buck provided transportation update, driver shortage, late routes, and driver recruitment. Trustee Buck provided updates on school based, Covid measures and vaccine clinics, Reimagining Wellness 2.0, and De-Streaming.

Respectfully submitted,  
Mike Palma, Chair

**Notice of Motion: ThoughtExchange for Strategic Directions**

Submitted by Trustee Dawn Danko

Monday, October 3, 2022

Whereas September is focused on start-up, re-building routines and re-organization is scheduled in early October; and

Whereas the system is working on supporting students and staff following the pandemic; and

Whereas a ThoughtExchange centres around a single question, welcoming feedback that is directed by the respondents. As such, ideal timing for a ThoughtExchange on overall Strategic Directions would be later in the school year; and

Whereas the new Director of Education is committed to working with the next Board of Trustees on the Strategic Directions, but is supporting stability for the system over the coming months by focusing on our current Strategic Directions in the interim; and

Whereas the current Board of Trustees dissolves as of November 15, 2022; and

Whereas a ThoughtExchange relating to the Strategic Directions could create unnecessary confusion and uncertainty at this time.

Be it resolved:

That RESOLUTION # 22-103 the ThoughtExchange for Strategic Directions begin in September 2022 once a new Director of Education is in place be rescinded.