



Office of the Director

Jim McCuaig Education Centre  
2135 Sills Street Thunder Bay ON P7E 5T2  
Telephone (807) 625-5131 Fax (807) 622-0961

**STANDING COMMITTEE**  
**Tuesday, November 10, 2020**  
**Virtual via Microsoft Teams**

Ian MacRae  
Director of Education

Trudy Tuchenhagen  
Chair

**AGENDA**

**PUBLIC SESSION**  
**7:30 p.m. – via Microsoft Teams**

	<u>Resource Person</u>	<u>Pages</u>
1. Call to Order		
2. Disclosure of Conflict of Interest		
3. Approval of the Agenda		
4. Resolve into Committee of the Whole – Closed Session		
5. <b>COMMITTEE OF THE WHOLE - Closed Session – 6:35 p.m. (SEE ATTACHED AGENDA)</b>		
6. Land Acknowledgement		
7. Delegations/Presentations		
7.1 Celebrating Student Achievement – Algonquin Avenue Public School	AJ Keene	1-3
8. Approval of Minutes		
8.1 Standing Committee Meeting - October 13, 2020	T. Tuchenhagen	4-7
9. Business Arising from the Minutes		

Trustees (Chair and Vice-Chair) and presenters of reports will be available  
for comment after the Board Meeting.

**LAKEHEAD DISTRICT SCHOOL BOARD**

<u>Resource Person</u>	<u>Pages</u>
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**MATTERS NOT REQUIRING A DECISION:**

- |      |   |                |        |
|------|---|----------------|--------|
| 10.  | Information Reports   |                |        |
| 10.1 | Student Achievement Report (081-20)                                       | AJ Keene       | 8-10   |
| 10.2 | Mental Health Strategy Report (082-20)                                    | M. Probizanski | 11-15  |
| 10.3 | COVID-19 General Update   | I. MacRae      | Verbal |
| 10.4 | Special Education Advisory Committee Meeting Minutes – September 16, 2020 | M. Probizanski | 16-19  |
| 10.5 | Budget Committee Meeting Minutes - September 9, 2020                      | K. Alaksa      | 20-21  |
| 11.  | First Reports   |                |        |

**MATTERS FOR DECISION:**

- |      |  |                |        |
|------|--|----------------|--------|
| 12.  | Postponed Reports  |                |        |
| 13.  | Ad Hoc and Special Committee Reports   |                |        |
| 14.  | New Reports  |                |        |
| 14.1 | Policy Review – 1020 Equity and Inclusive Education (078-20)   | M. Probizanski | 22-48  |
|      | <i>It is recommended that Lakehead District School Board approve 1020 Equity and Inclusive Education Policy, Appendix A to Report No. 078-20.</i>        |                |        |
| 14.2 | Policy Review – 3080 Research (079-20)   | AJ Keene       | 49-62  |
|      | <i>It is recommended that Lakehead District School Board approve 3080 Research Policy, Appendix A to Report No. 079-20.</i>                              |                |        |
| 14.3 | Policy Review – 7030 Human Rights and Workplace Harassment (080-20)  | M. Probizanski | 63-104 |
|      | <i>It is recommended that Lakehead District School Board approve 7030 Human Rights and Workplace Harassment Policy, Appendix A to Report No. 080-20.</i> |                |        |

Trustees (Chair and Vice-Chair) and presenters of reports will be available for comment after the Board Meeting.

*It is recommended that Lakehead District School Board approve the development of a Hiring Policy as indicated in Report No. 083-20.*

- 15. New Business
- 16. Notices of Motion
- 17. Information and Inquiries
- 18. Adjournment

Trustees (Chair and Vice-Chair) and presenters of reports will be available for comment after the Board Meeting.



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**STANDING COMMITTEE**  
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Ian MacRae  
Director of Education

Trudy Tuchenhagen  
Chair

**AGENDA**

**COMMITTEE OF THE WHOLE – Closed Session**  
**6:35 p.m. – via Microsoft Teams**

	<u>Resource Person</u>	<u>Pages</u>
5.1 Approval of Committee of the Whole - Closed Session Minutes		
5.1.1 Standing Committee Meeting Minutes - October 13, 2020	T. Tuchenhagen	1
5.2 Business Arising from the Minutes		
5.3 Consideration of Reports		
5.3.1 Personnel Matter	I. MacRae	Handout
5.3.2 Legal Matters	I. MacRae/ M. Probizanski	Verbal
5.4 Information and Inquiries		
5.5 Rise and Ask Leave to Sit in Public Session		

Trustees (Chair and Vice-Chair) and presenters of reports will be available  
for comment after the Board Meeting.

**LAKEHEAD DISTRICT SCHOOL BOARD**



## Celebrating Student Achievement

School: Algonquin Avenue Public School

Title of Initiative: Building Relationships and Breaking Down Barriers

Presenters: Principal Kali Bernst and Vice Principal Lana Deacon

<b>Components of Initiative</b>	<b>School's Details</b>
1. Description of the nature of the initiative to improve student achievement	<ul style="list-style-type: none"> <li>• Implementing initiatives to provide a safe, welcoming and barrier free space for students and families to engage in learning together.</li> <li>• Using trauma-informed approaches and rethinking how we reach our students and families.</li> <li>• Re-branding our school with a focus on Student Voice – “nothing about us, without us”.</li> </ul>
2. Rationale for selecting the initiative	<ul style="list-style-type: none"> <li>• student modified days were high in numbers;</li> <li>• suspensions were high;</li> <li>• attendance issues;</li> <li>• student engagement was down; and</li> <li>• we needed to break the cycle in order to build trust, engagement and overall academic success.</li> </ul>
3. Intended outcomes of the initiative related to improved student achievement	<ul style="list-style-type: none"> <li>• attendance issues decrease;</li> <li>• increased achievement based on School Improvement Goals (risk taking, confidence, decrease gaps in achievement);</li> <li>• building an overall sense of belonging in our school; and</li> <li>• increase family engagement.</li> </ul>
4. Description of the data used	<ul style="list-style-type: none"> <li>• Seesaw tracking;</li> <li>• office referrals;</li> <li>• attendance;</li> <li>• decrease on the amount of I's on report cards;</li> <li>• School Climate Surveys' show increase sense of belonging; and</li> <li>• more engagement and attendance at school events and functions.</li> </ul>

<p>5. <b>Brief</b> description of the significant activities or strategies involved with the initiative</p>	<ul style="list-style-type: none"> <li>• Gladiator Families – cross grade mentored groups so students that work together monthly to build a “family” type environment;</li> <li>• Bear Den;</li> <li>• Thunder Bay Indigenous Friendship Center partnership;</li> <li>• The Third Path Resource use by all staff;</li> <li>• restorative approaches;</li> <li>• including student voice when making certain decisions;</li> <li>• leadership opportunities (peer mentorship in gym, announcements, drumming group); and</li> <li>• changing the way we look at things in order to change trajectory.</li> </ul>
<p>6. <b>One or two</b> highlights of the above activities</p>	<ul style="list-style-type: none"> <li>• Building a Sense of Belonging – Key to Success When you teach with WHOLE child, the opportunities for success and reaching goals are far greater. Having safe spaces for students to go, and people to talk to helped with student confidence and feeling happy at school. When you have trust, you are able to talk to student in a way that naturally engages them in finding a solution.</li> <li>• Office Referrals and Working with the “Tough” Kids. Office referrals were down. Staff efficacy was strengthened. Staff owned all students and got to know more than just those in their class. This helped when dealing with behavior on the playground or just daily interactions. Relationships, relationships, relationships!</li> </ul>
<p>7. Description of any unexpected results or “moments of serendipity” related to the initiative</p>	<ul style="list-style-type: none"> <li>• decrease in office referrals (threw out the pink slips);</li> <li>• conversations became the norm when things went wrong;</li> <li>• when you involve students and give them a voice, they feel heard, trusted and valued; and</li> <li>• major behavioural changes – bullies turning into leaders, behavior identifications removed on IEP’s.</li> </ul>
<p>8. Description of <b>one or two</b> interesting findings that would be useful or helpful to other schools</p>	<ul style="list-style-type: none"> <li>• Staff Ownership is key to success. All Staff need to be on the same page in order to have full school success. Staff commitment to change in order to support students and families.</li> <li>• See obstacles as opportunities and work towards a solution and chance to remove a barrier</li> <li>• Trust. If students and families have trust in us working as a team to support our students is that much easier,.</li> </ul>
<p>9. Identification of <b>one or two</b> noteworthy hurdles or stumbling-blocks</p>	<ul style="list-style-type: none"> <li>• getting staff on board - change is hard; and</li> <li>• learning – we still have so much to learn about how to work with students with trauma.</li> </ul>

<p>10. Next steps in pursuing the initiative</p>	<ul style="list-style-type: none"> <li>• continuing to find creative ways to engage our families (movement from social events to academic conversations); and</li> <li>• continue to utilize staff and student voice to drive goals and planning.</li> </ul>
<p>11. Lessons learned about the school's efforts to improve student achievement</p>	<ul style="list-style-type: none"> <li>• Staff ownership is key to success. All staff need to be on the same page in order to have full school success. Staff commitment to change in order to support students and families.</li> <li>• See obstacles as opportunities and work towards a solution and chance to remove a barrier.</li> <li>• Trust - if students and families have trust in us, working as a team to support our students is that much easier</li> </ul>

LAKEHEAD DISTRICT SCHOOL BOARD

**MINUTES OF STANDING COMMITTEE**

Virtual  
Via Microsoft Teams

2020 OCT 13  
7:30 p.m.

**TRUSTEES PRESENT:**

Trudy Tuchenhausen (Chair)  
Marg Arnone  
Ellen Chambers  
Ron Oikonen  
George Saarinen

Ryan Sitch  
Scott Wemigwans  
Simran Talpade (Student Trustee)  
Keira Essex (Indigenous Student  
Trustee)

**TRUSTEE ABSENT, WITH REGRET:**

Deborah Massaro  
Sue Doughty-Smith

**SENIOR ADMINISTRATION:**

Ian MacRae, Director of Education  
Michelle Probizanski, Superintendent of Education  
AJ Keene, Superintendent of Education

**FEDERATION/UNION REPRESENTATIVES:**

Kirsti Alaksa, Managers

**PUBLIC SESSION:**

1. Approval of Agenda

Moved by Trustee Chambers

Seconded by Trustee Arnone

*"THAT the Agenda for Standing Committee Meeting, October 13, 2020 be approved."*

**CARRIED**



2. Resolve into Committee of the Whole – Closed Session

Moved by Trustee Oikonen

Seconded by Trustee Wemigwans

*“THAT we resolve into Committee of the Whole – Closed Session with Trustee Tuchenhagen in the chair to consider the following:*

- *Confirmation of Committee of the Whole – Closed Session Minutes*
  - *September 8, 2020*
- *Legal Matters*

*and that this meeting shall not be open to the public pursuant to Section 207 (2) of the Education Act as amended.”*

CARRIED

COMMITTEE OF THE WHOLE – CLOSED SESSION:

3. Committee of the Whole – Closed Session items were dealt with in their entirety.

PUBLIC SESSION:

4. Lexia and Empower Presentation

Michelle Probizanski, Superintendent of Education, introduced Lori Carson, Special Education Officer, and Ruth Ann Fay, Learning Supports Resource Teacher, to present on the Lexia and Empower reading assistance programs. Ruth Ann Fay displayed a PowerPoint presentation providing highlights regarding Lexia and Empower and improvements to students’ reading levels as a result of these programs. All trustees’ questions were addressed.

5. Confirmation of Minutes

Moved by Trustee Sitch

Seconded by Trustee Oikonen

*“THAT the Standing Committee approve the Minutes of the Standing Committee Meeting, September 8, 2020.”*

CARRIED

MATTERS NOT FOR DECISION:

6. Adult and Continuing Education Report (068-20)

Michelle Probizanski, Superintendent of Education, introduced Samantha Peotto, Manager, Lakehead Adult Education Centre, to present the Adult and Continuing Education Report. Samantha Peotto displayed a PowerPoint presentation highlighting the Lakehead Adult Education Centre completed, current, and new projects as well as summer programming. All trustees’ questions were addressed.

7. COVID-19 General Update

Ian MacRae, Director of Education, introduced Superintendent Keene. Superintendent Keene indicated that 140 students moved from in-person classes to virtual learning and 95 students moved from virtual learning to in-person classes. Superintendent Keene also provided an update on international students beginning to join classes and the COVID-19 Assessment Centre opening at Confederation College. All trustees' questions were addressed.

8. Parent Involvement Committee Meeting Minutes - September 14, 2020

Ian MacRae, Director of Education, presented the September 14, 2020 minutes for information.

9. Special Education Advisory Committee Meeting Minutes – June 17, 2020

Michelle Probizanski, Superintendent of Education, presented the June 17, 2020 minutes for information.

MATTERS FOR DECISION:

10. Appointments to the 2020-2021 Parent Involvement Committee (067-20)

Moved by Trustee Sitch

Seconded by Trustee Chambers

*It is recommended that Lakehead District School Board:*

1. *Approve the following appointments to the 2020-2021 Parent Involvement Committee effective November 15, 2020 to November 14, 2021:*

- *Sharon Kanutski, Aboriginal Education Advisory Committee representative;*
- *Serena Essex, Aboriginal Education Advisory Committee alternate representative;*
- *Michael Otway, Special Education Advisory Committee representative;*
- *Laura Walker, alternate parent representative;*
- *Shannon Jessiman-MacArthur, principal representative;*
- *Eric Fredrickson, alternate principal representative;*
- *Robin Cawlishaw, community representative;*
- *Laura Prodanyk, community representative;*
- *Fred Van Elburg, teacher representative; and*
- *Kathleen Andrews, alternate teacher representative.*

2. *Approve the appointment of Julie Morin, parent member, to the 2020-2021 and 2021-2022 Parent Involvement Committee effective November 15, 2020 to November 14, 2022.*

CARRIED

11. Trustee Code of Conduct Review (069-20)

Moved by Trustee Chambers

Seconded by Trustee Sitch

*It is recommended that Lakehead District School Board approve the amended Trustee Code of Conduct.*

CARRIED

12. Policy Review – 8061 Aboriginal Education Advisory Committee (066-20)

Moved by Trustee Wemigwans

Seconded by Trustee Arnone

*It is recommended that Lakehead District School Board review 8061 Aboriginal Education Advisory Committee Policy during the 2020-2021 school year.*

CARRIED

13. Information and Inquiries

13.1 Trustee Chambers reported on the recent Equity and Inclusion meeting.

13.2 Director MacRae indicated that a plan on how trustees can view a virtual class was being worked on.

14. Adjournment

Moved by Trustee Saarinen

Seconded by Trustee Arnone

*“THAT we do now adjourn at 9:13 p.m.”*

CARRIED

LAKEHEAD PUBLIC SCHOOLS  
OFFICE OF THE DIRECTOR OF EDUCATION

2020 NOV 10  
Report No. 081-20

TO THE CHAIR AND MEMBERS OF  
THE STANDING COMMITTEE – Public Session

RE: STUDENT ACHIEVEMENT

1. Background

- 1.1 Lakehead District School Board's Strategic Plan places student achievement and well-being at the center of our ongoing pursuit of excellence and our commitment to every student.
- 1.2 The Education Quality and Accountability Office (EQAO) assesses students' skills and knowledge in reading, writing and mathematics at key points in their education.
- 1.3 EQAO is one measure of student achievement and these results are considered in conjunction with school-based information in order to plan for continuous improvement.

2. Situation

The Student Achievement report annually summarizes Lakehead Public Schools student achievement on the Primary Assessment, Junior Assessment, Grade 9 Mathematics Assessment and the Ontario Secondary School Literacy Test (OSSLT).

3. Cancellation of Grades 3, 6, and 10 Assessments and Embargoed Grade 9 Math Results

- 3.1 Due to the emergency school shutdown, as a result of the COVID-19 pandemic, the Grades 3 and 6 EQAO Assessments and the Grade 10 Ontario Secondary School Literacy Test (OSSLT) were cancelled for the 2019-2020 school year.
- 3.2 Students enrolled in Grade 9 mathematics courses during Semester One in the 2019-2020 school year participated in the provincial Grade 9 Assessment of Mathematics, but the test was cancelled for students who were enrolled in Grade 9 mathematics during Semester Two. As a result, Grade 9 mathematics achievement data for the 2019-2020 school year was not shared with schools, boards, or the public.

4. Grades 3, 6, 9, and 10 Assessments for the 2020-2021 School Year

- 4.1 All primary and junior EQAO assessments have been cancelled for the 2020-2021 school year.

- 4.2 An online version of the Grade 9 Assessment of Mathematics is being field tested this year. Lakehead District School Board students will participate in the online field test in quadmesters two, three, and four. Students who are participating exclusively in online learning will not write the Grade 9 math assessment. There will be no results publicized from field tests this year.
- 4.3 An online version of the Ontario Secondary School Literacy Test (OSSLT) is scheduled to be field tested in the spring of 2021, which could allow the opportunity for non-graduating students to write the test and have successful attempts counted on their transcript. The literacy graduation requirement will be waived for all students graduating during the 2020-2021 school year. Additional details from the Ministry of Education are forthcoming.

5. K-12 Next Steps

- 5.1 All schools, system wide, continue to have a focus on improving mathematics learning and teaching for all students and on closing the gap for students not currently achieving at grade level. Every school in the system will be required to include mathematics as an area of focus in their School Improvement Plans.
- 5.2 Professional development will continue to be focused on improving student achievement through a variety of structures:
- continue the focus on building mathematics content knowledge as well as pedagogy;
  - ensure that teachers, students and parents have the supports they need to increase student learning and confidence in mathematics;
  - continue to refine diagnostic assessments to identify gaps in mathematics learning and teaching;
  - ensure teachers and administrators are aware of and able to implement evidence based instructional strategies; and
  - focus on a deep understanding of assessment and evaluation to improve student success, engagement and well-being.
- 5.3 Program staff will work collaboratively with administrators and teachers to create a plan for schools targeting the specific needs in each division and transition, provide grade specific training focused on numeracy strategies, and provide additional support for students in targeted classrooms and schools.
- 5.4 Access to assistive technology and devices will continue to support the needs of all learners at all grade levels. Literacy and numeracy interventions and differentiated instruction will continue in all schools to support individual student learning needs and inform next steps.

6. Conclusion

Improving student learning and closing gaps in achievement will continue to be the focus at Lakehead District School Board. Through targeted professional learning, data analysis, at-the-elbow coaching, Ministry support and research-based instructional strategies, Lakehead District School Board will continue to support the learning of all students.

Respectfully submitted,

FRED VAN ELBURG  
Program Coordinator

NICHOLAS SACEVICH  
Student Success Lead/MISA Board Lead

ERIC FREDRICKSON  
Principal of Program and Early Years

AJ KEENE  
Superintendent of Education

MICHELLE PROBIZANSKI  
Superintendent of Education

IAN MACRAE  
Director of Education

LAKEHEAD PUBLIC SCHOOLS  
OFFICE OF THE DIRECTOR OF EDUCATION

2020 NOV 10  
Report No. 082-20

TO THE CHAIR AND MEMBERS OF  
THE STANDING COMMITTEE – Public Session

RE: MENTAL HEALTH STRATEGY

1. Background

- 1.1 Lakehead District School Board (LDSB) is committed to student achievement and well-being and aims to promote resiliency and well-being of student and staff and ensure a caring and inclusive learning and working environment.
- 1.2 In July 2020, LDSB took over the employment of the mental health lead position retaining its previously contracted employee.
- 1.3 Lakehead District School Board has developed a new three-year mental health strategy that will align with School Mental Health Ontario initiatives being promoted provincially. This strategy is in effect from September 2020 to June 2023. Please see attached Appendix A.

2. Situation

- 2.1 School Mental Health Ontario resources are being utilized to increase mental health literacy among administrators, educators and support staff. The mental health lead provides resources and materials to support educators in classroom management strategies that pertain to students experiencing challenges in mental wellness.
- 2.2 Lakehead District School Board has an ongoing community partnership with Children's Centre Thunder Bay. Four full-time social workers are providing clinical services with students in all city elementary schools.
- 2.3 Lakehead District School Board has three social workers working across the elementary schools, one in each secondary school, and two attendance counsellors who are committed to the success of elementary and secondary students.
- 2.4 Lakehead District School Board has also partnered to work with Children's Centre Thunder Bay to contract one child and youth worker with the specific mandate to provide intervention across the three tiers of support specifically targeting students at high risk for suspension in Grades JK to 3.
- 2.5 Lakehead District School Board has established a Multidisciplinary Student Support Team with the intention of working collaboratively across departments to ensure support is provided for students who continue to struggle despite tier one and two social emotional learning and mental health programming in the classroom and school.

### 3. Additional Information

- 3.1 Through School Mental Health Ontario, social workers can access training on structured psychotherapy approaches that have evidence-based effectiveness in schools.
- 3.2 School Mental Health Ontario has developed online literacy training at the elementary and secondary level for administrators, educators and guidance counsellors. These modules are available and being prioritized as professional development for staff in schools.
- 3.3 Several less formal partnerships exist that provide services to students in schools including:
  - Sullivan's and Associates Clinical Psychology who are delivering services to students who qualify for services under non-insured health benefits;
  - Dilico Anishinabek Family Care who are working to streamline referrals with Children's Centre Thunder Bay social workers in the elementary schools; and
  - Venture Wellness North who are providing services to First Nation, Métis and Inuit students.
- 3.4 Schools continue to designate mental wellness champions to lead the dissemination of information gained from various training initiatives.
- 3.5 Children's Centre Thunder Bay continues to provide the school counselling intervention program.
- 3.6 School social workers work closely with the mental health and addictions nurse to support crisis situations and transitions to/from hospital. This has been a very successful partnership due to the team approach that has been developed.
- 3.7 Opportunities for wellness training are provided for all staff throughout the year. Mental Health literacy and SafeTalk training is a priority this year and will continue into the 2021-2022 school year.

### 4. Conclusion

School social workers, attendance counsellors, child and youth workers and the mental health lead are well respected and valued by students, parents/guardians, staff and community agencies and contribute to improved student outcomes through improved academic performance, increased attendance and improved classroom conduct.

Respectfully submitted,

MEGAN TIERNAN  
Mental Health Lead

MICHELLE PROBIZANSKI  
Superintendent of Education

IAN MACRAE  
Director of Education





2020-2023

# MENTAL HEALTH STRATEGIC PLAN

Lakehead Public Schools' 3-year mental health strategy promotes the wellbeing of every student with a specific focus on social emotional learning that can be beneficial across all aspects of learning. Engaging school leaders to understand the importance of mental wellbeing, mental health promotion and prevention activities, and collaborating with school and system partners will ensure student and staff wellbeing is prioritized. With a focus on capacity building at all levels, each student in all learning environments will benefit from the universal promotion of mental wellbeing.

Lakehead Public Schools aligns its 3-year strategy with the strategic goals of School Mental Health Ontario, a Provincial Implementation Support Team that works together with school districts to support student mental health and develop mentally healthy schools that adopt a whole-school approach to mental health and wellbeing. Lakehead Public Schools emphasizes the importance of helping children thrive, learn and succeed by providing opportunities for them, and the adults around them, to develop the strengths and coping skills that underpin resilience.



## 1 PROVIDE A TIERED SYSTEM OF SUPPORT

### TIER 1 – Good for all

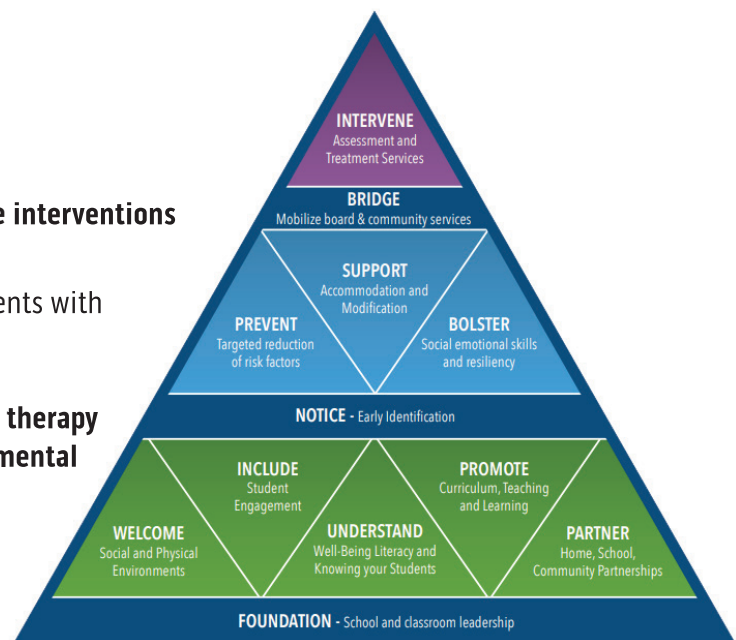
- Create caring conditions for learning
- Develop social and emotional skills
- Strengthen mental health knowledge

### TIER 2 – Necessary for Some (preventative interventions for students at risk)

- Provide mental health support for students with mild to moderate challenges

### TIER 3 – Essential for few (more intensive therapy for students struggling with a significant mental health problem)

- Ensure strong system pathways to community mental health providers for students and families needing more intensive support



## 2

## ENGAGEMENT AND COLLABORATION

Engaging school and program leaders is an integral part of promoting mental wellbeing in schools. Understanding the importance of mental health promotion and prevention activities that can be undertaken by educators will help with embedding these practices into all learning environments and curriculum. Collaborating with school and system partners and establishing clear roles and responsibilities can create strong pathways for students and families in need of additional mental health support.

We can establish this goal by:

- working with educators to ensure mentally healthy spaces for learning and providing emotionally safe environments that promote academic achievement;
- working closely with the special education team to support students identified as having social emotional difficulties and providing support in the learning environment;
- working with caregivers to create circles of support that ensure supports are available for students and there is a wraparound approach; and
- partnering with community providers to ensure there are clear pathways to more intensive services when needed.



## LEADERSHIP AND ORGANIZATIONAL CONDITIONS

## 3

Lakehead Public Schools is committed to ensuring student and staff mental wellbeing is a priority. Establishing wellness champions in every school to focus on and prioritize mental health promotion and information will be critical in setting the vision for moving ahead in establishing the organizational conditions necessary for embedding mental health into the fabric of our daily routines and tasks.

Lakehead Public Schools will communicate this vision by:

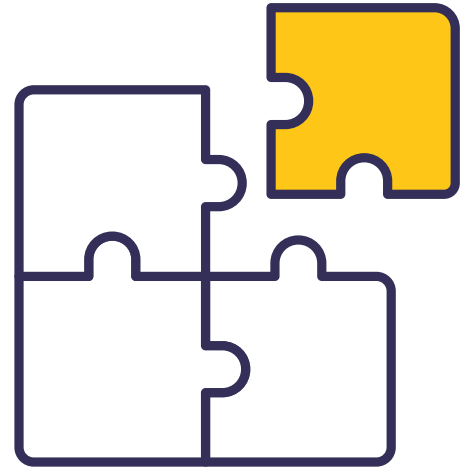
- promoting mental wellbeing and resources to ensure a culture of wellness for staff, prioritizing self-care and compassion;
- committing to ongoing quality improvement in the area of mental health ensuring that those focused on providing services to students are utilizing evidence-based frameworks and tools in their practice. These include social emotional learning strategies, therapeutic modalities, screening tools, and risk assessment tools; and
- communicating the Mental Health Strategy in all areas of the Board to promote a shared understanding of mental wellbeing, mental health prevention and intervention at the staff and student level.



## 4

## CAPACITY BUILDING

Lakehead Public Schools acknowledges the need to prioritize belonging, relationships and safety for students to learn, be successful and reach their full potential. Beyond this foundational understanding that administrators, educators and staff possess is the opportunity to increase capacity and knowledge. This will focus on the areas of mental wellbeing, mental health promotion and prevention by way of professional development and training initiatives, educational opportunities, and awareness activities. We are committed to the ongoing learning and development of members of our school Board.



Future opportunities for learning and development include:

Concentrating on the professional development for staff including:

- crisis intervention training;
- mental health literacy courses;
- how mental wellness impacts education and learning;
- the importance of understanding trauma, its impacts, and trauma informed approaches in classrooms; and
- understanding adverse childhood experiences and their impacts on students and families.

Concentrating on promotion of mental wellbeing for students by using the knowledge teachers accumulate, as well as the resources that enhance our curriculum such as School Mental Health Ontario materials and other educational resources developed and promoted by our valued community partners.

This will teach:

- in-class social emotional learning strategies;
- basic mental health literacy; and
- mental wellness and self-care.



**Committed to the success of every student**

[www.lakeheadschoools.ca/mentalhealth](http://www.lakeheadschoools.ca/mentalhealth)

LAKEHEAD DISTRICT SCHOOL BOARD

**SPECIAL EDUCATION ADVISORY COMMITTEE**

Thunder Bay, Ontario

2020 SEP 16

**MEMBERS PRESENT:**

Liz Tod (Chair)  
Kelly Matyasovszky (Vice Chair)  
Trustee Sue Doughty-Smith  
Suzanne Posthumus  
Cory Koski  
Jennifer Bean

Carry Murphy  
Angela Hill  
Trustee George Saarinen  
Miranda Myers  
Michelle Blackburn

**OTHERS PRESENT:**

Michelle Probizanski  
Lori Carson

Christine Jones

**ABSENT:**

Wilma Kleynendorst  
Lesley Harding  
Ashley Etienne

Mike Otway  
Debby Dick

**GUEST:**

Mahejabeen Ebrahim, Human Rights  
and Equity Advisor

1. **Call to Order**

Liz Tod, Chair of SEAC, called the meeting to order at 6:03 p.m.

2. **Welcome and Introductions**

Liz Tod, Chair of SEAC.

3. **Approval of the Agenda**

Moved by Trustee George Saarinen      Seconded by Trustee Sue Doughty-Smith

*“THAT the agenda for the September 16, 2020 SEAC meeting be approved as amended.”*

**CARRIED**

4. **Declarations of Conflict of Interest**

There were no declarations of conflict of interest.

5. Presentations

5.1. Special Education and Mental Health Team

Lori Carson, Special Education Officer, provided introductions to her team and their roles. Possibilities of a Multi-Disciplinary Team Referral Form was mentioned.

All new and old team members were thanked for their time and dedication.

5.2 Human Rights and Workplace Harassment Procedures

Michelle Probizanski, Superintendent of Education, provided an overview of the changes on the 7030 Human Rights and Workplace Harassment Policy and Procedures that has gone out for constituents' input for review. Mahejabeen Ebrahim was thanked for all her efforts. The committee will receive a copy of the policy and procedures by email from Christine Jones.

6. Approval of the Minutes

Moved by Trustee George Saarinen      Seconded by Trustee Sue Doughty-Smith

*"THAT the minutes of the June 17, 2020 SEAC meeting be approved."*

CARRIED

7. Business Arising From the Minutes

There was no business arising from the minutes of June 17, 2020.

8. Correspondence

Liz Tod, Chair of SEAC, received a letter from Lakehead School Board's Parent Involvement Committee asking for a SEAC member and an alternate SEAC member to join their committee. Mike Otway was mentioned to be interested. No alternative was received at meeting but were asked to email Christine Jones if they change their mind. Liz will confirm with Mike Otway that he is still available.

9. New Business

9.1 2020-2021 SEAC Work Plan

No input was received to date and members were reminded that adjustments to the work plan can be made as needed.

9.2 2020-2021 SEAC Presentation Schedule

The committee was asked if they had any presentations they would like to see and for them to email Christine Jones with their requests.

9.3 Community Engagement Online Event

Liz Tod, Chair of SEAC, confirmed the event will go ahead on-line. Potential speakers mentioned were Dr. Tranter, Dr. Mushquash and Dr. T. Cunningham. Trustee Saarinen, Angela Hill and Lori Carson offered their assistance in subcommittee. Members were asked to email Christine Jones if they would like to join the sub-committee.

9.4 Remote Learning

Michelle Probizanski, Superintendent of Education, provided an update on the startup of school and ensured that all needs of students were being met (Cohort A/B at school and Cohort C at home). Approximately 900 elementary and 330 secondary students chose remote learning. We will be starting quad-mester 2 on November 11, 2020. All requirements for special education programs are being met and we have received lots of positive feedback from the community.

9.5 Empower Program

Lori Carson, Special Education Officer, provided an update on the Empower Program. Startup has taken place and a plan to train an additional five teachers this year as trained facilitators that are committed to Special Education. The program originates from the Hospital for Sick Kids and changes are only permitted to the program if authorized by them. No children have requested remotely but facilitators will follow up as there are over 100 lessons. Lori will update with progress.

9.6 Policies under review

Christine Jones, Executive Secretary, provided a summary of the policies and procedures that are under review this year:

- 7030 Human Rights and Workplace Harassment;
- 1020 Equity and Inclusive Education;
- 4020 Alternative Schools;
- 8072 Sexual Orientation & Gender Identity; and
- 3100 Accessibility Standards for Customer Service.

Christine will put Alternative Schools, Sexual Orientation & Gender Identity and Accessibility Standards for Customer Service into the SEAC presentation schedule.

9.7 Student Census

- Mahejabeen Ebrahim, Human Rights and Equity Advisor, provided the committee with a presentation on the student census.
- Member's questions were addressed.

10. Information/Inquires & Association Reports

Angela Hill, representing the Children's Center, advised the committee that the Center will be providing a new support group for parents associated with the Children's Center, up to the age of 21. Meetings will be held monthly starting in October 2020.

11. Status of the SEAC Budget

Michelle Probizanski, Superintendent of Education, confirmed \$5928.29 will be carried over 2020-2021 and confirmed additional funds are received yearly.

Superintendent Probizanski also confirmed that Director MacRae would fund a SEAC video and that the \$5928.29 would not be used for the new video and suggested the SEAC video to be added to next meeting's agenda and include the new communications officer.

12. Board Update

Trustee Sue Doughty-Smith provided an update on the following:

- September 22, 2020 they will have their first Board meeting.
- Trustees Communications Committee issued a letter on September 9, 2020 to the Ministry of Education with regards to the costs of keeping our kids safe during this pandemic and that the Ministry should be covering the costs and not coming from the Board's reserves.

Trustee George Saarinen noted the senior team has done a phenomenal job supporting our students and families.

Liz Tod, Chair of SEAC, suggested that SEAC follow how the Board is conducting their meetings, which is currently on-line.

13. Adjournment

Moved by Miranda Myers

Seconded by Angela Hill

*"THAT we do now adjourn at 7:28 p.m."*

CARRIED

LAKEHEAD DISTRICT SCHOOL BOARD

**MINUTES OF BUDGET COMMITTEE**

Via Microsoft Teams  
Jim McCuaig Education Centre

2020 SEP 9  
6:00 p.m.

**TRUSTEES PRESENT:**

George Saarinen (Chair)  
Marg Arnone (Vice Chair)  
Deborah Massaro  
Ellen Chambers  
Sue Doughty-Smith

Ron Oikonen  
Ryan Sitch  
Trudy Tuchenhagen  
Scottie Wemigwans

**SENIOR ADMINISTRATION:**

Ian MacRae, Director of Education  
A.J. Keene, Superintendent of Education  
Michelle Probizanski, Superintendent of Education  
David Wright, Superintendent of Business

**RESOURCE:**

Kirsti Alaksa, Manager of Financial Services

**PUBLIC SESSION:**

1. **Call to Order**

Trustee Saarinen called the meeting to order.

2. **Disclosure of Conflict of Interest**

There were no disclosures of Conflict of Interest.

3. **Approval of the Agenda**

Moved by Trustee Tuchenhagen

Seconded by Trustee Doughty-Smith

*“THAT the Agenda for the Budget Committee Meeting of September 9, 2020 be approved.”*

**CARRIED**

4. **Approval of Minutes**

Moved by Trustee Arnone

Seconded by Trustee Chambers

*“THAT the Budget Committee approve the minutes of the Budget Committee meeting of September 3, 2020.”*

**CARRIED**



5. MATTERS FOR DECISION

2020-2021 Budget (062-20)

David Wright, Superintendent of Education, provided an additional update on the 2020-2021 budget and addressed multiple questions received from trustees.

Recess

At 8:10 p.m. Trustee Wemigwans asked for a five minute recess. The meeting resumed at 8:15 p.m.

Deborah Massaro, Trustee, requested a recorded vote.

Moved by Trustee Arnone

Seconded by Trustee Oikonen

*“THAT Lakehead District School Board approve the 2020-2021 operating and capital budget of \$152,617,605 as presented.”*

<b>Trustee</b>	<b>In Favour</b>	<b>Opposed</b>
Arnone	X	
Chambers		X
Doughty-Smith		X
Massaro	X	
Oikonen	X	
Saarinen		X
Sitch		X
Tuchenhagen	X	
Wemigwans		X

DEFEATED

6. Business Arising from the Minutes

There was no business arising from the minutes.

7. Information and Inquiries

There was no information or inquires tabled.

8. Adjournment

Moved by Trustee Sitch

Seconded by Trustee Doughty-Smith

*“THAT we do now adjourn at 8:33 p.m.*

CARRIED

LAKEHEAD PUBLIC SCHOOLS  
OFFICE OF THE DIRECTOR OF EDUCATION

2020 NOV 10  
Report No. 078-20

TO THE CHAIR AND MEMBERS OF  
THE STANDING COMMITTEE - Public Session

RE: POLICY REVIEW – 1020 EQUITY AND INCLUSIVE EDUCATION

1. Background

- 1.1 On May 28, 2013, the revised 1020 Equity and Inclusive Education Policy was approved.
- 1.2 At the June 26, 2018 Regular Board Meeting, the 1020 Equity and Inclusive Education Policy was approved for review during the 2020-2021 school year as part of the policy development and review cycle.
- 1.3 On September 16, 2020, the draft policy and procedures were posted on the Board's website and distributed to constituent groups for review and comment with input to be received by October 21, 2020.

2. Situation

- 2.1 The 1020 Equity and Inclusive Education Policy was presented to the Equity and Inclusive Education Advisory Committee on October 7, 2020 and to the Parent Involvement Committee on October 5, 2020.
- 2.2 The policy is attached as Appendix A, the procedures as Appendix B and the appendices as Appendix C and D.
- 2.3 Upon final approval, the policy will be distributed according to Board procedures.

RECOMMENDATION

It is recommended that Lakehead District School Board approve 1020 Equity and Inclusive Education Policy, Appendix A to Report No. 078-20.

Respectfully submitted,

MAHEJABEEN EBRAHIM  
Human Rights and Equity Advisor

MICHELLE PROBIZANSKI  
Superintendent of Education

IAN MACRAE  
Director of Education

**PHILOSOPHY AND GOALS****1000**

DRAFT – NOVEMBER 10, 2020

**EQUITY AND INCLUSIVE EDUCATION POLICY****1020**1. Rationale

Lakehead District School Board (**LDSB**) is committed to the principles of equity through **and** inclusive **education**. **It includes promoting equitable and inclusive learning and working environments. Lakehead District School Board values equity, inclusion and respect for all.** programs, curriculum, services, and operation. **This policy upholds human rights**, in accordance with the Ontario Human Rights Code **and 7030, Human Rights and Workplace Harassment Policy. It is in compliance with** the Education Act, and the Ontario Ministry of Education Policy/Program Memorandum No. 119, “Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools”. ~~Lakehead District School Board is committed to providing safe, inclusive learning and work environments. that are free from inequity, discrimination and harassment. respects the diversity and human rights of all individuals and values the contributions of all members of our school communities and workplaces.~~

**Guiding Principles of Equity and Inclusive Education:**

- is a foundation of excellence - in a diverse society, equity is a fundamental requirement for educational excellence and high standards of student achievement;
- meets individual needs - equity does not mean treating all students in the same way but rather, responding to the individual needs of each student and providing the conditions and interventions needed to help him or her succeed;
- identifies and eliminates barriers - all students are supported equitably through the identification and removal of discriminatory barriers that limit their ability to achieve to their full potential;
- promotes a sense of belonging; equity and inclusive education contribute to every student's sense of well-being;
- involves the broader community - effective and meaningful school-community partnerships are an essential component of an equitable and inclusive education system;
- builds on and enhances previous and existing initiatives - sound research and analysis of successful policies and practices form the basis for the development and sharing of resources; and
- **is demonstrated throughout the system - LDSB will incorporate equity and inclusive education throughout policies, procedures and practices.**

<b>PHILOSOPHY AND GOALS</b>	<b>1000</b>
<b>DRAFT – NOVEMBER 10, 2020</b>	
<b>EQUITY AND INCLUSIVE EDUCATION POLICY</b>	<b>1020</b>

## 2. Policy

It is the policy of Lakehead District School Board to ~~create and maintain harmonious learning and work environment and~~ **promote equity and inclusive education in accordance with the seven guiding principles**. ~~in accordance with the Canadian Charter of Rights and Freedoms and Ontario Human Rights Code.~~

*Lakehead District School Board is committed to:*

- **equity of access and equity of outcomes so that students can achieve their potential;**
- **fostering a climate of understanding and mutual respect for the benefit of diverse student, staff and communities; and**
- **identifying and addressing individual or systemic discrimination because of** ~~Every student, employee, parent, community member and Trustee has the right to freedom from discrimination or harassment because of race,~~ **ancestry, national or ethnic origin, place of origin, citizenship, colour, creed (religion), sex, marital status, family status, gender, sexual orientation, gender identity, gender expression identification, age and disability,** ~~or socio-economic status. (See Appendix B for Definitions)~~ **as well as promoting inclusion for students experiencing barriers due to socio-economic status.**

***This policy recognizes that its shared responsibility with all LDSB community members to advance equity and inclusive education. This policy establishes the following eight areas of focus for this endeavour.***

## 3. Areas of Focus

### 3.1 Board Policies, Guidelines, and Practices, **and Initiatives**

***Lakehead District School*** ~~Board operations, structures, policies, procedures, programs, guidelines, and practices shall reflect~~ **the principles of equity and inclusive education as well as LDSB** ~~Lakehead District School Board Core Values: Integrity, Acceptance, Respect, Responsibility and Empathy and ensure the needs of all students and staff are addressed. They shall reflect, respect and value the principles of equity and inclusive education in the school community and workplaces, particularly towards the inclusion of all groups. Lakehead District School Board will review this commitment as part of the~~ **development and regular review of structures, policies, procedures, programs, guidelines, and practices.** ~~process and in accordance with Policy Development and Review Policy 2010.~~ ***This area of focus establishes the framework for policy development and implementation in all the other areas of focus below.***

**PHILOSOPHY AND GOALS****1000**

DRAFT – NOVEMBER 10, 2020

**EQUITY AND INCLUSIVE EDUCATION POLICY****1020**

***Lakehead District School Board will endeavor to promote equity of access and outcomes for student achievement and well-being. The Board aims to identify and address barriers that may limit the opportunities of diverse individuals for employment, retention and promotion. All data collection, research, surveys, and census shall be developed, collected, utilized, maintained and delivered using a critical equity lens, ensuring accessibility and respect of individual privacy rights.***

3.2 Shared and Committed Leadership

***The principle of shared and committed leadership recognizes that all partners in education – including community partners, parents, and students – are responsible for preparing students to live in a diverse society. The Board recognizes that bringing change to instructional practices and the learning culture requires strong, focused leadership from, in particular, school board trustees, director of education, superintendents, principals, and teachers. The Board and schools will provide leadership that is responsive to the diverse nature of Ontario’s communities and committed to identifying and removing discriminatory biases and systemic barriers to learning.***

~~Lakehead District School Board will provide leadership that is committed to identifying and removing discriminatory biases and systemic barriers to learning. The Board will establish and maintain collaborative relationships with diverse communities so that the perspectives and experiences of all students are recognized to help meet their needs.~~

3.3 School-Community Relationships

Lakehead District School Board shall meet the needs of our diverse communities and workplaces through active involvement, input and participation ***of students, parents/guardians, staff and communities***, of their representatives in the development, and implementation, and monitoring of Board policies and programs ***to understand all perspectives about all students so that their needs can be met.*** Collaboration will be based on ***respect***, open dialogue and partnerships with students, parents/guardians, staff, ~~Lakehead District School Board~~ ***LDSB*** committees and other community groups and agencies. Lakehead District School Board will draw upon the expertise of their partners to explore innovative ways of sharing resources that can help them meet the diverse needs of their students and provide new and relevant learning opportunities.

3.4 Inclusive Curriculum and Assessment Practices

***Students need to feel engaged by what they are learning, supported by staff and welcome in the learning environment. The Board will review curriculum and resources, instruction, and assessment/evaluation practices to ensure they are in accordance with the seven guiding principles.***

**PHILOSOPHY AND GOALS****1000**

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**EQUITY AND INCLUSIVE EDUCATION POLICY****1020**

***The Board is committed to identifying and implementing inclusive curriculum planning processes supported by resources, instructional strategies and assessment and evaluation practices that reflect and respond to the diverse needs and abilities of diverse learners.*** ~~Lakehead District School Board shall examine and reduce any perceived bias of curriculum and integrate the experiences and contributions of diverse cultures and races, including Aboriginal people. Lakehead District School Board shall provide curriculum and resources to ensure inclusiveness and represent the diversity of the school community. Lakehead District School Board will provide students and staff with authentic and relevant opportunities to learn about diverse histories, cultures, and perspectives. Students should be able to see themselves represented in the curriculum, programs, culture and staff of the school. Lakehead District School Board will affirm and value students' first languages. Lakehead District School Board is committed to assessment practices that are multifaceted, bias-free and culturally and linguistically appropriate.~~

3.5 Religious Accommodation

Lakehead District School Board **upholds the Ontario Human Rights Code** that prohibits discrimination on the grounds of creed (includes religion) **and establishes the duty to accommodate.** ~~Lakehead District School Board~~ and will take all reasonable steps to provide **creed** (religious) accommodation for students and staff (see Appendix A). Lakehead District School Board acknowledges each an individual's right to follow or not to follow religious/creed (**religious**) beliefs.

3.6 School **and Workplace** Climate and the Prevention of Harassment and Discrimination

Lakehead District School Board will foster a positive school climate in which all members of the school community feel safe, welcomed, and accepted, and **supports positive behaviours and interactions** ~~is free from discriminatory or harassing behaviour.~~ Lakehead District School Board recognizes that harassment, and discrimination **and workplace harassment can** negatively affect working relationships, the learning process and personal well-being, as well as school climate. Lakehead District School Board ~~will also put~~ **has established policies and** procedures in place that ~~will enable~~ students and staff to safely report incidents of **harassment**, discrimination and **workplace** harassment and that will enable the Board to respond in a timely manner. **Regular monitoring of school climate is essential.** All schools will administer school climate surveys at least once every two years ~~to assess levels of equity, harassment and discrimination~~ and use survey data to inform school improvement planning.

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<b>EQUITY AND INCLUSIVE EDUCATION POLICY</b>	<b>1020</b>

3.7 Staff Development and Professional Learning

Lakehead District School Board **will provide professional learning opportunities for staff, administrators and trustees to deepen awareness and build capacity to promote a climate of understanding and mutual respect that is conducive for equity and inclusive education.** ~~employees will participate in staff development activities dealing with equity and inclusive education issues in order to acquire the knowledge, skills, attitudes, and behaviours to identify and eliminate bullying, harassment and discrimination and systemic barriers. Professional learning activities with Lakehead District School Board will be ongoing, **evidence-based and focused on positive outcomes, including topics such as anti-racism, anti-discrimination, anti-homophobia and gender-based violence.** and based on evidence of positive results.~~ Lakehead District School Board will provide opportunities for staff and trustees to participate in training and will provide information for students and parents to increase their knowledge and understanding of equity and inclusive education.

3.8 Accountability and Transparency

**Lakehead District School Board will continuously assess and monitor progress in reviewing policies, programs, guidelines, and practices and in implementing this Policy. Equity and inclusive education principles are to be embedded in the Board's multi-year strategic plan. Lakehead District School Board and School Improvement Plans, within the context of the Board's multi-year plan, will take into consideration the Board's 1020 Equity and Inclusive Education Policy. The plans should focus on identifying and removing any barriers to student learning in order to reduce gaps in achievement and provide a respectful and responsive school climate. Lakehead District School Board will provide ongoing and open communication to keep all stakeholders informed of the Board's goals and progress as they relate to the principles of equity and inclusive education.**

<b>PHILOSOPHY AND GOALS</b>	<b>1000</b>
<b>DRAFT – NOVEMBER 10, 2020</b>	
<b>EQUITY AND INCLUSIVE EDUCATION POLICY</b>	<b>1020</b>

4. Review

This policy shall be reviewed in accordance with 2010 Policy Development and Review Policy.

<u>Cross Reference</u>	<u>Date Approved</u>	<u>Legal Reference</u>
7020 Equitable Employment	April 4, 1995	Ontario Human Rights Code Education Act
7030 Human Rights and Workplace Harassment	 <u>Date Revised</u>	Ontario Ministry of Education Policy/Program Memorandum No. 119, Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools
8070 Safe Schools – System Expectations	June 24, 2008	
8071 Bullying Prevention and Intervention	September 28, 2010 May 28, 2013	

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<b>PHILOSOPHY AND GOALS</b>	<b>1000</b>
<b>DRAFT – NOVEMBER 10, 2020</b>	
<b>EQUITY AND INCLUSIVE EDUCATION PROCEDURES</b>	<b>1020</b>

1. Policy

***It is the policy of Lakehead District School Board to promote equity and inclusive education.*** ~~It is the policy of Lakehead District School Board to create and maintain harmonious learning and work environments and equitable outcomes for all students in accordance with the Canadian Charter of Rights and Freedoms and Ontario Human Rights Code. Every student, employee, parent, community member and Trustee has the right to freedom from discrimination or harassment because of race, national or ethnic origin, citizenship, colour, religion, marital status, gender, sexual orientation, gender identification, age, ability, or socio-economic status.~~

2. Definitions

(See Appendix B)

***The terms harassment, discrimination, workplace harassment, disability, gender identity, gender expression and marital status are defined in the 7030 Human Rights and Workplace Harassment Policy and Procedures.***

***Indigenous peoples refers to First Nations, Métis and Inuit peoples.***

3. Areas of Focus

3.1 Board Policies, Guidelines, and Practices **and Initiatives**

Lakehead District School Board will:

3.1.1 ~~articulate clearly~~ the Board's commitment to principles of equity and inclusive education in ~~all new~~ Board policies, guidelines, operations and practices;

3.1.2 review Board **and revise** policies, guidelines, and ~~day-to-day~~ practices to ensure that they reflect the principles of equity and inclusive education;

**3.1.3 implement equity and inclusive education policies;**

~~3.1.3~~ embed equity and inclusive education principles in Board and school improvement plans; ~~and~~

**3.1.5 establish mechanisms for measuring progress towards equity and inclusive education and adjust courses of action accordingly;**

~~3.1.4~~ support schools in implementing Board equity and inclusive education policies, programs, and action plans that reflect the needs of their diverse school communities; and

**3.1.7 implement positive employment practices that support equitable hiring, promotion and retention.**

<b>PHILOSOPHY AND GOALS</b>	<b>1000</b>
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<b>EQUITY AND INCLUSIVE EDUCATION PROCEDURES</b>	<b>1020</b>

### 3.2 **Shared and Committed Leadership**

Lakehead District School Board will:

- 3.2.1 support administration and trustees in promoting the principles of the Board's equity and inclusive education policy, through the Board's mission, vision and values;
- 3.2.2 provide opportunities for students, administrators, teachers, support staff, and trustees to participate in equity and inclusive education training and leadership initiatives;
- ~~3.2.3 support staff, administrators and Trustees in developing the commitment needed to effectively implement equity and inclusive education policies in the school system;~~
- 3.2.43 ensure that Board policy directions and priorities, as well as the ~~day-to-day implementation of~~ programs and services, are consistent with the aims of equity and inclusive education;
- 3.2.54 support and encourage student leaders in their role in promoting the principles of equity and inclusive education; and
- 3.2.65 promote the development of collaborative environments in which students, staff, administrators, federations, unions, and members of the community share a commitment to equity and inclusive education practices.

### 3.3 **School-Community Relationships**

Lakehead District School Board will:

- 3.3.1 review existing community partnerships to ensure that they support the principles of equity and inclusive education and to reflect the diversity of the broader community, including ***those who identify as Indigenous, people of colour and persons with disabilities***; ~~communities that identify themselves on the basis of sexual orientation and gender identity~~
- 3.3.2 ~~request Aboriginal and diverse community groups to identify their representatives for the purpose of establishing community relationships;~~
- 3.3.3 ~~involve diverse communities in partnership activities with the Board;~~

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3.3.42 implement strategies to identify and remove discriminatory barriers that limit engagement by students, parents, and the community, so that diverse groups and the broader community have better Board-level representation and greater access to Board initiatives; and

3.3.53 continue to develop and review the effectiveness of partnerships between schools and employers to keep all members of the community working together towards improved educational outcomes and successful participation in society for all students.

#### 3.4 Inclusive Curriculum and Assessment Practices

Lakehead District School Board will:

3.4.1 review student assessment, and evaluation ***and reporting practices*** policies in accordance with ~~Policy Development and Review Policy 2010~~ to identify and address systemic bias that may exist in the way students' work is assessed and evaluated;

3.4.2 ensure that the diverse identities of students are affirmed in an equitable and appropriate way by learning experiences in the school;

**3.4.3 ensure the diversity of students and the community is reflected in the curriculum;**

3.4.3 support the schools' review of classroom strategies that promote school-wide equity and inclusive education policies and practices;

3.4.4 provide students with opportunities to critically examine issues of equity and inclusion;

3.4.5 strive to ensure that the Board's core values of acceptance, empathy, integrity, respect and responsibility are embedded in teaching and learning strategies;

3.4.6 support schools in reviewing classroom strategies, and revising them as needed, to ensure that they are aligned with and reflect equity and inclusive education policies;

3.4.7 affirm and value each student's first language as an integral part of personal and cultural identity;

3.4.8 offer language development programs to support literacy development and student achievement such as Native as a Second Language (NSL), English as a Second Language (ESL), English Language Development (ELD), and other languages.

<b>PHILOSOPHY AND GOALS</b>	<b>1000</b>
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3.5 Faith and **Religious** (Creed) Accommodation

(See Appendix A – Faith and Creed Accommodation Guideline)

3.6 School **and Workplace** Climate and the Prevention of Harassment and Discrimination

Lakehead District School Board will:

**3.6.1 Promote a climate of understanding and mutual respect. The Board endeavours to foster a climate that is free from issues such as bullying, racism (e.g., anti-Indigenous, anti-Black, anti-people of colour), homophobic harassment, transphobic harassment, sexual harassment, workplace harassment or discrimination according to the Ontario Human Rights Code.**

~~3.6.1 review policy and procedures in accordance with Policy Development and Review Policy 2010 for dealing with harassment and discrimination involving staff, students, and other individuals in the Board to ensure they are aligned with the principles of equity and inclusive education;~~

~~3.6.2 provide staff **supervisory authority at the Board** with the knowledge and skills to identify harassment, and discrimination **and workplace harassment** and to respond effectively to it **in a timely manner**;~~

~~3.6.3 ensure that the process of **for** addressing **bullying**/harassment, **discrimination and workplace harassment** is monitored **to ensure its efficacy** and adjusted to ensure fairness and timely responsiveness;~~

~~3.6.4 monitor school climate **through the use of using** school climate surveys that include questions on equity and inclusive education, in order to identify inappropriate behaviours, issues, or barriers that need to be addressed; and~~

~~3.6.5 communicate its commitment that schools and workplaces are free from harassment and discrimination by ensuring that students, staff, parents and guardians, Trustees, and community members are aware of the Board's Equity and Inclusive Education Policy and other related policies such as: Safe Schools, Harassment, and Bullying Prevention and Intervention; and~~

~~3.6.65 encourage and support students in their efforts to promote social justice, equity, antiracism, and antidiscrimination in schools and classrooms consistent with the Board's core values.~~

<b>PHILOSOPHY AND GOALS</b>	<b>1000</b>
<b>DRAFT – NOVEMBER 10, 2020</b>	
<b>EQUITY AND INCLUSIVE EDUCATION PROCEDURES</b>	<b>1020</b>

### 3.7 Staff Development and Professional Learning

Lakehead District School Board will:

- 3.7.1 *provide opportunities for school and system leaders, students, administrators, teachers, support staff, and trustees to participate in equity and inclusive education professional learning and leadership initiatives;***
- 3.7.2 *support the school's review of classroom strategies that promote school-wide equity and inclusive education policies and practices;***
- ~~3.7.1 equip all employees and Trustees with the knowledge, skills, attitudes and behaviours required to implement the Equity and Inclusive Education policy;~~
- ~~3.7.2 provide staff development programs for all staff as determined by needs-assessment;~~
- ~~3.7.3 provide training opportunities to all employees and Trustees to deal confidently and effectively with issues and incidents of equity and inclusive education, through ongoing courses, workshops, and community consultation;~~
- ~~3.7.4 strive to ensure that all employees and Trustees are well versed in the Board's Equity and Inclusive Education policy and procedures;~~
- ~~3.7.5 provide all employees with the skills to identify and deal with bias in materials, including classroom and other resources; and~~
- ~~3.7.6 strive to ensure that all employees and Trustees are aware that they are expected to continually broaden their understanding of equity and inclusive education, through courses, workshops, and community consultation; and~~
- 3.7.4 *draw upon existing expertise within its own organization, other boards, and community agencies and groups, to assist with the provision of staff development programs and professional learning activities.***

### 3.8 Accountability and Transparency

Lakehead District School Board will:

- 3.8.1 *post the 1020 Equity and Inclusive Education policy and procedures on the Board's website and provide information about 1020 Equity and Inclusive Education policies, procedures, and practices to students, parents/guardians, Administration administrators, teachers, school staff, school councils, and volunteers;***

**PHILOSOPHY AND GOALS****1000**

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**EQUITY AND INCLUSIVE EDUCATION PROCEDURES****1020**

- 3.8.2 ***develop board improvement plans and*** support schools in the development of school improvement plans that are aligned with Ontario's Equity and Inclusive Education strategy, the Board's core values, and the Board's 1020 Equity and Inclusive Education policy and procedures; **and**
- 3.8.3 *establish a process to monitor progress with equity and inclusive education and assess effectiveness of Board policies.***
- ~~3.8.3 ensure that school improvement plans focus on identifying and removing any barriers to student learning in order to reduce gaps in achievement and to provide a respectful and responsive school climate consistent with the Board's core values;~~
- ~~3.8.4 ensure that all incidents of discrimination and harassment are addressed in a timely and appropriate manner; and~~
- ~~3.8.5 ensure that the principles of equity and inclusive education are embedded in all Board policies and procedures as part of the Board's cyclical policy review process.~~

4. Review

These procedures shall be reviewed in accordance with 2010 Policy Development and Review Policy.

<u>Cross Reference</u>	<u>Date Received</u>	<u>Legal Reference</u>
7020 Employment Equity	April 4, 1995	_____
7030 Human Rights and Workplace Harassment		
8070 Safe Schools – System Expectations	<u>Date Revised</u>	_____
8071 Bullying Prevention and Intervention	June 24, 2008 September 28, 2010 May 28, 2013	

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## **Faith and Creed (Religious) Accommodation Guideline**

### 1. Legislative Context

Lakehead District School Board **recognizes the pluralistic nature of Canada. The Canadian Charter of Rights and Freedoms guarantees freedoms such as freedom of religion.** recognizes and values the freedom of religion **The Board upholds the Ontario Human Rights Code (Code) that protects an individual's right to be free from discrimination because of creed. The Board acknowledges an individual's right to follow or not to follow creed (religion). The Board values equity, inclusion and respect for all.** and freedom from discriminatory or harassing behaviour based on the Canadian Charter of Rights and Freedoms and the Ontario Human Rights Code. ~~“Religious pluralism poses a challenge in any multicultural society, especially in one as diverse as ours. Although law is developing rapidly in this area, an informed spirit of tolerance and compromise is indispensable to any civil society, as well as to its capacity to make opportunities available to everyone, on equal terms, regardless of creed”~~ (Ontario Human Rights: Policy Guidelines on Creed and the Accommodation of Religious Observances).

In addition to and consistent with this legislation, the ~~Education Act~~, and its regulations and policies, govern Equity and Inclusion in Schools:

PPM No 108, “Opening or Closing Exercises in Public Elementary and Secondary Schools”

R.R.O. 1990, Regulation 298, “Operation of School General” s 27-29, under the heading “Religion in Schools”

PPM No 119, “Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools”

Creed means a religion or faith. It includes the practices, beliefs, and observances that are part of a religion. It does not include personal moral, ethical or political views. ~~“Creed does not necessarily mean a belief in a God, or gods or a supreme being. It includes Aboriginal spirituality and newer religions (assessed by Ontario Human Rights Commission on a case-by-case basis)”~~. (Policy on Creed and the Accommodation of Religious Observances, Ontario Human Rights Commission, Oct. 20, 1996. p.2) ~~“Religions that promote violence or hatred towards others, or that violate criminal law, are not protected by the Code.”~~ (Protecting Religious Rights, Ontario Human Rights Commission, 1999. p.2)

***Creed is not defined in the Code, it includes religious beliefs and practices as well as Indigenous spiritual practices. The duty to accommodate creed is about providing the most appropriate accommodation in the circumstances. It is also about engaging in a meaningful and respectful good-faith process to assess needs and find appropriate solutions. The duty to accommodate is about determining an appropriate solution and providing it, short of undue hardship.***

Although faith ~~creed~~ observances are based on generally accepted practices as defined by a **religion**/faith group, the Board recognizes that members of faith groups are not homogeneous in their understanding, interpretation and practice of their faith. It is not the role of schools to monitor students' compliance with a particular observance. ~~What is important is that schools work together with students and their families to build trust and understanding about various faith accommodations.~~

***Human rights protection for creed do not extend to practices and observances that are hateful or incite hatred or violence against other individuals or groups or contravene criminal law.***

2. Requests for Accommodation Based on Faith and Creed

Lakehead District School Board will take reasonable steps to provide accommodation to students or staff who believe that the Board's operations or requirements interfere with their ability to exercise their ~~faith or~~ creed beliefs and practices to the point of undue hardship. A determination of undue hardship will be based on an assessment of costs of the accommodation, outside sources of funding, and health and safety risks to the individual and/or others **at the Board**. ~~The Board will limit practices and conduct in its schools which may put public safety, health, or the human rights and freedoms of others at risk.~~ It is expected that students and their families, as well as staff, will help the Board to understand their ~~faith/~~creed **related** needs and will work with the Board and its schools to determine appropriate and reasonable accommodations.

~~Lakehead District School Board defines accommodation as a duty to meet the special needs of individuals and groups protected by the Ontario Human Rights Code up to the point of undue hardship.~~

~~"The Code provides the right to be free from discrimination and there is a general corresponding duty to protect the right: the duty to accommodate. The duty arises when a person's religious beliefs conflict with a requirement, qualification or practice. The code imposes a duty to accommodate based on the needs of the group of which the person is making the request is a member. Accommodation may modify the rule or make an exception to all or part of it for the person requesting accommodation." (Policy on Creed and the Accommodation of Religious Observances, Ontario Human Rights Commission, Oct. 20, 1996, p.5)~~



Students or staff may request an accommodation **to observe their creed beliefs, commonly** in one or more of the following areas:

- school opening and closing exercises;
- prayer;
- dietary requirements;
- fasting;
- attire;
- modesty requirements in physical education;
- participation in daily activities, curriculum and program;
- observance of faith-based (creed) days of significance; and/or
- leave of absence for faith-based (creed) days of significance and celebrations.

~~No person will be penalized for making an accommodation request.~~

### 3. Suggested Responses to Requests for Accommodation

#### ***School Opening and Closing Exercises:***

A student or employee who objects to all or part of opening or closing exercises for faith-based reasons will be exempted and given the option not to participate and to remain in the class or in an agreed-upon location.

#### ***Prayer:***

Schools should make every reasonable effort to accommodate the requirements for daily prayer by providing an appropriate location within the building for prayer when requested by students or staff. Some accommodation for late school arrival and/or early school leaving may be necessary. Prayer times change in some faiths according to the seasons.

#### ***Dietary Requirements:***

Schools should be aware of dietary restrictions of various faith groups. This awareness includes breakfast and lunch programs, snacks, overnight outdoor education activities and field trips that cover a meal time period, and catering for special occasions and community events. ~~Availability of~~ **Provision of halal, kosher or** vegetarian options **may be needed.** ~~is recommended.~~

#### ***Fasting:***

Schools should accommodate students and staff with respect to fasting observances. Appropriate space other than the cafeteria or lunchroom should be designated during lunch period for fasting students. Field trip plans should also consider the needs of fasting students. Students might need exemptions or alteration of activities in some classes, e.g., physical education.

### ***Religious Attire:***

Student/staff wearing of certain hairstyles and attire, such as, but not limited to: yarmulkes, turbans, hijab (headscarves), crucifixes, stars of David, should be **permitted** respected. ~~Some communities require specific items of ceremonial dress or which may be perceived as contravening Board policies, for example, the wearing of kirpans by students. In 2006, the Supreme Court of Canada upheld the right of students to wear ceremonial kirpans (see the Ontario Human Rights Commission website [www.ohrc.on.ca](http://www.ohrc.on.ca) for details).~~ It is worth noting that harassment based on **religious attire or wearing articles of faith** is one of the most common forms of discrimination. Staff attitudes are crucial to establishing a positive climate of understanding and respect for differences regarding faith-based attire.

### ***Modesty Requirements for Accommodation of Religion Related Dress for Physical Education:***

When a student requests an accommodation for dress code for participation in physical education **activities including swimming**, the school and family are encouraged to find a mutually agreeable accommodation ~~within the context of Ministry, Board, and school dress code expectations.~~ **Health and Safety** must be considered in the accommodation of dress. For example, a head scarf can be tucked into clothing, track pants may be worn instead of shorts ~~in some situations but not where bare knees are required (for example, on the climbers for gymnastics).~~ The curriculum requirements should be explained to the family, so the family has sufficient information to understand the physical education curriculum and to select available curriculum alternatives.

### ***Participation in Daily Activities, Curriculum and Program:***

When an accommodation is requested, related to the content of curriculum and/or program, it is important to have an open discussion between the parents/guardians and the school. The accommodation applies to the individual who requests it, not the whole class or classroom practices in general.

### ***Observing Faith-based (Creed) Days of Significance:***

~~As a minimum, it is recommended that schools recognize religious days of significance, pertinent to their school community, along with the days that reflect Canada's diverse population.~~ Recognition may include, but is not limited to, announcements, displays, bulletin boards, posters, student work, assemblies, or other events. Schools will endeavour to be aware of the faith-based observances of their school community when planning activities.

Schools are encouraged to recognize the days of significance on the Board's Diversity calendar through announcements, bulletin board displays, assemblies, and other events befitting the school setting and student demographics. ~~The Diversity calendar is published weekly by the Board's Communications Office.~~

### ***Leave of Absence for Faith-based (Creed) Days of Significance and Celebrations:***

All staff and students who observe faith-based (creed) days of significance in accordance with Sec. 21 (2) (g) of the *Education Act* may be excused from attendance.

4. General Procedures for Faith and Creed Accommodation Requests

**Staff:**

The person requesting accommodation **for observance of creed/religious beliefs** should advise their **teacher/principal/vice-principal/supervisor** administration at the beginning of the school year, to the extent possible. If September notice is not feasible, the person should make the request as early as possible.

The absence of employees due to faith/creed observances should be granted as determined by **the Board's 7030 Human Rights and Workplace Harassment Policy**, this policy **guideline** and the appropriate collective agreement. The human resources department may verify the day(s) requested on the Board's Diversity calendar.

**Students:**

Parents/guardians/adult students must present verbal or written notice for the student to **their teacher/principal/vice-principal** school administration, specifying their accommodation needs relating to faith/creed observances, including holy days on which they will be absent from school. This notice should be made enough in advance (preferably at the beginning of each school year) to ensure that scheduling of major evaluations, such as tests, assignments or examinations, takes the faith/creed observances into consideration.

Student handbooks and parent newsletters should include information about the procedure to follow to request an accommodation for faith/creeds observances and/or faith or creed-based days of significance. ~~Such procedures should be easy for staff, students, and parents to understand.~~

**Unresolved Requests:**

When a determination is made that an accommodation would create undue hardship, the person requesting the accommodation will be given written notice, including the reasons for the decision and the objective evidence relied upon.

In the event an accommodation request is not granted, the matter will be referred to the appropriate superintendent.

5. Recognizing **Holy** Days of Faith (Creed) and Cultural Significance in Schools

The Ministry of Education in Policy/Program Memorandum No. 112, dated January 1, 1991, is clear about the place of faith in public elementary and secondary schools in this province: *“In its decision of January 30, 1990, the Ontario Court of Appeal made it very clear that subsection 28(4) of Regulation 262 was invalid because it permitted the teaching of a single religious tradition as if it were the exclusive means through which to develop moral thinking and behaviour. The Court also ruled that education designed to teach about religion and to foster moral values without indoctrination in a particular religious faith would not contravene the charter.”*

The intent of recognizing faith-based or cultural holidays **holy days** or events is to educate, not indoctrinate. Days of religious significance as identified in the Board’s Diversity calendar should be recognized to the degree it is appropriate in each school setting. Recognition means the inclusion of events in a school curricular and co-curricular program, and may occur through festivals, concerts and other activities. It is not appropriate to use such language as “celebrate” for one holiday while “acknowledging” other events. “Celebrations” of religious events, by Ministry direction, are not to be included in the school program.

In distinguishing between education about religion and religious indoctrination, the Court made the following statement: *“While this is an easy test to state, the line between indoctrination and education, in some instances, can be difficult to draw.”* The law allows for teaching about different faiths and creeds; however, Board practices must be implemented in a manner which is equitable to all groups. The following provides further clarification in this regard:

Schools:

- may support the study of various beliefs, but not the practice of any one belief;
- may expose students to all views, but not impose any particular view;
- approach the study of various beliefs for the purpose of instruction, not indoctrination;
- educate students about all beliefs, not convert them to any one belief;
- approach the study of various beliefs for academic, not devotional purpose;
- study what all people believe, but do not teach students what to believe;
- strive for student awareness of all beliefs, but do not press for student acceptance of any one belief. ;and/or

6. Distribution of Faith Literature and Resources

Lakehead District School Board facilities will not distribute faith-based literature to students. The only exception to this statement is if the materials support curriculum expectations in a program of study. School libraries may include faith texts in their collections as sources of information for students and staff.

7. Common Concerns

***Can schools display a Santa Claus?***

Yes. Santa Claus is a symbol of the Christmas season, but it is not the only symbol of celebrations in that season. Symbols associated with the special days of other faiths should be displayed at that time of the year when they are recognized.

***Can schools display a Nativity scene?***

Yes. A display for any faith can be exhibited. Such a display would constitute part of the educational component as described in this guideline. A display for any faith, e.g., a Nativity scene, a menorah or Shiva figure, should be accompanied with an appropriate explanation of the meaning of the day or event, i.e., why it is being recognized. However, a display of only one faith during the school year would be inconsistent with Ministry and Board expectations.

***What is the recommended general approach to the December holiday season?***

~~When planning an inclusive recognition of multifaith or multicultural traditions, it is important to include both the faith and secular traditions, for example, Christmas. This provides a balance so that other faith traditions having no secular version may be presented equitably, for example, Rosh Hashana (Judaism), Diwali (Hinduism), Ramadan (Islam).~~

It is recommended that many faith and cultural days of significance be recognized during their season and with authenticity throughout the school year to build a sense of respect for differences, global awareness and equity in the school's culture. It is important to demonstrate the common bonds and principles among the various traditions while respecting and valuing their differences. It is inappropriate to avoid recognizing traditions for fear that schools are unable to recognize everything to the same degree. The intent of inclusion is as important as the "fairness factor". ~~While some faith traditions in Canada are highly developed with many resources to represent them, others are still growing.~~

***Are all students expected to attend and/or participate in events or activities related to the recognition of faith days?***

Students who conscientiously object to what they consider to be a "controversial issue" may be exempt. Students may not exempt themselves from a human rights, respect for differences, or anti-discrimination approach to any tradition. ~~For example, a Muslim student may be exempt from decorating the Christmas tree in the front hall, but is still expected to learn about the Christian celebration of Christmas as a way of instilling in students a respect for religious differences.~~

***I am a Board employee who does not work in a school. Am I expected to recognize each day as defined on the Board's Diversity calendar?***

It is expected that all Board staff be aware of the day and respect its significance.

***What should be done about other events? (e.g. Christmas dance for students?)***

If a school event recognizes several faith or cultural traditions, it is recommended that the name of the event focus on the collective theme, for example, Winter Traditions, All About Us, or Festivus. If Christmas is the only tradition being recognized at the event, it is acceptable to call it a “Christmas” event. Nonetheless, a variety of diverse traditions should be represented throughout the school year. It is also important to be accurate and authentic when describing faith activities or symbols: just as “holiday bush” inaccurately describes a Christmas tree, a “holiday rug” would be an inappropriate description of a prayer used as a symbol for Eid-ul-Fitr.

***Is Hallowe’en an event which falls under these guidelines?***

Yes. While Hallowe’en may be a secular event for some, it is a religious event for others. Occurring on October 31, the event precedes All Saints’ Day during which it was once believed that the spirits of the past appeared. ~~Some members of the Wicca and other faith communities still attribute those meanings to the day.~~ For some, it is an occasion when children dress up in costumes and have fun with their peers. Students, who for ~~faith~~ **religious** reasons are opposed to participating in Hallowe’en activities, may be provided with an alternative program. ~~Some Christian or Muslim children may request this as a faith accommodation.~~

8. More Information about Various Faiths

More detailed information about various faiths as well as explanations about the significance of the Board’s Diversity calendar dates can be found at [www.lakeheadschoools.ca](http://www.lakeheadschoools.ca) under “About Us”/Equity and Inclusion Working Committee.

## Definitions

The following are key terms in the area of equity and inclusive education pertinent to this policy. These terms and definitions are not necessarily standardized and may be used differently by different people and in different regions, and will change over time:

**Aboriginal Peoples** – the original inhabitants, the Indigenous Peoples of Canada and their descendants. Aboriginal peoples include the First Nations, Inuit, and Métis peoples of Canada.

**Barriers** – policies, procedures or practices that prevent equality of access and outcome. They can be both systemic and individual.

**Bias** – an inaccurate, limited and fixed view of the world, or of a given situation, individuals or groups. A bias against or towards members of a particular racial, ethnic, cultural, or religious group can be expressed through speech, nonverbal behaviour, and written and other media.

**Bisexual** – individuals who are romantically and/or sexually attracted to people of both genders, though not necessarily at the same time.

**Creed** – a religion or faith. It includes the practices, beliefs, and observances that are part of a religion. It does not include personal moral, ethical or political views.

**Cultural identity** – the collective self-awareness that a given group embodies and reflects, e.g., racial, ethnic, gender groups, or the identity of the individual in relation to his or her culture.

**Culture** – the totality of ideas, beliefs, values, knowledge, and way of life of a group of people who share a background based on history, experience, geography, or other factors. Manifestations of culture include art, laws, institutions, and customs.

**Curriculum** – Ontario Curriculum Policy document, specific to an individual subject and grade (elementary) or the overall and specific expectations, strands, and the achievement chart in each course (secondary).

**Discrimination** – an act of making distinctions among social groups based on characteristics such as race, ethnicity, nationality, language, faith, gender, ability, sexual orientation or gender identity that leads to inequitable treatment of members of the targeted groups.

**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, gender identity, language, physical and intellectual ability, race, religion, sex, sexual orientation, and socio-economic status.

**Equality** – Equal treatment, or inputs, in the name of fairness involves treating all people alike without acknowledging differences in age, gender, language, or ability. Though considered by some to be fair, it is in fact culturally blind and often results in very unfair and unequal outcomes.

**Equity** – a condition or state of fair, inclusive, and respectful treatment of all people. Equity does not mean treating people the same without regard for individual differences.

**Ethnicity**— a socially, politically and historically constructed category, similar to race. It is dynamic, subject to the ambiguities and contradictions that are to be found in societies, and its meanings change over time. In society, ethnicity may serve to establish status allocation, role expectations and group membership.

**Ethnocentrism**— the belief in the inherent superiority of one's own ethnic group or culture and a tendency to view other groups or cultures from the perspective of one's own.

**Family of choice**— the circle of friends, partners, companions and ex-partners with which many LGBTTTIQQ people surround themselves. This group gives the support, validation and sense of belonging that is often unavailable from the person's family of origin.

**Gay**— a person whose primary sexual orientation is to members of the same gender. It is sometimes used to refer to the general LGBTTTIQQ community, but most often refers to just gay men.

**Gay-positive**— the opposite of homophobia. A gay-positive attitude is one that affirms and accepts gay and lesbian people as unique and special in their own right.

**Gay-Straight Alliance (GSA)**— student groups designed to create safe spaces for LGBTTTIQQ students and allies.

**Gender**— includes any or all of the following categories: physical anatomy, secondary sex characteristics that develop at and after puberty, behaviour and conduct, the mind, and fashion choices.

**Gender identity**— a person's own identification of being man, woman or transgender. Masculinity and femininity are expressions of one's gender identity.

**Gender role**— the public expression of gender identity. Gender role includes everything people do to show the world they are men, women, or transgender, including sexual signals, dress, hairstyle and manner of walking.

**Harassment**— any improper conduct by an individual that is directed at and offensive to another person or persons, and that the individual knew, or ought reasonably to have known, would cause offense or harm. It comprises any objectionable embarrassment and any act of intimidation or threat. Features of harassment include but are not limited to: unwanted physical contact, verbal abuse such as unwanted anonymous telephone messages, offensive language or innuendo, telling offensive jokes, name calling or spreading malicious rumors, written abuse, such as letters, faxes, emails, or graffiti, or displaying offensive pictures or posters, explicit behaviour such as mimicking the effect of a disability, threats, covert or disguised behavior such as social isolation and non-cooperation, implicit threats, and pressure for sexual favours, stalking. The incident(s) may be persistent or may be a single, serious incident.

**Hate crimes**— (or bias-motivated crimes) occur when a perpetrator targets a victim because of his or her perceived membership in a social group such as race, religion, sexual orientation, ability, class, ethnicity, nationality, age, gender, gender identity or political affiliation.

**Heterosexism**— the belief in the exclusive privileging of heterosexuality and the expression of this belief in societal institutions and practices that deny, denigrate, or stigmatize non-heterosexual forms of behavior, identity, relationship, or community. This definition is often



~~used in the context of discrimination against bisexual, lesbian and gay people that is less overt, and which may be unintentional and unrecognized by the person or organization responsible for the discrimination. Heterosexism excludes the needs, concerns, and life experiences of lesbian, gay and bisexual people, while it gives advantages to heterosexual people.~~

~~**Heterosexual** – an individual whose primary sexual orientation is to members of the opposite gender. Heterosexual people are often referred to as “straight”.~~

~~**Homophobia** – the irrational fear, hatred or intolerance of lesbians and gay men, or any behaviour that falls outside of perceived traditional gender roles, usually based on erroneous myths and stereotypes. Homophobic acts may include, but are not limited to jokes, name-calling, shunning/exclusion, and the promotion of hatred and violence targeting lesbian and gay individuals or groups.~~

~~**Homosexual** – an individual whose primary sexual and affectional attraction is to a person of the same sex. The medical and psychiatric origins of this term have made it unattractive to most lesbians and gay men as a way of describing themselves or their community.~~

~~**Identity** – how one thinks of, describes, and expresses oneself. Identity can be private, such as a closeted gay or lesbian person, or public, such as out gay and lesbian people.~~

~~**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.~~

~~**Intersex** – individuals who naturally, i.e., without any medical intervention, develop primary or secondary sex characteristics that do not fit neatly into society's definitions of male or female. This word replaces the inappropriate term “hermaphrodite”.~~

~~**Inuit** – the preferred term for the Native Peoples of the Canadian Arctic and Greenland. The use of Eskimo in referring to these peoples is often considered offensive, especially in Canada.~~

~~**Lesbian** – a woman whose primary sexual orientation is to other women or who identifies as a member of the lesbian community.~~

~~**LGBTTTIQQ** – Lesbian, Gay, Bisexual, Transsexual, Transgendered, Two-Spirited, Intersexed, Queer and Questioning: an acronym for individuals or communities. LGBT is also used.~~

~~**Métis** – a person who self-identifies as a Métis, is distinct from other Aboriginal peoples, is of historic Métis Nation and ancestry, and is accepted by the Métis Nation.~~

~~**Queer** – traditionally a derogatory and offensive term for LGBTTTIQQ people. Many LGBTTTIQQ people have reclaimed this word and use it proudly to describe their identity.~~

~~**Questioning** – individuals who are in the process of questioning their sexual orientation. They are often in need of support and understanding during this stage of their identity and are seeking information and guidance.~~

~~**Race** – a social category used to classify humans according to common ancestry or descent and reliant upon differentiation by general physical characteristics such as colour or skin and eyes,~~

hair type, stature and facial features. There is no biological basis for race. However, being a social category does not make it any less real or powerful.

**Racism** – a set of ideologies, beliefs and learnings that implies, justifies, and asserts the superiority of one social group over another on the basis of physical and cultural characteristics.

**School Climate** – is the sum total of all of the personal relationships within a school. A positive climate exists when all members of the school community feel safe, comfortable and accepted.

**School Community** – the school community is composed of staff, pupils and parents of the school and feeder schools / family of schools, as well as the community of people and businesses that are served by or located in the greater neighborhood of the school.

**School Culture** – complex pattern of norms, attitudes, beliefs, behaviours, values, ceremonies, traditions, and myths that are deeply ingrained in the very core of the organization. It is the historically transmitted pattern of meaning that wields astonishing power in shaping what people think and how they act (Roland Barth). Culture contributes to the school's effectiveness or ineffectiveness and is a product of the school's leadership. Culture sets the standards and guides the daily actions of administrators, teachers and students alike (David and Sylvia Weller).

**Sexual harassment** – any improper behaviour by a person that is directed at, and that is offensive to, any other person. The offending behavior is such that the offending person knew, or ought reasonably to have known, would be unwelcome. It is objectionable conduct, made on either a one-time or ongoing basis that demeans, belittles, causes personal humiliation or embarrassment to another person.

**Sexual identity** – one's identification to self and others of one's sexual orientation. It is not necessarily congruent with sexual orientation and/or sexual behaviour.

**Sexual orientation** – a personal characteristic that forms part of an individual's core identity. Sexual orientation encompasses the range of human sexuality from gay and lesbian to bisexual and heterosexual orientations. Orientation may or may not correspond to private and public identity.

**Significant other/Partner** – a life partner, domestic partner, lover, boyfriend or girlfriend. It is often equivalent to the term “spouse” for LGBTTTTIQQ people.

**Stereotype** – the result of attributing unfounded characteristics of a group to all of its members. Stereotyping exaggerates the uniformity within a group and the differences among groups.

**Transgendered** – a person whose gender identity is different from his or her biological sex, regardless of the status of surgical and hormonal gender reassignment processes. Often used as an umbrella term to include transsexuals, transgenderists, crossdressers, two-spirit, intersex and transgendered people.

**Transsexual** – a person who has an intense long-term experience of being the sex opposite to his or her birth-assigned sex and who typically pursues a medical and legal transformation to become the other sex.

~~**Two-spirited**—Aboriginal people who identify as gay, lesbian, bisexual, or transgendered. The term comes from the First Nations recognition of the traditions and sacredness of people who maintain a balance by housing both the male and female spirit.~~

~~For other definitions relative to equity and inclusive education, consult  
[www.diversitywatch.ryerson.ca/glossary/](http://www.diversitywatch.ryerson.ca/glossary/)~~

~~For information and resources related to Equity and Inclusive Education, refer to the Diversity  
Section on the Board's website:~~

~~[www.lakeheadschoools.ca](http://www.lakeheadschoools.ca) under "About Us" → "Equity and Inclusion Working Committee."~~

LAKEHEAD PUBLIC SCHOOLS  
OFFICE OF THE DIRECTOR OF EDUCATION

2020 NOV 10  
Report No. 079-20

TO THE CHAIR AND MEMBERS OF  
THE STANDING COMMITTEE - Public Session

RE: POLICY REVIEW – 3080 RESEARCH

1. Background

- 1.1 On April 27, 2010, revised 3080 Research Policy was approved.
- 1.2 At the June 23, 2020 Regular Board Meeting, the 3080 Research Policy was approved for review during the 2020-2021 school year as part of the policy development and review cycle.
- 1.3 On September 16, 2020, the draft policy and procedures were posted on the Board's website and distributed to constituent groups for review and comment with input to be received by October 21, 2020.

2. Situation

- 2.1 The policy is attached as Appendix A, the procedures as Appendix B and the appendices as Appendix C.
- 2.2 Upon final approval, the policy will be distributed according to Board procedures.

RECOMMENDATION

It is recommended that Lakehead District School Board approve 3080 Research Policy, Appendix A to Report No. 079-20.

Respectfully submitted,

ERIC FREDRICKSON  
Principal of Program and Early Years

AJ KEENE  
Superintendent of Education

IAN MACRAE  
Director of Education

<b>BUSINESS AND BOARD ADMINISTRATION</b>	<b>3000</b>
<b>DRAFT – NOVEMBER 10, 2020</b>	
<b>RESEARCH POLICY</b>	<b>3080</b>

1. Rationale

With the ever-increasing demand for new information and knowledge, there has been a parallel increase in the number and variety of research requests and evaluation studies from differing sources. It is recognized that Lakehead District School Board (LDSB) and the community need new information for decision-making purposes in order to operate efficiently at all levels. In addition, the rapidly changing social environment results in a continued need to generate new knowledge. This Research Policy will assist in managing the volume of research and also act as a safeguard to ensure that the quality of research is maintained.

2. The Policy

It is the policy of LDSB to conduct and facilitate research to benefit students in the field of research.

3. Definition

3.1 Research

Research refers either to studies designed to add to the body of knowledge or to studies designed to provide information for decision-making.

3.1.1 The term research does not refer to the necessary data collection required by administration, the Ministry of Education, teacher federations, and unions in order to manage their respective organizations.

4. Guidelines

4.1 All individuals, groups, or organizations conducting research within LDSB must adhere to the 3080 Research Procedures.

4.2 All researchers must abide by the Code of Ethics for Researchers (3080 Research Procedures Appendix A).

The following criteria are considered for requests to conduct research within the Board:

4.2.1 the research is relevant to education in general and/or the priorities of the Board;

4.2.2 an ethical review of the proposed research has been completed according to Board guidelines or of the affiliated institution prior to the submission of the research application;

4.2.3 the research focus and procedures are consistent with Board policies;

<b>BUSINESS AND BOARD ADMINISTRATION</b>	<b>3000</b>
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<b>RESEARCH POLICY</b>	<b>3080</b>

- 4.2.4 the research design and methodology conform to acceptable **academic** standards;
- 4.2.5 the researcher has outlined appropriate procedures for obtaining informed consent from participants in the research, **and, where students are included in research, parent or guardian consent is obtained;**
- 4.2.6 the researcher has outlined appropriate procedures to deal with **conflict or** sensitive issues should they arise during the research;
- 4.2.7 the rights of all participants in the research are protected, including the privacy of personal information in accordance with the Municipal Freedom of Information and Protection of Privacy Act;
- 4.2.8 there are no inordinate time demands which interfere with the instructional program of individual or groups of students;
- 4.2.9 the use of the results of the research is clearly outlined; and
- 4.2.10 there is a process to ensure that interested participants receive a summary report of the results of the research.
- 4.3 Employees of LDSB conducting research for thesis or publication, and all individuals, groups or organizations external to LDSB who wish to conduct research within the system, must meet the following requirements:
- 4.3.1 The Research Application Form (3080 Research Procedures Appendix B) must be completed by the researcher and submitted with the research proposal to the superintendent responsible for research.
- 4.3.2 Approval by the superintendent responsible for research is required before the researcher begins any activity related to the research.
- 4.3.3 After the research proposal has been approved by the superintendent, a copy of the approved application will be distributed to the schools, groups, or organizations which may participate in the research.

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4.3.4 After the research proposal has been approved by the superintendent responsible for research, the researcher must approach the suitable person responsible for a particular organization or constituent group. For example, if the research concerns the staff or students of a particular school, the researcher approaches the principal of that school. The principal has the discretionary ~~power~~ **authority** to decide whether this research should be conducted in his/~~her~~ **their** school. In the case of **research with specific employee groups, the elected executive of unions or federations** ~~the researcher should approach the elected executive for approval~~ **and the school principal should be approached by the researcher for approval.**

- 4.4 All Researchers abide by the research agreements established with LDSB when conducting research within this system (3080 Research Procedures Appendix C).
- 4.5 The superintendent or principal ~~may~~ **must** request parental permission for participation of students in research activities.
- 4.6 All researchers will submit a research schedule to the superintendent responsible, and the principal, if applicable.
- 4.7 It is expected that members of the LDSB education community who are directly involved in research activities will receive a summary of the research findings.
- 4.8 A research activity may be suspended or terminated by the principal and administration if conducted in an unsatisfactory manner.
- 4.9 Any disagreements with the approval of a research proposal may be appealed through the director to the Board.

5. Review

This policy shall be reviewed in accordance with 2010 Policy Development and Review Policy.

<u>Cross Reference</u>	<u>Date Approved</u>	<u>Legal Reference</u>
_____	February, 1983	_____
_____	<u>Date Revised</u>	_____
	April 27, 2010	



<b>BUSINESS AND BOARD ADMINISTRATION</b>	<b>3000</b>
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<b>RESEARCH PROCEDURES</b>	<b>3080</b>

1. The Policy

It is the policy of Lakehead District School Board to support research for both organizational needs (decision-making) and academic needs (new knowledge).

2. Code of Ethics

All researchers must abide by the Code of Ethics (3080 Research Procedures - Appendix A).

2.1 If there is a potential that one or more items included in the Code of Ethics may cause some form of difficulty or come under question, the researcher must bring this matter to the attention of the superintendent responsible for research.

3. Research Schedule

All researchers must consult with the superintendent responsible for research so the activity may be recorded on the research calendar. The superintendent responsible for research or his or her designate will maintain a research calendar.

4. Research Proposals and Research Application Form

4.1 Research proposals may vary in length and comprehensiveness depending on the type of research. All proposals should outline the purpose, the research design, the methodology, and how the study will be reported and disseminated.

4.2 Inquiries regarding the status or appropriateness of a research proposal should be directed to the superintendent responsible for research.

4.3 Where required, a completed research application form and research proposal must be submitted to the superintendent responsible for research before any activities relating to the research activity commence.

4.3.1 After the research proposal has been approved by the superintendent responsible for research, the researcher must approach the suitable person responsible for a particular organization or constituent group. For example, if the research concerns the staff or students of a particular school, the researcher approaches the principal of that school. The principal has the discretionary ~~power~~ **authority** to decide whether this research should be conducted in ~~his/her~~ **their** school. In the case of **research with specific employee groups, the elected executive of** unions or federations ~~the researcher should approach the elected executive for approval~~ **and the principal should be approached by the researcher for approval.**

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- 4.4 The superintendent responsible for research will send a signed copy of the research application to those individuals responsible for the subjects of the proposed research.
- 4.5 The required procedures for researchers are summarized in chart form (3080 Research Procedures - Appendix D).

5. Disagreements with Research Approval

Any disagreements concerning the approval of a research proposal may be appealed through the director to the Board.

6. Review

These procedures shall be reviewed in accordance with 2010 Policy Development and Review Policy.

<u><b>Cross Reference</b></u>  _____	<u><b>Date Approved</b></u> <b>February, 1983</b>  <u><b>Date Revised</b></u> <b>April 27, 2010</b>	<u><b>Legal Reference</b></u>  _____
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## CODE OF ETHICS

The researcher must abide by the following code of ethics:

1. The research procedure shall not be harmful in any way to ~~the subject~~ **those persons** participating.
2. The **conduct of the** researcher will be under the jurisdiction of ~~the~~ **Board** administration and the principal of the school selected for research ~~in terms of his/her conduct while working in the school~~ **conducting research on the property of Lakehead District School Board.**
3. The data collected ~~in the performance of~~ **through** the research will be kept in strict confidence. No **identifying information including** names of persons, ~~their~~ test results, or the names of ~~the teachers~~ **any staff** Principals, or schools, shall be mentioned or attention be unduly attracted to them during the course of or following research undertaken unless authorized by the **Board** administration. General or specific results as would be used for research papers for scientific journals will be accepted.
4. The researcher shall not, in any way, attempt to attract the interest of the media to ~~his/her~~ **their** research unless authorized by ~~the administration~~ **the superintendent responsible for research or their delegate.** If the researcher is contacted by representatives of the media, the researcher is bound to say nothing about the research unless the researcher has been given permission by ~~the administration~~ **the superintendent responsible for research or their delegate.**
5. Research that is not supporting or facilitating the operation of the system is subject to the discretion of ~~the~~ **Board** administration and the principal(s). ~~If the~~ **Board** administration and the principal refuse the use of school facilities to the researcher external to the system, the researcher must accept this decision.
6. In accordance with this research policy, any researcher that is undertaking research in this system that identifies Lakehead District School Board in any manner must obtain the approval of ~~the~~ **Board** administration for the use of the data.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

## **RESEARCH APPLICATION FORM**

Approved by \_\_\_\_\_  
Superintendent Responsible for Research  
Lakehead District School Board

Date Approved \_\_\_\_\_

1. Title of Research \_\_\_\_\_

2. Name of Researcher(s) \_\_\_\_\_

3. Position(s) of Researcher(s) \_\_\_\_\_

4. Name of Faculty Advisor or Organizational Supervisor \_\_\_\_\_

5. Brief Abstract of Research Project (Maximum 500 words, typed)

5.1 Purpose

5.2 Research Design

5.3 Methodology

- 5.4 Method of Reporting Study
  
  
  
  
  
  
  
  
  
  
- 6. Type of Research (check suitable categories)
  - 6.1 replication study
  - 6.2 experimental design
  - 6.3 social science model
  - 6.4 qualitative research design
  - 6.5 quantitative design
  - 6.6 other (specify)
  
  
  
  
  
  
  
  
  
  
- 7. Data Collection Techniques (check suitable categories)
  - 7.1 questionnaire(s)
  - 7.2 formal interview(s)
  - 7.3 informal interview(s)
  - 7.4 participant observation
  - 7.5 document analysis
  - 7.6 other (specify)
  
  
  
  
  
  
  
  
  
  
- 8. Schools, groups or organization to be contacted

9. Sample & Size

	Number	Grade	Times Contacted
Students	_____	_____	_____
Staff (specify)	_____	_____	_____
9.1 <b>elementary</b> teachers	_____	_____	_____
9.2 <b>secondary</b> <b>teachers</b>	_____	_____	_____
9.23 dept heads <b>chairs</b>	_____	_____	_____
9.4 <b>ECEs</b>	_____	_____	_____
9.5 <b>SSPs</b>	_____	_____	_____
9.36 custodians	_____	_____	_____
9.47 secretaries	_____	_____	_____
9.58 prin/vice princ	_____	_____	_____
9.69 other ( <b>specify</b> )	_____	_____	_____

10. Budget

10.1 grants for research	_____
10.2 researcher(s) time	_____
10.3 supplies	_____
10.4 mailing	_____
10.5 computer time	_____
10.6 other	_____
10.7 total	_____

11. Time

11.1 Date to start study	_____	Year/Mon/Day
11.2 people hours required of subject (please estimate in hours)	_____	
11.2.1 Number of students	_____ x _____	(time) = _____
Number of staff	_____ x _____	(time) = _____

Number of other \_\_\_\_\_ x \_\_\_\_\_ (time) = \_\_\_\_\_

Total \_\_\_\_\_

12. Legal Implications

	<b>Yes</b>	<b>No</b>
12.1 Have you assured complete anonymity?	_____	_____
12.2 Have you assured complete confidentiality?	_____	_____
12.3 Is the name of the Board to be identified in the final report?	_____	_____
12.4 Have you discussed with the superintendent responsible for research how the findings will be used?	_____	_____

13. Anticipated outputs of documentation. List planned dissemination activities, if applicable (include dates, names of Boards, numbers of occasions and or other relevant details).

14. Please attach the signed Code of Ethics.



## OUTLINE OF A RESEARCH AGREEMENT

<b>MADE BETWEEN</b>	NAME OF INDIVIDUAL OR ORGANIZATION
<b>- and -</b>	LAKEHEAD DISTRICT SCHOOL BOARD
<b>RESEARCH</b>	Description of Research
<b>PROCEDURE</b>	<p>Proposals received must be approved by researcher's education institution prior to being submitted to the Lakehead District School Board for approval. After approval, the researcher must obtain the following from the superintendent or delegate responsible for research.</p> <ol style="list-style-type: none"><li>1. Research Policy and Research Procedures</li><li>2. Appropriate Research Agreement</li><li>3. Research Application Form</li></ol> <p>The researcher must abide by the 3080 Research Policy and Procedures. The Research application must be completed and forwarded for approval to the superintendent (or delegate) responsible for research.</p>
<b>CONFIDENTIALITY OF INFORMATION</b>	Persons contemplating research shall attach to the proposal their signed copy of the Code of Ethics with respect to confidentiality of information gathered in the schools.
<b>DURATION OF RESEARCH</b>	Term of Research

Dated at THUNDER BAY, ONTARIO, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

FOR:

LAKEHEAD DISTRICT SCHOOL BOARD

FOR:

NAME OF INDIVIDUAL OR ORGANIZATION

\_\_\_\_\_  
Superintendent Responsible for Research

## REQUIRED PROCEDURES FOR RESEARCHERS

Type of Researcher	Abide by Code of Ethics	Research Schedule	Approval by Superintendent Responsible for Research	Research Proposal Required	Research Application Required	Approval by Principal in Consultation with Staff Required Before Research is Conducted in the School	Comments
1. Internal							
1.1 Administration, Board Committees Support Staff	Yes	Yes	No	No	No	No	
1.2 Teaching staff, conducting research for thesis or publication.	Yes	Yes	Yes	Yes	Yes	Yes	
1.3 Teaching staff conducting research in own school for the purpose of completing the requirements of undergraduate or graduate courses (excluding thesis).	Yes	No	No	No	No	Yes*	
1.4 Teaching staff conducting research in schools other than own school for the purpose of completing the requirements of undergraduate or graduate courses (excluding thesis).	Yes	Yes	No	No	No	Yes*	*The principal may defer this approval to the superintendent responsible for research activity, if in any way questionable.
1.5 Research required by the Ministry of Education	No	No	No	No	No	No	
2. External							
2.1 Federations and unions	Yes	Yes	No	No	No	Yes, if done during school hours (excluding lunch hour)	
2.2 All individuals or organizations external to Lakehead District School Board.	Yes	Yes	Yes	Yes	Yes	Yes	

LAKEHEAD PUBLIC SCHOOLS  
OFFICE OF THE DIRECTOR OF EDUCATION

2020 NOV 10  
Report No. 080-20

TO THE CHAIR AND MEMBERS OF  
THE STANDING COMMITTEE - Public Session

RE: POLICY REVIEW – 7030 HUMAN RIGHTS AND WORKPLACE HARASSMENT

1. Background

- 1.1 On April 23, 2013, the revised 7030 Human Rights and Workplace Harassment Policy was approved.
- 1.2 At the June 26, 2018 Regular Board Meeting, the 7030 Human Rights and Workplace Harassment Policy was approved for review during the 2020-2021 school year as part of the policy development and review cycle.
- 1.3 On September 16, 2020, the draft policy and procedures were posted on the Board's website and distributed to constituent groups for review and comment with input to be received by October 21, 2020.

2. Situation

- 2.1 The 7030 Human Rights and Workplace Harassment Policy was presented to Special Education Advisory Committee (SEAC) on September 16, 2020 and to the Parent Involvement Committee (PIC) on October 5, 2020.
- 2.2 The policy is attached as Appendix A, the procedures as Appendix B and the appendices as Appendix C.
- 2.3 Upon final approval, the policy will be distributed according to Board procedures.

RECOMMENDATION

It is recommended that Lakehead District School Board approve 7030 Human Rights and Workplace Harassment Policy, Appendix A to Report No. 080-20.

Respectfully submitted,

MAHEJABEEN EBRAHIM  
Human Rights and Equity Advisor

MICHELLE PROBIZANSKI  
Superintendent of Education

IAN MACRAE  
Director of Education

<b>PERSONNEL &amp; EMPLOYEE RELATIONS</b>	<b>7000</b>
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<b>HARASSMENT AND HUMAN RIGHTS HUMAN RIGHTS AND WORKPLACE HARASSMENT POLICY</b>	<b>7030</b>

1. Rationale

Lakehead District School Board (**LDSB**) must provide and maintain **is committed to providing a safe, equitable and respectful** a working and learning environment. (“workplace”); where employees and students are free from harassment or intimidation. The Board **Lakehead District School Board** respects **promotes and supports** the dignity and human rights of all individuals, and recognizes that harassment, negatively affects working relationships, the learning process and personal well-being. The Board is committed to creating a workplace that **as well as** values **equity and diversity. It is a shared responsibility across LDSB to foster a working and learning environment, where every individual is treated with respect.**

2. Policy

It is the policy of Lakehead District School Board **LDSB** to adhere to **and uphold** the Ontario **Human Rights Code (the Code)**. in that all employees, students, perspective employees, Trustees, volunteers, visitors, parents and contractors and all other users that are involved with the Lakehead District School Board have the right to freedom from harassment because of sex/pregnancy, race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, age, record of offences, marital status, family status, disability, sexual orientation, gender identification, or gender expression. **Lakehead District School Board is committed to promoting a climate of understanding and mutual respect for each person. Harassment and discrimination based on the following grounds is prohibited:**

sex (**includes** pregnancy);  
 race;  
 ancestry;  
 place of origin;  
 colour;  
 ethnic origin;  
 citizenship;  
 creed (**religion**);  
 age;  
 record of offences (**in employment**);  
 marital status;  
 family status;  
 disability;  
 sexual orientation;  
 gender identity; or  
 gender expression.

**This policy also includes any new prohibited grounds that may be added to the Ontario Human Rights Code at a future date and prior to policy review.**

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- 2.1 All LDSB students, employees/workers, trustees, and other users that work on or are invited on to LDSB premises, including prospective employees, volunteers, visitors, parents, guardians and contractors, must adhere to and uphold the Code. Harassment and discrimination will not be tolerated or condoned.**
- 2.2 Lakehead District School Board is committed to providing reasonable accommodation to fulfil obligations according to the Code. The Code also permits the creation of special programs at LDSB to address discrimination or inequality.**
- 2.3 This policy also fulfils LDSB's obligations to address workplace harassment according to the Occupational Health and Safety Act (OHSA).**
- 2.4 Lakehead District School Board promotes a safe, equitable and respectful working and learning environment, and endeavors to prevent harassment, discrimination and workplace harassment. Also, where necessary, LDSB will investigate and/or respond to incidents or complaints of harassment, discrimination or workplace harassment.**

### **3. Application and Scope**

- 3.1 This policy addresses Code-based harassment and discrimination and it applies to all LDSB students, employees, trustees and other users that work on or are invited on to LDSB premises including prospective employees, volunteers, visitors, parents and contractors.**

**Actions will be consistently taken to address student behaviours that are contrary to this policy, provincial, LDSB and school codes of conduct according to the appropriate LDSB policy or procedure, such as the 8070 Safe Schools Systems Expectations Policy and 8071 Bullying Prevention and Intervention Policy.**

- 3.2 This policy addresses workplace harassment; it applies to and protects all employees/workers. The policy covers workplace harassment from all sources including students, parents, guardians, trustees, volunteers, contractors, customers of LDSB, members of the public and other members of organizations not related to LDSB but who, nevertheless, work on or are invited on to LDSB premises or utilize LDSB services.**

### **3. Guiding Principles**

- ~~3.1 Employees, students and other users shall behave in a manner that is socially and professionally acceptable in the workplace.~~

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HUMAN RIGHTS AND WORKPLACE  
HARASSMENT POLICY****7030**

- ~~3.2 — Employees, students, and other users will strive to foster a respectful workplace through the prevention and prompt resolution of harassment. Complaints will be taken seriously and handled professionally.~~
- ~~3.3 — The Board shall provide a mechanism for complainants to lodge an informal complaint.~~
- ~~3.4 — The Board shall provide a mechanism for complainants to lodge a formal complaint.~~
- ~~3.5 — The Board shall provide a fair and objective formal process for dealing with alleged incidents of harassment.~~
- ~~3.6 — Confidentiality will be maintained to every extent possible, but it should be understood that the nature of the investigation may be expanded beyond the complainant(s) and the respondent(s) to verify factual information.~~

**4 Definitions****4.1 *Discrimination***

*Discrimination means any form of unequal treatment based on a Code ground, whether imposing extra burdens or denying benefits. It may be intentional or unintentional. It may involve direct actions that are discriminatory on their face, or it may involve rules, practices or procedures that appear neutral, but disadvantage certain groups of people. Types of discrimination include systemic discrimination and poisoned environment.*

**4.2 *Harassment***

*Harassment is defined as a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome. Harassment can be based on age, disability, family status, marital status, creed, race, ancestry, place of origin, colour, ethnic origin, sex, sexual orientation, gender identity, gender expression, citizenship and record of offences. It can involve words or actions that are known or should be known to be offensive, embarrassing, humiliating, demeaning or unwelcome, based on a ground of discrimination identified by this policy.*

**4.3 *Student***

*Student is anyone regardless of age, who is enrolled in an educational program offered by LDSB.*

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#### **4.4 Workplace Harassment**

***Workplace harassment means, (a) engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome, or (b) workplace sexual harassment.***

***Workplace sexual harassment means, (a) engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or (b) making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.***

#### **4.5 Worker or Employee**

***A worker or employee is any person included in the definition of “worker” under the OHS Act and includes all the LDSB employees. Worker is an employee who performs work or supplies services and includes a secondary school student who performs work or supplies services for no monetary compensation under a work experience program authorized by the school Board that operates the school in which the student is enrolled.***

#### **4.6 Workplace**

***Workplace is defined as any land, premises, location or thing at, upon or near where a worker works. It includes places where individuals perform work or work-related duties or functions. It includes all schools, offices and facilities of LDSB. Work related functions include business trips, conferences, seminars, co-op placements, social and extra-curricular events that arise out of LDSB’s involvement.***

### **5. Duties and Responsibilities**

**5.1 All persons at LDSB and interacting with the LDSB, are expected to engage in respectful conduct, adhere to and uphold this policy and will be held responsible for not following it.**

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**5.1.1 All employees are responsible for contributing to a climate of understanding and mutual respect for each person.**

**5.1.1.1 Employees with supervisory authority at LDSB have additional responsibilities to:**

- **create and promote a safe, equitable and respectful working and learning environment that supports human rights; and**
- **act on observations or allegations of harassment, discrimination or workplace harassment.**

**5.1.1.2 Teachers have additional responsibilities to:**

- **foster learning environments that are safe, equitable and respectful that support human rights;**
- **respond to observations or allegations of harassment or discrimination; and**
- **refer or report observations or allegations of workplace harassment.**

**5.1.2 The Board of Trustees have responsibilities to:**

- **engage in respectful conduct;**
- **through governance, create and promote a safe, equitable and respectful learning and working environment that supports human rights; and**
- **refer concerns and complaints of harassment, discrimination or workplace harassment to the director of education or designate.**

**5.2 The director of education is responsible for implementing this 7030 Human Rights and Workplace Harassment Policy and ensuring that it is reviewed annually in accordance with OHSA.**

**5.3 Lakehead District School Board takes incidents and complaints of harassment, discrimination and workplace harassment seriously.**

**5.3.1 Complainant refers to the person who makes a complaint of harassment, discrimination or workplace harassment according to this policy. Respondent refers to the person who has a complaint made against them under this policy.**

**5.3.2 All persons are urged to express concerns and file complaints of harassment, discrimination or workplace harassment according to this**



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*policy. Reprisal or retaliation against an individual who is seeking to claim or enforce their rights under this policy is prohibited*

- 5.4** *Lakehead District School Board will provide procedures to address incidents or complaints of harassment, discrimination or workplace harassment. Complaints shall be dealt with in a fair and timely manner. All persons, including employees, shall cooperate so that the LDSB can address incidents or complaints under this policy.*
- 5.5** *Any person reporting an incident or complaint of harassment, discrimination or workplace harassment, who participates in a process to resolve the complaint under this policy, is required to keep the incident/complaint-related information confidential or as required by law. Those with supervisory authority at LDSB or designates, who are involved with addressing an incident or complaint, will strive for confidentiality and will share information on a need to know basis to the extent necessary to protect employees, for actions such as investigation, follow-up, corrective action or as otherwise required by law.*
- **5.6** *If a complainant withdraws a complaint, LDSB may continue to act, if required.*
- 5.7** *If it is determined that a complainant has made a complaint that is malicious or made in bad faith, it may result in disciplinary action.*
- 5.8** *An employee found in violation of this policy may be subject to remedial action or discipline, up to and including termination of employment, in accordance with applicable collective agreement provisions.*
- 5.9** *Nothing in this policy precludes the employee from seeking support from their union, the Employee and Family Assistance Program, where available, or externally from the Human Rights Legal Support Centre or the police.*

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4. ~~6.~~ Review

This policy shall be reviewed in accordance with 2010 Policy Development and Review Policy.

<u>Cross Reference</u>	<u>Date Approved</u>	<u>Legal Reference</u>
<b>7030 Workplace Harassment and Human Rights</b> Procedures	April 19, 1994	<b>Education Act</b>
1020 Equity and Inclusive Education <b>Faith and Creed Accommodation Guideline Appendix A</b>		Ontario Human Rights Code
8070 Safe Schools, System Expectations	<u>Date Revised</u>	<b>Occupational Health and Safety Act</b>
8071 Bullying Prevention and Intervention	June 22, 2004	
<b>8072 Sexual Orientation and Gender Identity</b>	April 22, 2008	
	April 23, 2013	
<b>8075 Service Animals in Schools</b>		

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1. Policy-*General*

Lakehead District School Board adheres to the Ontario Human Rights Code in that all employees, students, prospective employees, Trustees, volunteers, visitors, parents, contractors and all other users that are involved with the Lakehead District School Board have the right to freedom from harassment because of sex/pregnancy, race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, age, record of offences, marital status, family status, disability, sexual orientation, gender identification, or gender expression. Harassment will not be tolerated.

***Lakehead District School Board (LDSB) is committed to providing a safe, equitable and respectful learning and working environment. It is a shared responsibility across the LDSB to foster an environment that is free from harassment, discrimination and workplace harassment, where every individual is treated with respect.***

***These procedures support the implementation of the 7030 Human Rights and Workplace Harassment Policy.***

1.1 — Scope

This policy not only applies to complaints from victims of alleged harassment, but wherever there is a reason to believe that harassment is occurring. Examples are:

- where a person in a position of authority detects evidence of harassment within his or her own department or school;
- where harassment is witnessed; and,
- where, over a period of time, a series of complaints, although all resolved individually, are filed against the same person.

2. Definitions

For the purpose of this ***These terms are defined for implementing the 7030 Human Rights and Workplace Harassment Policy*** and corresponding ***these*** Procedures.

***Allegation is an unproven claim or assertion that someone has done something wrong based on a reasonable belief that a violation of the policy has occurred.***

***Complainant refers to anyone who makes a complaint under the policy alleging that harassment, discrimination and/or workplace harassment has occurred.***

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*Disability<sup>1</sup> is defined (Ontario Human Rights Code, the Code) as:*

- *any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device;*
- *a condition of mental impairment or a developmental disability;*
- *a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language;*
- *a mental disorder; or*
- *an injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997.*

*Gender identity<sup>2</sup> is each person’s internal and individual experience of gender. It is their sense of being a woman, a man, both, neither, or anywhere along the gender spectrum. A person’s gender identity may be the same as or different from their birth-assigned sex. Gender identity is fundamentally different from a person’s sexual orientation.*

*Gender expression<sup>3</sup> is how a person publicly presents their gender. This can include behaviour and outward appearance such as dress, hair, make-up, body language and voice. A person’s chosen name and pronoun are also common ways of expressing gender.*

*Harassment (the Code) means engaging in a course of a vexatious comment or conduct that is known to be, or ought reasonably to be known to be unwelcome, based on age, disability, family status, marital status, creed, race, ancestry, place of origin, colour, ethnic origin, sex, sexual orientation, gender identity, gender expression, citizenship and record of offences. It can involve words or actions that are known or should be known to be offensive, embarrassing, humiliating, demeaning or unwelcome, based on a ground of discrimination identified by the policy. Harassment can occur based on any of the Ontario Human Rights Code grounds.*

<sup>1</sup> <http://www.ohrc.on.ca/en/policy-ableism-and-discrimination-based-disability/2-what-disability>

<sup>2</sup> <http://www.ohrc.on.ca/en/policy-preventing-discrimination-because-gender-identity-and-gender-expression>

<sup>3</sup> <http://www.ohrc.on.ca/en/policy-preventing-discrimination-because-gender-identity-and-gender-expression>

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*Examples of harassment may include:*

- *inappropriate or insulting remarks, gestures, jokes, innuendoes or taunting about a person based on a prohibited ground – for example: racial slurs, taunting about a person’s mental health or sexualized insults;*
- *unwanted questions or comments about an employee’s private life pertaining to a prohibited ground in the Code – for example, intrusive questions about a person’s disability, sex life, religion or racial background; or*
- *posting, displaying materials, or the electronic publication of articles or graffiti etc. that is offensive because of a prohibited ground – for example, posting pornography, circulating hate literature or offensive emails.*

*Hate group activities intimidate, threaten or promote hatred toward Code identifiable groups, contravene the policy and will not be tolerated at LDSB. They may also violate the Criminal Code of Canada.*

*Lakehead District School Board is LDSB. Lakehead District School Board is an employer, as defined by the Occupational Health and Safety Act (OHSA).*

*Marital status (the Code) means the status of being married, single, widowed, divorced or separated and includes the status of living with a person in a conjugal relationship outside marriage.*

*Malicious or vexatious complaints are complaints that are brought forward without sufficient merit and are made to cause annoyance or distress.*

*Mediation is a confidential voluntary process that parties in a complaint may agree to participate in, where a trained mediator is in communication with parties to effect an agreed upon resolution that is satisfactory both to the parties and to LDSB.*

*Other Users refers to prospective employees, volunteers, visitors, parents, guardians, contractors and all other individuals that work on or are invited on to LDSB premises. Other Users does not include LDSB’s students or employees.*

*Poisoned Environment<sup>4</sup> is a form of discrimination. It may be created when unwelcome conduct or comments are pervasive within the organization, which may result in a hostile environment for one or more people from a Code-protected group. This can happen when a person or group is exposed to ongoing harassment. However, a poisoned environment is based on the nature of the comments or conduct and the impact of these on an individual rather than just on the number of times the behaviour occurs. Sometimes a single remark or action can be so severe or substantial that it results in a poisoned environment.*

<sup>4</sup> <http://www.ohrc.on.ca/en/policy-ableism-and-discrimination-based-disability>

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*Record of Offences (the Code) means a conviction for:*

- *an offence in respect of which a pardon has been granted under the Criminal Records Act (Canada) and has not been revoked; or*
- *an offence in respect of any provincial enactment.*

*Reprisal is any harassment, intimidation, threats or negative action taken against a person (e.g., complainant, witness, investigator, or respondent) for making a report to LDSB about an incident or filing a complaint of alleged harassment, discrimination or workplace harassment or for taking part in these complaint procedures, in good faith. Reprisal is prohibited under the policy.*

*Student is any person, regardless of age, who is enrolled in any program offered by LDSB.*

*Support person is a person whose role is to provide assistance to a complainant, respondent or witness who is engaged in these procedures. A support person can be a union representative, parent, guardian, caregiver, relative, friend, colleague or peer.*

*Trans or transgender<sup>5</sup> is an umbrella term referring to people with diverse gender identities and expressions that differ from stereotypical gender norms. It includes, but is not limited to, people who identify as transgender, trans woman (male-to-female), trans man (female-to-male), transsexual, cross-dresser, gender non-conforming, gender variant or gender queer.*

*Transphobia<sup>6</sup> is the aversion to, fear or hatred of trans people and communities. Like other prejudices, it is based on stereotypes that are used to justify discrimination, harassment and violence toward trans people.*

*Workplace Harassment (OHSa) is engaging in a course of vexatious comment or conduct against a worker in a workplace that is known, or ought reasonably to be known, to be unwelcome or is Workplace Sexual Harassment.*

*Examples of Workplace Harassment may include:*

- *making repeated remarks, jokes or innuendos that demean, ridicule, intimidate or offend;*
- *displaying or circulating offensive pictures or materials in print or electronic form;*
- *singling out an individual for humiliating or demeaning “teasing”;*
- *making repeated offensive or intimidating phone calls or emails;*
- *gossiping or spreading negative rumours; and/or*
- *Workplace Sexual Harassment.*

<sup>5</sup> <http://www.ohrc.on.ca/en/policy-preventing-discrimination-because-gender-identity-and-gender-expression>

<sup>6</sup> <http://www.ohrc.on.ca/en/policy-preventing-discrimination-because-gender-identity-and-gender-expression>

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HUMAN RIGHTS AND WORKPLACE  
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- *engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known, or ought reasonably to be known, to be unwelcome; or*
- *making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows, or ought reasonably to know, that the solicitation or advance is unwelcome.*

***Examples of Sexual Harassment may include:***

- *unwanted remarks, jokes, innuendoes, or taunting about a person's gender, gender identity, gender expression, or sexual orientation;*
- *homophobic or transphobic comments;*
- *unwanted physical contact of a sexual nature such as touching, kissing, patting, hugging or pinching;*
- *leering, whistling, or other sexually suggestive or insulting sounds;*
- *refusing to use an employee's chosen pronouns;*
- *posting or displaying (including electronic publication of) offensive materials of a sexual nature;*
- *unsolicited sexual advances or demands for dates or sexual favours;*
- *inappropriate jokes of a sexual nature; and/or*
- *sexual assault (also an offence under the Criminal Code of Canada).*

***What May Not Be Workplace Harassment***

***Workplace Harassment does not include reasonable action taken by LDSB including a principal or manager relating to the management and direction of employees or the workplace, even if there are unpleasant consequences for the employee. Examples may include:***

- *changes in work assignments or scheduling;*
- *performance evaluation;*
- *workplace inspections; and*
- *disciplinary action.*

***Workplace Harassment typically does not include differences of opinion or minor disagreements between employees.***

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### **3.0 Procedures - General**

- 3.1 *It is a shared responsibility across LDSB to foster a learning and working environment where every individual is treated with respect. Lakehead District School Board supports the individual's efforts to resolve an incident or a complaint, at the earliest possible stage and at the lowest level through dialogue with peers, principals or managers, where appropriate.***

*These procedures are designed to address a report of an incident or a complaint of harassment, discrimination including hate group activities, or a complaint of workplace harassment, that is brought to the attention of LDSB.*

*Employees with supervisory authority at LDSB (for example, principals) have a duty to respond or take action to resolve incidents or complaints of harassment, discrimination or workplace harassment. Lakehead District School Board may act if employees with supervisory authority at LDSB, become aware of harassment, discrimination or workplace harassment. To provide a working and learning environment free from harassment, discrimination or workplace harassment, LDSB may continue to act if a complainant determines they do not want to proceed with a complaint or decides to withdraw the complaint.*

*Lakehead District School Board will ensure that an investigation, appropriate in the circumstances in accordance with OHSA, will be conducted into incidents or complaints of workplace harassment.*

- 3.2 *In the following cases, individuals will be directed as noted:***
- 3.2.1 *Incidents/complaints against a trustee or superintendent will be referred to the director of education.***
- 3.2.2 *Incidents/complaints against the director of education will be referred to the chair of the Board.***
- 3.2.3 *Incidents/complaints of harassment or behaviour of a violent nature, including physical assault and sexual assault must be formally reported according to LDSB's policies, such as 7040 Violence in the Workplace Policy and related procedures. The individual(s) may refer the matter to the police. Lakehead District School Board may refer the matter to the police.***
- 3.3 *All human rights complaints must be filed within one year of the last alleged incident. In the event the complaint is being filed after one year, the complainant must identify, in writing, the reason(s) for the delay in filing the complaint, for consideration by the appropriate superintendent.***



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*Normally, workplace harassment complaints must be filed within one year of the last alleged incident. In the event the complaint is filed after one year, the complainant must identify, in writing, the reason(s) for the delay in filing the complaint, for consideration by the appropriate superintendent.*

*It is within the discretion of LDSB to determine whether a complaint can be filed beyond the one-year anniversary of the last alleged incident. Prompt reporting is encouraged as it allows for more thorough and accurate investigations, where needed. Investigations, where needed, will be conducted within a reasonable timeframe, respecting both the need for a prompt resolution and the need for a thorough and complete investigation.*

- 3.4** *Reprisal or retaliation against an individual for making a report of harassment, discrimination or workplace harassment in good faith or against an individual for participating in good faith, in these procedures, is prohibited. An allegation of reprisal can be reported to the superintendent for appropriate action.*
- 3.5** *Any person can also pursue their complaint externally including at the Ontario Human Rights Tribunal, contact the Ministry of Labour or law enforcement, at any time, as appropriate.*

#### **4.0 Informal Complaint Process**

- 4.1** *There is nothing in this process that would prevent a complainant from bypassing the informal resolution stage and proceeding directly to request a formal investigation. The informal options, (excepting for complaints involving students), to resolve complaints are the following.*

- 4.1.1** *Option One: Where appropriate, complainants can choose to resolve their complaint first by addressing the person(s) involved, stating clearly the behaviour or actions are objectionable and must be stopped. This is a voluntary step. If this encounter does not result in the end of the harassment, discrimination or workplace harassment or if the complainant is uncomfortable with addressing the individual(s) involved, alternate methods of reporting are available. Complainants are encouraged to keep a record of dates, times, places and witnesses of the harassment, discrimination or workplace harassment, as well as specific details.*

*If the complainant is not satisfied with the results of the above process or is uncomfortable addressing the individual(s) involved, the harassment, discrimination or workplace harassment can be reported to those with supervisory authority at LDSB (for example, the principal or vice principal of the school, supervisor, manager or a union representative, if applicable).*

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*Once the harassment, discrimination or workplace harassment has been reported to an employee with supervisory authority at LDSB and a preliminary investigation (at a minimum talking to complainant and respondent) has taken place, if deemed appropriate, an informal resolution can be sought using Option Two or Option Three.*

- 4.1.2** *Option Two: Attempt an informal resolution with the involvement of the employee with supervisory authority at LDSB (e.g. complainant speaking with respondent or with respondent apologizing to the complainant).*
- 4.1.3** *Option Three: LDSB may offer a trained mediator to provide mediation to the complainant(s) and respondent(s) where it is appropriate and feasible to do so.*
- 4.2** *As part of Option Two and Option Three the complainant will be informed:*
- *of the policy and these procedures;*
  - *about the limits to the confidentiality of the process (see section 5.5.4);*
  - *about counselling for eligible employees provided by LDSB;*
  - *they can withdraw the complaint at any time;*
  - *they can bring a support person to assist them with the process and in accordance with collective agreement provisions. A support person must keep complaint related information confidential and may be required to sign a confidentiality agreement; and*
  - *they can initiate a formal written complaint.*
- 4.3** *As part of Option Two and Option Three the respondent will be informed:*
- *of the policy and these procedures;*
  - *about the limits to the confidentiality of the process (see section 5.6.4);*
  - *about counselling for eligible employees provided by LDSB;*
  - *they can bring a support person to assist them with the process and in accordance with collective agreement provisions. A support person must keep complaint related information confidential and may be required to sign a confidentiality agreement; and*
  - *of the nature of the allegation, and who has filed the complaint.*
- 4.4** *If the complaint cannot be resolved informally, to the satisfaction of the complainant, the complainant can choose to file a formal written complaint.*
- 4.5** *Informal complaints may also be filed by employees in accordance with these procedures, if they witness harassing or discriminatory behaviour, if they are unable to speak to the individual(s) involved, or if speaking with the individual(s) involved was unsuccessful.*

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**5.0 Formal Complaint Process**

**5.1 Employees**

*It is preferred that employee complainants report the incident or complaint using the online complaint reporting form available in the staff portal, but should keep a written copy that describes the incident, the steps taken to resolve the matter, and the names of witnesses. The complaint will be forwarded to the appropriate supervisory authority at LDSB. If an employee opts to report the matter verbally initially, they can report it to their immediate supervisor or the human resources officer for their area. If the immediate supervisor is the respondent, the complaint will be provided to the person to whom the supervisor reports or the appropriate superintendent.*

**5.2 Students**

*Student complainants should provide a written copy of the harassment or discrimination complaint, describing the incident(s), witnesses and any steps already taken to resolve the matter to their principal or vice principal directly. If assistance is required in reporting the complaint, the student should contact the principal or vice-principal directly, or through their parent/guardian/teacher. If the principal is the respondent, then the complaint letter should be sent directly to the appropriate superintendent. The principal or designate (as determined by the superintendent) will address the complaint according to the policy and procedures and other applicable LDSB policies or procedures.*

**5.3 Other Users**

*Other user complainants should send a written copy of the harassment or discrimination complaint, describing the incident(s), witnesses and steps already taken to resolve the matter, to the immediate supervisor of the area/school/Board office where the respondent is working. In cases where the respondent is the supervisor, the complaint should be provided to the appropriate superintendent.*

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#### 5.4 *Supervisory Officer*

- 5.4.1** *The supervisory officer under this procedure responsible for dealing with complaints (the “Responsible SO or RSO”). The RSO will respond to complaints by having a preliminary assessment of incidents/complaints of harassment/discrimination or workplace harassment conducted, in order to determine if on the face of the complaint the allegation(s) meet the definition of harassment/discrimination or workplace harassment and to determine appropriate next steps to deal with an incident/complaint, in a manner deemed appropriate in the circumstances. This may include re-directing matters to another department of the LDSB as deemed appropriate by the RSO. Actions taken or fact-finding conducted for the purposes of an assessment will be deemed an investigation appropriate in the circumstances for purposes of the OHSA, if the assessment determines that on the face of the complaint no further investigation of the matter is warranted.*
- 5.4.2** *If it is determined that on the face of the complaint it rises to the definition of harassment/discrimination or workplace harassment, the RSO will retain carriage of the complaint and assign it to an investigator or investigation team, as appropriate.*
- 5.4.3** *If on the face of the complaint the allegations do not meet the definition of harassment/discrimination or workplace harassment, the RSO may forward the complaint to another area of the Board to address (e.g., appropriate supervisory/managerial staff, human resources in cases involving alleged culpable behavior, workplace violence), or the RSO may recommend mediation as deemed appropriate in the circumstances. In such cases, supervisory staff in conjunction with the union/association/federation representative and the affected employee(s) should give consideration to whether a third-party mediator (agreeable to all parties), is appropriate. In some cases, the RSO may determine that no further action is required.*
- 5.4.4** *Where it is determined by the RSO that the matter is more appropriately dealt with by another department of the Board, the complainant will be notified prior to forwarding the complaint. In such cases, the alleged respondent is typically not notified by the RSO.*
- 5.4.5** *The RSO may also determine in consultation with human resources, that the matter complained of has already been dealt with through another forum (i.e., grievance/arbitration, Human resources, disciplinary process). In such cases, the complainant will be advised of this by the RSO prior to file closure.*

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**5.4.6** *The RSO has discretion to limit the allegations in any complaint due to duplication of information or in order to streamline the complaint, without loss of any substantive information.*

**5.5** *Investigators*

*To conduct an investigation most appropriate according to the policy, LDSB can assign an employee(s) with supervisory authority as an internal investigator(s) and/or may appoint an external investigator(s). Lakehead District School Board may assign an external third-party investigator(s), where necessary, for various reasons such as complexity or limited resources. The investigator(s) shall act in accordance with the policy and these procedures and with any small variations if deemed necessary by LDSB.*

**5.6** *Investigation Process*

**5.6.1** *The investigation of an allegation of harassment, discrimination or workplace harassment must be consistent with current collective agreements in case of employees, applicable Board policy(s) in case of students, and the doctrine of "procedural fairness".*

**5.6.2** *Normally, LDSB will aim to complete an investigation within 90 days of the complaint being assigned for investigation. Factors that may affect this timeline include the number of parties, the availability of parties to the complaint, the time of the year the complaint is received (e.g., during summer, school-based employees may not be available), and the complexity of the matter.*

**5.6.3** *Any person reporting an incident or complaint of harassment, discrimination or workplace harassment or participating in a process to resolve the matter, are required to keep the complaint related information confidential.*

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- 5.6.4** *Lakehead District School Board keeps the files in accordance to the records retention schedule. Lakehead District School Board maintains confidentiality and will share information, to the extent necessary, to protect students and employees (e.g. to create a safety plan or for the separation of parties) for actions such as investigation, follow-up, corrective action or as otherwise required by law. Lakehead District School Board may be legally required to provide information to an outside authority. As well, LDSB may be legally required to speak to the respondent regarding the harassment, discrimination or workplace harassment and, where appropriate, take further action. It is for these reasons that absolute confidentiality cannot be provided. Lakehead District School Board cannot be held responsible for the actions of the complainant(s), respondent(s) or others involved and in relation to any outside agency.*
- 5.6.5** *The investigator(s) will explore, with parties, any concerns of physical safety and will make them known to the appropriate superintendent and, when the matter involves an employee(s), inform the human resources manager.*
- In some circumstances, an interim separation of parties pending final disposition of the complaint may be needed. An interim separation pursuant to these procedures does not constitute “discipline” or a “transfer”.*
- 5.6.6** *Regardless of the outcome of the complaint, no action will be taken against a complainant unless it can be shown that the complaint was made maliciously or in bad faith.*
- 5.6.7** *All parties (such as, complainants, respondents and witnesses) shall be provided copies of the policy, these procedures and will also be advised about maintaining confidentiality and not engaging in reprisal or threats of reprisal.*
- 5.6.8** *Where a report or complaint is filed in good faith, the employee who filed the report shall not be subject to any reprisal by anyone in the employ of LDSB or not in the employ of the LDSB if said individual is a student, parent, guardian, community member or person who works on or is invited to LDSB premises.*
- 5.6.9** *Should an employee who filed a report or complaint in good faith be the subject of a reprisal, then an investigation into the alleged reprisal shall be initiated following its reporting to the superintendent, as needed.*

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**5.6.10** *Should the individual who is found to have reprised against an employee who filed a report in good faith, also be an employee of LDSB and the reprisal was proven as a result of an investigation, then said individual may be subject to disciplinary action in accordance with the appropriate collective agreement and LDSB policies governing such matters.*

**5.6.11** *Should the individual be found to have reprised against an employee who filed a report in good faith be someone other than an employee of LDSB and the reprisal is proven as a result of an investigation, then said individual may be subject to some form of sanction issued in accordance with LDSB policies and procedures and school/office where the employee who was subject to the proven reprisal works.*

#### **5.7 Formal Employee Complaints**

**5.7.1** *Participants involved in the formal investigation will normally include the complainant, the respondent, witnesses (if any), an investigator(s) and/or support person(s).*

**5.7.2** *Once a formal written complaint alleging harassment, discrimination or workplace harassment is received, the superintendent(s) appoints an investigator(s) with an identified lead investigator, where needed.*

**5.7.3** *The investigator(s) meets with the appropriate principal or manager to discuss the issue. Investigator(s) will keep detailed notes pertinent to the investigation and as outlined in “records of investigation” (7.4).*

**5.7.4** *The investigator(s) normally will meet with the complainant first, to obtain the necessary information pertaining to their complaint.*

**5.7.5** *The investigator(s) will inform the respondent about the complaint and seek the respondent’s response to the allegations. A copy of the formal signed complaint will be submitted to the respondent, indicating the name of the complainant and respondent, the places, times, dates and nature of the alleged incidents being investigated.*

**5.7.6** *The investigator(s) conducts further fact-finding meeting(s) as needed including to interview potential witnesses.*

**5.7.7** *Once the investigator(s) has completed the fact finding, the final report of the investigation will be prepared. The final summary report is provided to the complainant, respondent and the appropriate superintendent(s). This summary will respect confidentiality to the extent possible.*

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- 5.7.8** *In cases where there is a breach of the policy, appropriate disciplinary or remedial sanctions will be implemented. A record of the remedial or disciplinary action will be placed in the appropriate employee's personnel file. The complainant and respondent will be informed in writing about results of the investigation and of any corrective action that has been or will be taken as a result of the investigation.*
- 5.7.9** *Where a resolution cannot be reached, or if the complainant is not satisfied with the resolution, an outside agency may become involved. Lakehead District School Board will cooperate, as required, with external proceedings (i.e. police, Ontario Human Rights Tribunal) as required by law.*
- 5.7.10** *Should the complaint be proven to be malicious or in bad faith, the complainant may be subject to the disciplinary action.*
- 5.7.11** *Where an employee related complaint has been investigated, human resources will maintain the investigation records in accordance with section 7.0, Records.*
- 5.7.12** *Under Regulation 18(1) (b) of the Teaching Profession Act, a teacher must "on making an adverse report on another member, furnish that member with a written statement of the report at the earliest possible time and not later than three days after making the report."*

## **5.8 Formal Student Complaints**

- 5.8.1** *Participants involved in the formal investigation procedure will include the complainant, the respondent, witnesses (if any), the principal or designated investigator(s) and/or support person(s).*
- 5.8.2** *Once a formal written complaint alleging harassment or discrimination from a student is received, the principal or designate(s) shall conduct an investigation. The principal or designate(s) will keep detailed notes pertinent to the investigation and as outlined in "records of investigation" (7.4).*
- 5.8.3** *The principal or superintendent will inform the parents/guardians of the involved parties if the student(s) are under the age of 18.*
- 5.8.4** *The investigator(s) normally will meet with the complainant first, to obtain the necessary information pertaining to their complaint.*



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- 5.8.5** *The investigator(s) will inform the respondent about the complaint and seek the respondent's response to the allegations. A copy of the formal signed complaint will be submitted to the respondent, indicating the name of the complainant and respondent, the places, times, dates and nature of the alleged incidents being investigated.*
- 5.8.6** *The principal or designate(s) conducts further fact-finding meeting(s), as needed, including to interview potential witnesses.*
- 5.8.7** *Once the principal or designate(s) has completed the fact-finding investigation, the final report of the investigation will be prepared. The final summary report is provided to the complainant (parent/guardian where appropriate), respondent and the appropriate superintendent(s). This summary will respect confidentiality to the extent possible.*
- 5.8.8** *In cases where there is a finding that a breach of the policy has occurred, appropriate disciplinary/remedial sanctions will be implemented. A record of the remedial or disciplinary action will be kept. The complainant and respondent will be informed, in writing, about results of the investigation and of any corrective action that has been or will be taken as a result of the investigation.*
- 5.8.9** *Where a resolution cannot be reached, or if the complainant and/or their parents/guardians are not satisfied with the resolution, an outside agency may become involved. Lakehead District School Board will cooperate, as required, with any external proceedings (for example, police, Ontario Human Rights Tribunal).*
- 5.8.10** *Should the complaint be determined to be malicious or in bad faith, the complainant may be subject to the disciplinary action.*
- 5.9** **Formal Other User Complaints**
- 5.9.1** *Participants involved in the formal investigation procedure will include the complainant, the respondent, witnesses (if any), an investigator(s) and/or support person(s).*
- 5.9.2** *Once a formal written complaint alleging harassment or discrimination is received from another user, the appropriate superintendent will appoint an investigator(s).*

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- 5.9.3** *The investigator(s) will meet with the manager to discuss the issue, as needed. The investigator(s) will keep detailed notes pertinent to the investigation and as outlined in “records of investigation” (7.4).*
- 5.9.4** *The investigator(s) conducts further fact-finding meeting(s), as needed, including to interview potential witnesses.*
- 5.9.5** *Once the investigator(s) has completed the fact-finding investigation, the final report of the investigation will be prepared. The final summary report is provided to the complainant, respondent and the appropriate superintendent(s). This summary will respect confidentiality to the extent possible.*
- 5.9.6** *The complainant and respondent will be informed in writing about results of the investigation and of any corrective action that has been or will be taken as a result of the investigation.*
- 5.9.7** *Where a resolution cannot be reached, or if the complainant and/or their parents/guardians are not satisfied with the resolution, an outside agency may become involved. Lakehead District School Board will cooperate, as required, with external proceedings (for example, police, Ontario Human Rights Tribunal).*
- 5.9.8** *Should the complaint be determined to be malicious or in bad faith, the complainant may be subject to the disciplinary action.*

## **6.0 Possible Remedial or Disciplinary Action**

*The type of remedy or discipline should:*

- *be based on an investigation;*
- *take all relevant factors into consideration; and*
- *be in accordance with the principles of progressive discipline and just cause, where applicable.*

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### 6.1 *Employee Respondents*

*Any remedial or disciplinary action must be taken in consultation with the human resource manager or the superintendent of business. Action taken against an employee respondent may include discipline, up to and including, termination.*

*Some examples, are as follows:*

- *an oral or written reprimand and/or a letter in file;*
- *counselling or training with an educational component focused on the impact of discrimination;*
- *continuing the employee in their assignment with precautionary measures, where appropriate;*
- *suspending the employee without pay; and*
- *termination.*

### 6.2 *For student respondents remedial or disciplinary action to address the misconduct could be as follows:*

- *an oral or written reprimand and/or a letter;*
- *counselling with an educational component focused on discrimination;*
- *informing parents, where applicable, according to LDSB policy;*
- *suspension;*
- *transfer (class or school);*
- *expulsion; and*
- *other appropriate discipline as outlined in the Education Act, other LDSB policies, or applicable Code(s) of Conduct.*

### 6.3 *For other user respondents action taken could be as follows:*

- *a letter of disapproval and warning;*
- *revoking of permits or contracts;*
- *issuing a trespass notice; and*
- *other remedies as applicable by law.*

## 7 Records

7.1 *All information will be gathered and dealt with in accordance with the Municipal Freedom of Information and Protection of Individual Privacy Act and be marked "PRIVATE AND CONFIDENTIAL". Records of investigation will be kept securely and according to the record retention schedule at LDSB.*

7.2 *Records of investigation may include copies of the complaint, details regarding the incident/complaint, investigation notes, summaries or reports.*

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- 7.3** *Human resources will maintain investigation records pertaining to employees in a confidential file.*
- 7.4** *Records shall be kept for a period of a minimum of two years and in accordance with LDSB's Records Retention Schedule. If, at the time prescribed in the retention schedule, there is no litigation, investigation or further activity under these procedures and the 7030 Human Rights and Workplace Harassment Policy involving a party to the original complaint, all records of the complaint will be destroyed. A record of the type of document destroyed, by whom and when, should be kept in accordance with privacy legislation.*

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- ~~2.1 Human Rights Harassment means engaging in a course of a vexatious comment or conduct that is known to be or ought reasonably to be known to be unwelcome to an individual or group, whether intended or not, based on: race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, gender identification, sexual orientation, age, marital status, family status, disability and/or record of offences.~~
- ~~2.2 Personal Harassment is defined as "offensive comments or actions which intimidate, demean, humiliate or coerce."~~
- ~~2.3 Sexual Harassment is defined as unwelcome conduct of a sexual nature that detrimentally affects the work environment including: "any sexual solicitations, advances, remarks or actions that are demeaning or intimidating."~~
- ~~2.4 Workplace is defined as any place where students, employees and other users work, learn or perform work or learning related duties or functions, including "all schools, Board property, Board offices, business trips, conferences, seminars, co-op placements, social and extra-curricular events that arise out of Lakehead District School Board involvement".~~
- ~~2.5 Student is any person, regardless of age, who is enrolled in any program offered by the Board.~~
- ~~Employee includes all persons employed by the Board.~~
- ~~2.6 Record of offences means a conviction for:~~
- ~~(a) an offence in respect of which a pardon has not been granted under the Criminal Records Act (Canada) and has not been revoked; or~~
- ~~(b) an offence in respect of any provincial enactment.~~
- ~~2.7 Other Users include all persons who are neither students nor employees while on Board premises or attending Board or school programs/functions at other premises in a business/social community relationship with the Board.~~
- ~~2.8 Gender Identity or Gender Identification means one's internal and psychological sense of oneself as being either male or female or neither. This is not related to sexual orientation.~~
- ~~2.9 Sexual Orientation encompasses the range of human sexuality, including who is desired to have as a partner, both sexually and emotionally.~~

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- 2.10 ~~LGBTTIQQ is a short form used generally to describe: Lesbian (a woman who forms sexual and emotional relationships with women), Gay (a man who forms sexual and emotional relationships with men), Bisexual (an individual who is attracted to and may form sexual and affectionate relationships with both males and females), Transgender (people who do not identify with the gender roles assigned to them based on their biological sex), Transsexual (people who present themselves and live in the gender opposite to what they were genetically assigned at birth. Transsexuals may have gender reassignment surgery to make their bodies fit their true gender), Two-spirited (term used by Aboriginal people to describe lesbian, gay, bisexual, or transgendered people), Intersex (people who are born with a combination of male and female anatomy), Queer (short for LGBTTIQQ, also a term used as an individual label and a positive socio-political movement related to LGBTTIQQ people), and Questioning (a term used by those who are in the process of questioning their sexual orientation and gender identity).~~
- 2.11 ~~Heterosexual refers to an individual who forms sexual and emotional relationships with people of the opposite gender.~~
- 2.12 ~~Heterosexism is the belief that heterosexual is the preferable or superior sexual orientation and is a form of homophobia.~~
- 2.13 ~~Homophobia is the irrational fear and/or hatred of, aversion to or discrimination against people who are not heterosexual.~~
- 2.14 ~~Transphobia is an irrational fear of, and/or hostility towards, people who are transgender or who otherwise transgress traditional gender norms.~~

**3. Guiding Principles**

- 3.1 ~~Employees, students and other users shall behave in a manner that is socially and professionally acceptable.~~
- 3.1.1 ~~Victims of harassment can be anyone at any level of the organization or school system (e.g. student, peer, co-worker, supervisor, visitor, or volunteer). Throughout this document, complainant refers to the alleged victim of harassment.~~
- 3.1.2 ~~Perpetrators of harassment can be anyone at any level of the organization or school system (e.g. student, peer, co-worker, supervisor, visitor, or volunteer). Throughout this document, respondent refers to the alleged perpetrator of harassment.~~
- 3.1.3 ~~Examples of harassment may include (but are not limited to the following):~~

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- ~~unwarranted touching;~~
- ~~requests for sexual favours, sexual advances, innuendos, or quid pro quo (the promise of something in return for something else);~~
- ~~repeated unwanted social invitations or requests;~~
- ~~expressions of bias or prejudice;~~
- ~~off-colour jokes;~~
- ~~remarks about an individual's appearance, race, ethnic origin, religion, sexual orientation, perceived sexual orientation or personal life situation;~~
- ~~display of pictures, cartoons or graffiti that are offensive;~~
- ~~inappropriate language;~~
- ~~stalking; and/or~~
- ~~threats of physical behaviour.~~

3.1.4 ~~Some examples of what harassment is not:~~

- ~~an occasional or casual compliment or remark;~~
- ~~good natured jesting or flirting that is acceptable to all parties;~~
- ~~normal exercise of supervisory responsibility, including direction, counselling, training, evaluation or discipline. This includes those duties required by teachers and other related educational employees of students (i.e., questioning about homework assignments, etc.); and~~
- ~~any voluntary interactions between consenting employees.~~

3.1.5 ~~This policy is not intended to constrain positive social interactions in the workplace.~~3.2 ~~Employees, students and other users will strive to foster a respectful workplace through the prevention and prompt resolution of harassment. Complaints will be taken seriously and handled professionally.~~3.2.1 ~~Administrative Responsibilities:~~

- ~~Administration will disseminate the harassment policy throughout the Lakehead District School Board.~~
- ~~Administration will ensure that individuals who may be impacted by this policy have an awareness of the policy, their responsibilities under the policy and an understanding of the complaint resolution procedure.~~
- ~~Administration will administer the policy according to the procedures, and will remain fair and objective during all stages of the investigation process.~~
- ~~To ensure professionalism and consistency, training may be provided for all investigators of harassment incidents.~~

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~~3.2.2 Responsibilities of Students, Employees and Other Users:~~

- ~~• follow the applicable Code(s) of Conduct;~~
- ~~• treat all individuals fairly, and with dignity, while respecting and valuing differences in individuals;~~
- ~~• demonstrate courtesy and self discipline in actions and words;~~
- ~~• respect Board property and the property of individuals;~~
- ~~• stop behaviour if advised that it is inappropriate, unwelcome, etc.; and~~
- ~~• challenge harassment when it happens, and refuse to participate in potentially harassing behaviour.~~

~~3.2.3 Rights of Complainants and Respondents (not specifically set out in these procedures):~~

- ~~• to be kept up-to-date of the investigation process in a timely fashion;~~
- ~~• to be provided with a summary copy of the final report findings (for formal complaints);~~
- ~~• to have disciplinary/remedial sanctions imposed remain in confidence, and not disclosed to the complainant (or to the respondent in cases of malicious or bad faith complaints); and~~
- ~~• to be informed of the differences between the informal and formal investigation processes.~~

~~3.2.4 A Complainant's Possible Choices of Action may include:~~

- ~~• consulting with a peer;~~
- ~~• confronting harasser;~~
- ~~• speaking to a union representative;~~
- ~~• approaching the Supervisor/Principal or other person in position of authority;~~
- ~~• approaching appropriate legal authorities e.g. Police, Ontario Human Rights Commission; and~~
- ~~• at his/her own expense, choose to contact a lawyer to discuss legal rights and/or civil action.~~



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~~3.2.5 Whistleblower Protection: An employee or student of the Lakehead District School Board who comes forward in good faith with reports or concerns about compliance of this policy and/or procedure shall not be subject to reprisal or retaliation for making such a report.~~

~~3.3 **INFORMAL COMPLAINT PROCESS** (see Appendix A and Appendix B)  
LDSB shall provide a mechanism for complainants to lodge an informal complaint.~~

~~3.3.1 The key to the informal resolution phase is that there is no formal investigation procedure. There is nothing in this process that would prevent a complainant from by-passing the informal resolution stage and proceeding directly to the formal investigation stage.~~

~~3.3.2 Complainants are encouraged to resolve their concerns first by confronting the respondent. If this does not result in the end of the harassment or if the complainant is uncomfortable confronting the harasser, alternate methods of reporting are available. Complainants are encouraged to keep a record of dates, times, places and witnesses of the harassment, as well as specific details.~~

~~3.3.3 If the complainant is not satisfied with the results of the above process, or is uncomfortable confronting the harasser, the harassment can be reported to a resource person (the Principal, Vice Principal, Supervisor, Manager or a union representative, if applicable).~~

~~3.3.4 Once the harassment has been reported, an informal resolution will be sought, (if appropriate) with the involvement of the appropriate Principal, Vice Principal, Supervisor, or Manager (e.g. complainant confronting respondent alone or with staff person, respondent apologizing to complainant).~~

~~3.3.5 The complainant will be informed of:~~

- ~~• LDSB harassment policy and procedures;~~
- ~~• limits to the confidentiality of the process (see 3.6);~~
- ~~• the right to counselling provided by the Board;~~
- ~~• the right to withdraw the complaint at any time;~~
- ~~• the right to representation by any person of their choice at any time during the process and/or in accordance with collective agreement provisions; and~~
- ~~• the right to initiate a formal written complaint.~~

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~~3.3.6 The respondent will be informed of:~~

- ~~• LDSB harassment policy and procedures;~~
- ~~• limits to the confidentiality of the process (see 3.6);~~
- ~~• the right to counselling provided by the Board;~~
- ~~• the right to representation at any time during the process by any person of his/her choice and/or in accordance with collective agreement provisions; and~~
- ~~• the nature of the allegation, and who has lodged the complaint.~~

~~3.3.7 Once the Principal, Vice Principal, Supervisor, or Manager of the respondent is made aware of the allegation, an attempt to resolve the conflict informally will be used. Informal resolutions can come about through communicating with the respondent.~~

~~3.3.8 If the complaint cannot be resolved informally, to the satisfaction of the complainant, the complainant can choose to lodge a formal written complaint, and therefore, proceed to the formal complaint stage.~~

~~3.4 **FORMAL COMPLAINTS** (see Appendix A and Appendix B)~~

~~The Board shall provide a mechanism for complainant to lodge a formal complaint.~~

~~3.4.1 Student complainants should send a written copy of the complaint, describing the incident(s), witnesses and steps already taken to resolve the matter, to their Principal or Vice Principal directly. If assistance is required in reporting the complaint, the student should contact the school administration directly, or through his/her representative (i.e. parent, teacher, etc.). If the Principal is the alleged harasser, then the complaint letter should be sent directly to the appropriate Superintendent.~~

~~3.4.2 Employee complainants should send a written copy of the complaint, describing the incident(s), witnesses and steps already taken to resolve the matter, to the appropriate Superintendent.~~

~~3.4.3 Other user complainants should send a written copy of the complaint, describing the incident(s), witnesses and steps already taken to resolve the matter, to the appropriate Superintendent.~~

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~~3.5 The Board shall provide a fair and objective formal process for dealing with alleged incidents of harassment.~~

~~Principals, Vice Principals, Supervisors, and Managers will adhere to the following procedures when dealing with a formal complaint.~~

### ~~3.5.1 Investigation Guidelines~~

- ~~a) The investigation of any allegation of harassment must be consistent with current collective agreements and the doctrine of "procedural fairness".~~
- ~~b) All complaints should be reported within six months of the most recent alleged harassing behaviour, though individual circumstances will be considered (e.g. if there has been a pattern of incidents involving a particular person). Prompt reporting is encouraged as it allows for more thorough and accurate investigations. Investigations will be conducted within a reasonable timeframe, respecting both the need for a prompt resolution and the need for a thorough and complete investigation.~~
- ~~c) All information will be gathered and dealt with in accordance with the Municipal Freedom of Information and Protection of Individual Privacy Act. Records of investigation will be kept (3.5.5.5).~~
- ~~d) All actions must be premised on the need to protect the parties involved in the situation.~~
- ~~e) The lead investigator holds the files and maintains confidentiality, except where outside agencies have the right to information.~~

### ~~3.5.2 Formal Employee Complaints~~

~~3.5.2.1 Participants involved in the formal investigation procedure will include the complainant, the respondent, witnesses (if any), their representatives and/or in accordance with the collective agreement, and an investigator or investigation team. The investigator or members of the investigation team should not be directly involved with the complainant or respondent (i.e. in a direct report relationship). All efforts will be made to ensure that the investigator(s) is an impartial third party.~~

~~3.5.2.2 Once a formal written complaint is received, the appropriate Superintendent appoints an investigator or an investigation team, with an identified lead investigator.~~

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- ~~3.5.2.3 — The investigator/investigation team meets with the Principal/Supervisor/Manager to discuss the issue. All those involved will keep detailed notes pertinent to the investigation as outlined in “records of investigation” (see 3.5.5.5).~~
- ~~3.5.2.4 — The investigator/investigation team will meet with the complainant to get clarification of issues that may be unclear, and inform the complainant of the information contained in section 3.3.5.~~
- ~~3.5.2.5 — The investigator/investigation team will meet with the respondent in the absence of the complainant, and inform the respondent of the information contained in 3.3.6. A copy of the formal signed complaint will be submitted to the respondent, indicating: the name of the complainant and respondent, the places, times, dates and nature of the alleged incidents being investigated. A copy of the harassment policy and procedure will also be provided. The respondent may (at any stage of the investigation) respond to the allegations.~~
- ~~3.5.2.6 — The investigator/investigation team conducts further fact finding meeting(s) to ascertain the severity of the situation, interview potential witnesses, etc.~~
- ~~3.5.2.7 — Where an employee respondent has elected (in writing) not to accept representation from his/her union or employee group, the union or employee group will be informed by the investigator.~~
- ~~3.5.2.8 — Once the investigator/investigation team has conducted adequate research, a final report of the investigation will be prepared, including the results of the fact finding meeting(s). A summary of the report findings will be provided to the complainant, respondent and the appropriate Superintendent. This summary will respect confidentiality to every extent possible.~~
- ~~3.5.2.9 — Appropriate disciplinary/remedial sanctions are implemented. A record of the disciplinary actions will be placed in the employee’s personnel file. It should be noted that the complainant will not be informed of the disciplinary sanctions imposed on the respondent.~~
- ~~3.5.2.10 — Where a resolution cannot be reached, or if the complainant is not satisfied with the solution, an outside agency may become involved.~~

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~~The Board will cooperate as required with any external proceedings (i.e. Police, Human Rights Commission).~~

~~3.5.2.11 — Should the complaint be determined to be malicious or in bad faith (unjustified), the complainant will be subject to the disciplinary actions as described in this procedure. All attempts will be made to lessen the damage done to the alleged respondent (i.e. to correct mistaken impressions, or control reputation damage).~~

~~3.5.2.12 — Where a complaint has been investigated, Human resources will maintain investigation records in accordance with 3.5.5.5.~~

~~3.5.2.13 — Under Regulation 18(1) (b) of the Teaching Profession Act, a teacher must "on making an adverse report on another member, furnish that member with a written statement of the report at the earliest possible time and not later than three days after making the report."~~

**3.5.3 — Formal Student Complaints**

~~3.5.3.1 — Participants involved in the formal investigation procedure will include the complainant, the respondent, witnesses (if any) their representatives (if requested), and the Principal/Vice Principal.~~

~~3.5.3.2 — Once a formal written complaint is received by the Principal/Vice Principal, the Principal/Vice Principal shall conduct an investigation. Records of the investigation will be kept by the Principal/Vice Principal (3.5.5.5).~~

~~3.5.3.3 — The Principal/Vice Principal will meet with the complainant, and ask the complainant to describe, in as much detail as possible, the alleged incident(s). The Principal/Vice Principal will clearly document this meeting. The complainant may be accompanied by a support person (i.e. parent, teacher, peer support).~~

~~3.5.3.4 — The Principal/Vice Principal will meet with the respondent in the absence of the complainant. A copy of the formal signed complaint will be submitted to the respondent, indicating: the name of the complainant and respondent, the places, times, dates and nature of the alleged incidents being investigated. A copy of the Harassment and Human Rights Policy and Procedures will also be provided. The respondent may (at any stage of the investigation) respond to the allegations. The respondent may be accompanied by a support~~

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~~person (i.e. parent, teacher, peer support, union representative if the respondent is an employee).~~

- ~~3.5.3.5 — The Principal/Vice Principal will inform the parents/guardians of the involved parties if the student(s) are under the age of 18.~~
- ~~3.5.3.6 — The Principal/Vice Principal conducts further fact finding meetings if necessary, to ascertain the severity of the situation, and to interview witnesses, etc.~~
- ~~3.5.3.7 — Once the Principal/Vice Principal has conducted adequate research, a summary of the findings will be prepared and provided to the complainant and respondent. This summary will respect confidentiality to every extent possible.~~
- ~~3.5.3.8 — Appropriate disciplinary/remedial sanctions are implemented. It should be noted that the complainant should not be informed of the disciplinary sanctions imposed on the respondent.~~
- ~~3.5.3.9 — Where a resolution cannot be reached, or if the complainant, and or his/her parents/guardians are not satisfied with the solution, an outside agency may become involved. The Board will cooperate as required with any external proceedings (i.e. Police, Human Rights Commission).~~
- ~~3.5.3.10 — Should the complaint be determined to be malicious or in bad faith (unjustified), the complainant will be subject to the disciplinary actions as described in this procedure.~~
- ~~3.5.4 — Formal Other User Complaints~~
- ~~3.5.4.1 — Participants involved in the formal investigation procedure will include the complainant, the respondent, witnesses (if any), their representatives, and an investigator/investigation team.~~
- ~~3.5.4.2 — Once a written complaint is received, the appropriate Superintendent will appoint an investigator/investigation team. The investigator or members of the investigation team should not be directly involved with the complainant or respondent (i.e. in a direct report relationship). All efforts will be made to ensure the investigator(s) are an impartial third party.~~

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- ~~3.5.4.3 — The investigator(s) will meet with the Supervisor/Manager to discuss the issue. All those involved will keep detailed notes pertinent to the investigation as outlined in “records of investigation” (3.5.5.5).~~
- ~~3.5.4.4 — The investigator/investigation team may choose to meet with the complainant to get clarification on issues that may be unclear.~~
- ~~3.5.4.5 — The investigator/investigation team will meet with the respondent in the absence of the complainant. A copy of the formal signed complaint will be submitted to the respondent, indicating the name of the complainant and respondent, the places, times, dates and nature of the alleged incidents being investigated. A copy of the Harassment and Human Rights Policy and Procedures will be provided as well. The respondent may (at any stage of the investigation) respond to the allegations.~~
- ~~3.5.4.6 — If necessary, the investigator/investigation team conducts further fact finding meeting(s) to ascertain the severity of the situation, interview potential witnesses, etc.~~
- ~~3.5.4.7 — Once the investigator/investigation team has conducted adequate research, a summary will be completed, and provided to the complainant and the respondent. This summary will respect confidentiality to every extent possible.~~
- ~~3.5.4.8 — Appropriate disciplinary/remedial sanctions are implemented. It should be noted that the complainant should not be informed of the disciplinary sanctions imposed on the respondent.~~
- ~~3.5.4.9 — Where a resolution cannot be reached, or if the complainant is not satisfied with the solution, an outside agency may become involved. The Board will cooperate as required with any external proceedings (i.e. Police, Human Rights Commission).~~
- ~~3.5.4.10 — Should the complaint be determined to be malicious or in bad faith (unjustified), the complainant will be subject to the disciplinary actions as described in this procedure.~~

~~3.5.5 — Possible Remedial/Disciplinary Actions~~~~3.5.5.1 — For employees:~~

- ~~• an oral or written reprimand and/or a letter in file;~~

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- ~~counselling/training with an educational component focused on the impact of discrimination;~~
- ~~continuing the employee in his or her assignment with precautionary measures where appropriate;~~
- ~~transfer;~~
- ~~demotion;~~
- ~~assigning the employee to an alternate work situation;~~
- ~~suspending the employee without pay; and~~
- ~~dismissal.~~

3.5.5.2 For students:

- ~~an oral or written reprimand and/or a letter in OSR;~~
- ~~counselling with an educational component focused on discrimination;~~
- ~~informing parents where applicable according to Board policy (i.e. Freedom of Information restriction);~~
- ~~suspension;~~
- ~~transfer (class or school);~~
- ~~expulsion; and~~
- ~~other appropriate discipline as outlined in the Education Act, other Board policies, or applicable Code(s) of Conduct.~~

3.5.5.3 ~~For other users:~~

- ~~letter of disapproval and warning;~~
- ~~revoking of permits or contracts;~~
- ~~issuing a trespass notice; and~~
- ~~other remedies as applicable by law.~~

3.5.5.4 ~~The type of remedy/discipline should:~~

- ~~be based on a thorough and proper investigation;~~
- ~~take all relevant factors into consideration; and~~
- ~~be in accordance with the principles of progressive discipline and just cause.~~



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3.5.5.5 Records of investigation will include:

- the names of complainant(s) and respondent(s);
- the nature of the alleged harassment;
- a record of meetings, specifying meeting dates, times and names of attendees;
- a copy of any correspondence between parties;
- the present disposition of the complaint, including final resolution;
- a signed formal complaint (if applicable);
- any disciplinary action involved;
- background information gained through interviews, meetings, etc.;
- proper documentation required for both the informal process and the formal investigation; and
- Human resources will maintain all investigation records in a confidential file.

3.6 Confidentiality will be maintained to every extent possible, but it should be understood that the nature of the investigation may be expanded beyond the complainant(s) and the respondent(s) to verify factual information.

3.6.1 Information will only be disclosed by the Board to those necessary to the investigation. The Board cannot be held responsible for the actions of the complainant or respondent in relation to any outside agency. The Board may be legally required to provide information to an outside authority. As well, the Board may be legally required to speak to the respondent regarding the harassment and, where appropriate, take further action. It is because of these facts that absolute confidentiality cannot be guaranteed. All those that are involved with the investigation process must abide by the confidentiality guidelines.

3.6.2 Regardless of the outcome of the complaint, no action will be taken against a complainant unless it can be shown that the complaint was made maliciously or in bad faith.

3.6.3 Reassignment or relocation for the safety/security of individuals involved is not considered discipline.

4. These procedures shall be reviewed in accordance with Policy Development and Review Policy 2010.

**PERSONNEL & EMPLOYEE RELATIONS****7000**

DRAFT – NOVEMBER 10, 2020

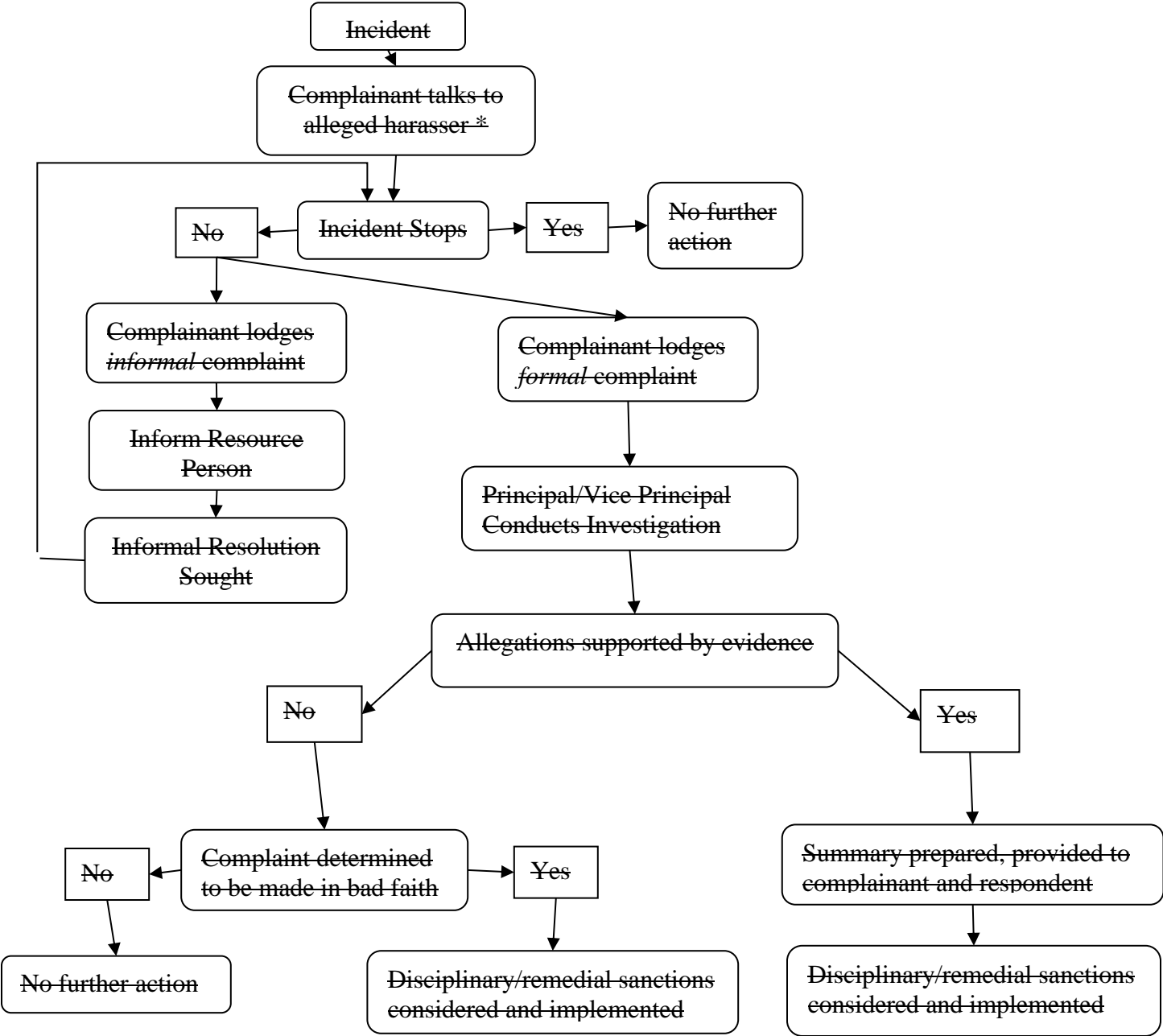
**~~HARASSMENT AND HUMAN RIGHTS~~  
HUMAN RIGHTS AND WORKPLACE  
HARASSMENT PROCEDURES****7030****8. Review**

*These procedures will be reviewed in accordance with the Occupational Health and Safety Act and LDSB policy.*

<u>Cross Reference</u>	<u>Date Approved</u>	<u>Legal Reference</u>
<b>7030 Workplace Harassment and Human Rights Procedures</b>	April 19, 1994	Ontario Human Rights Code
1020 Equity and Inclusive Education - <b><i>Faith and Creed Accommodation Guideline Appendix A</i></b>	<u>Date Revised</u> June 22, 2004 April 22, 2008	<b><i>Occupational Health and Safety Act</i></b>
8070 Safe Schools, System Expectations		
8071 Bullying Prevention and Intervention		
<b>8072 Sexual Orientation and Gender Identity</b>		
<b>8075 Service Animals in Schools</b>		

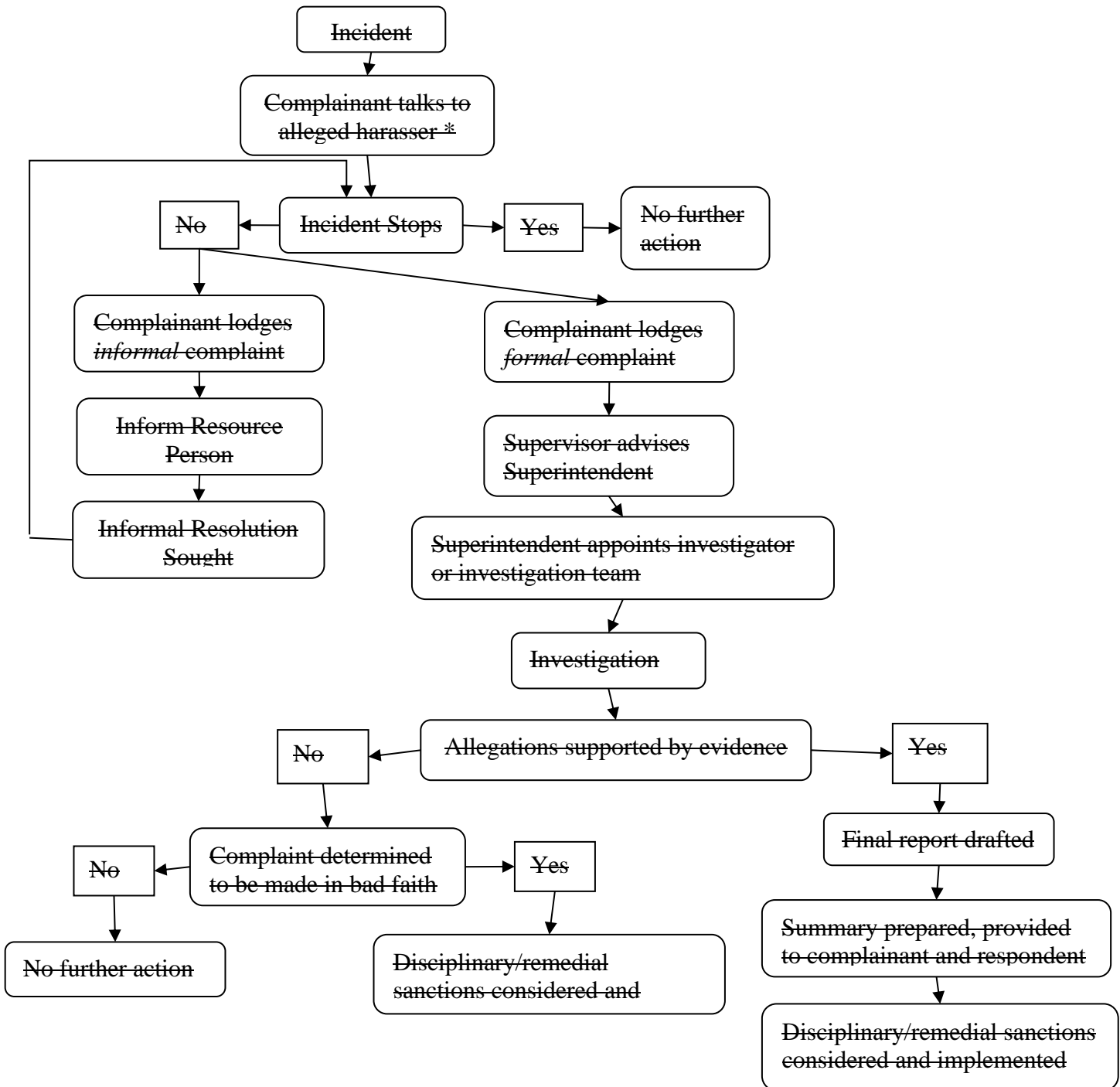
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# ~~HARASSMENT COMPLAINT PROCEDURES FOR STUDENTS~~



\* if the complainant is uncomfortable confronting the harasser, please refer to section 3.3.2 and 3.3.3 of the procedures.

# HARASSMENT COMPLAINT PROCEDURES FOR EMPLOYEES AND OTHER USERS



\* if the complainant is uncomfortable confronting the harasser, please refer to section 3.3.2 and 3.3.3 of the procedures.

LAKEHEAD PUBLIC SCHOOLS  
OFFICE OF THE DIRECTOR OF EDUCATION

2020 NOV 10  
Report No. 083-20

TO THE CHAIR AND MEMBERS OF  
THE STANDING COMMITTEE – Public Session

RE: POLICY DEVELOPMENT HIRING POLICY

1. Background

- 1.1 It is the policy of Lakehead District School Board that policies will be developed/reviewed in accordance with 2010 Policy Development and Review Policy.
- 1.2 The Ministry of Education revoked Ontario Regulation 274/12 – Hiring Practices, which outlined hiring practices for boards of education across Ontario.

2. Situation

- 2.1 The best practice is for Lakehead District School Board to develop its own Hiring Policy, which will ensure alignment with both Board and provincial requirements.
- 2.2 The Ministry of Education will be releasing a Policy and Procedure Memorandum regarding hiring and expects boards to have a Hiring policy and procedure in place by December 31, 2020.

RECOMMENDATION

It is recommended that Lakehead District School Board approve the development of a Hiring Policy as indicated in Report No. 083-20.

Respectfully submitted,

MICHELLE PROBIZANSKI  
Superintendent of Education

IAN MACRAE  
Director of Education