



Matthews Hall

Established 1918

POLICY ON HUMAN RIGHTS

PURPOSE

Matthews Hall (the “School”) is committed to maintaining a learning and working environment which actively promotes and supports human rights. The School recognizes the value of:

- each and every student;
- a strong independent education system;
- a partnership of students, schools, family and community;
- the uniqueness and diversity of our students and our community;
- the commitment and skills of our staff;
- equity, innovation, accountability and accessibility; and
- learning environments that are safe, nurturing, positive and respectful.

The School is committed to meeting its obligations under the Ontario *Human Rights Code*, R.S.O. 1990, c. H.19, (the “Code”) by providing safe and inclusive schools and workplaces that respect the rights and dignity of every individual. Every student, employee, parent and community member has the right to learn and work in an environment free of discrimination and harassment. Discrimination and harassment based on legislated prohibited grounds will not be tolerated. Such behaviour must be addressed not only for its cost in individual, human terms but also for its cost to our social, economic and civic future.

This policy is guided by the principles set out in the Code, as well as the Ministry of Education’s *Equity and Inclusive Education in Ontario Schools* guidelines. This policy should be read in conjunction with the School’s Policy on Equity and Inclusive Education. The purpose of this policy is to support student achievement by embedding the principles of equity and inclusive education into all aspects of the learning environment, and to prevent discrimination and harassment through greater awareness of and responsiveness to their deleterious effects.

The School will work cooperatively, and in a spirit of respect, with all partners in fulfilling its duty to accommodate. The School is committed to ensuring that education on human rights issues is provided for all staff and students.

POLICY COMPONENTS

Legislative Context

The Ontario *Human Rights Code*

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

To Whom Does This Policy Apply?

This policy applies to all School students, employees, and other users such as members of consultative committees, clients of the School, parents, volunteers, permit holders, contractors, and employees of organizations not related to the School but who nevertheless work on or are invited onto School premises. This policy also covers discrimination and harassment by such persons which occur outside the study/work place, and which are proven to have repercussions that adversely affect the School's learning/working environment.

Grounds of Discrimination

Under this policy, the School upholds and supports the right to equal treatment without discrimination based on the following prohibited grounds:

- race
- ancestry
- place of origin
- colour
- ethnic origin
- citizenship
- creed
- sex
- sexual orientation
- gender identity
- gender expression
- age
- record of offences
- marital status
- family status or
- disability

To the extent that the School is also a housing provider for a student or staff, receipt of public assistance is also a protected ground.

Duties and Responsibilities

The School has a duty to maintain an environment respectful of human rights and free of discrimination and harassment for all persons served by it. It must be ever vigilant of anything that might interfere with this duty. In fostering this environment, the School expects that everyone will:

- be aware of and sensitive to issues of discrimination and harassment;
- support individuals who are, or have been, targets of discrimination and harassment;
- prevent discrimination and harassment;
- take reasonable steps to remove any discriminatory barriers in employment policies and practices and in accessing programs, resources, and facilities;
- take all allegations of discrimination and harassment seriously and respond promptly;
- provide positive role models;
- not demonstrate, allow or condone behaviour contrary to this policy, including reprisal; and
- report immediately hate speech or activity.

Anyone found to be in contravention of this policy may be subject to disciplinary action, which for staff may include dismissal for just cause.

Human Resources

The Human Resources Department of the School has the responsibility to designate resources for ensuring the implementation of, and compliance with, this policy and procedures.

Teachers

Teachers have a particular obligation to ensure that the learning environment is free of discrimination and harassment and to respond speedily to breaches of this policy when they occur. The School recognizes that preventive education and proactive practices are the best long-term strategies to achieve an inclusive learning and working environment. It is essential, therefore, that School programs, curriculum, teaching methods and management practices support the values embodied in this policy.

Supervisory and Managerial Personnel

Supervisory and managerial personnel have a specific duty to implement this policy. This duty includes prevention of and response to discrimination and harassment and the education of staff, students and the school community.

Failure to take measures to address discrimination and harassment in the learning and working environment may have legal implications for the School.

Accommodation

Accommodation in the context of creed, family status, sex (including pregnancy), disability, age, gender expression and gender identity, or other grounds as required by the Code, will be provided in accordance with the principles of dignity, individualization, and inclusion. The School will work cooperatively, and in a spirit of respect, with all partners in the accommodation process. Anyone requesting accommodation is required to cooperate in the accommodation process and provide information requested by the School as may be needed to formulate appropriate accommodations.

Accommodation will be provided up to the point of undue hardship. A determination regarding undue hardship will be based on an assessment of costs, outside sources of funding, and health and safety. It will be based on objective evidence.

Request for Accommodation

Accommodation requests should, whenever possible, be made in writing. The accommodation request should indicate:

- The Code ground with respect to which accommodation is being requested;
- The reason why accommodation is required, including enough information to confirm the existence of a need for accommodation; and
- The specific needs related to the Code ground.

In the case of disability-related accommodations, the request need not specify a diagnosis or unnecessary medical information, but should set out the restrictions or accommodations required.

No person will be penalized for making an accommodation request in good faith.

The School, the person requesting accommodation related to a Code ground and any necessary experts will work together cooperatively to develop an Accommodation Plan for the individual. In the course of doing so, the School may require further information related to the accommodation request.

Additional Information

The School may require further information related to the accommodation request, in the following circumstances:

- Where the accommodation request does not clearly indicate a need related to a Code ground;
- Where further information related to the applicant's limitations or restrictions is required in order to determine an appropriate accommodation;
- Where there is a demonstrable objective reason to question the legitimacy of the person's request for accommodation.
- Where expert assistance is necessary in order to identify accommodation needs or potential solutions, the accommodation seeker is required to cooperate in obtaining that expert advice.

Confidentiality

The School will maintain the confidentiality of information related to an accommodation request, and will only disclose the information as needed in order to determine accommodation needs, to implement an accommodation solution, with the consent of the individual, or as required by law.

Undue Hardship

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

Complaints

All those who are covered by this policy are entitled to complain about discrimination and harassment, and are encouraged to access the School's complaint procedures.

Nothing in this policy precludes, nor requires, individuals who believe they are targets of (or have witnessed) discrimination and harassment from directly expressing that the behaviour is inappropriate and must stop immediately. Many complaints can be resolved quickly and effectively using this approach, but it may not be appropriate or effective in every situation.

In order to stop discrimination and harassment, the School's supervisory and managerial personnel will endeavour to expeditiously address and attempt to resolve complaints.