



Section 3: Staff

“Together We Learn”

350 - HUMAN RIGHTS

Introduction

The Board of Education is committed to providing a learning and working environment which provides equal access and opportunities to all and where discriminatory practices that violate the B.C. *Human Rights Code* (“*the Code*”) are prohibited.

The Board believes that the learning and working environment should be supportive of the dignity and self-esteem of individuals at all times. Achieving this desired environment depends upon mutual respect, cooperation and understanding among all individuals and groups who are involved in School District activities.

Policy

1. The Board is committed to a learning and working environment that is free from discrimination and harassment based on race, colour, ancestry, place of origin, political belief, religion, family or marital status, physical or mental disability, sex or sexual orientation, age, or criminal or summary conviction offence that is unrelated to education or employment.
2. The Superintendent is responsible for ensuring that the provisions of the Code and this policy are communicated and understood.
3. District employees are responsible for conducting themselves at all times in accordance with the provisions the Code and this policy. Employees who believe that they are being discriminated against or harassed in breach of the Code or this policy are responsible for taking steps to allow their concerns to be addressed.
4. Parents and other members of the community involved in School District activities are responsible for conducting themselves in accordance with the provisions of the Code and this policy. If an individual or group believes that they are being discriminated against or harassed in breach of the Code or this policy, they are responsible for taking steps to allow their concerns to be addressed.
5. District employees who have supervisory responsibility must ensure that the learning or working environment they are responsible for is free from discrimination and harassment as defined in the Code and this policy. If a person with supervisory responsibility suspects that discrimination or harassment is occurring, he or she must take steps to address the issue.
6. To assist in achieving these objectives, the Superintendent will make the following resources available :



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6.1 Volunteer Human Rights Advisors

These Advisors will be responsible for providing advice and support to anyone who believes they have been discriminated against or harassed in breach of this policy. Training in human rights and the role of the advisor will be provided to the human rights advisors. The Advisors will be selected from the partner groups.

6.2 Human Rights Investigators

These are trained individuals who are able to mediate complaints, conduct formal investigations, or answer questions about Human Rights legislation and this policy.

Application

1. This policy is intended to apply to all adults who are involved in any School District activity. This includes School District employees, parents, volunteers, third parties doing business with the School District, and members of the general public who interface with the School District.
2. A separate policy exists for discrimination toward or by students (Board Policy 450 – Discrimination Toward and By Students).
3. Inappropriate behaviour that is not based on a protected ground in the Human Rights Code is addressed under Board Policy 351 – Respectful Workplace.
4. The conduct of the Board of Education is addressed in Board Policy 125 – Trustee Code of Ethics.

Definitions

For the purposes of this policy, the following definitions are used:

Discrimination is defined as:

- a) a distinction, whether intentional or not, that is based on grounds identified in the Code relating to the personal characteristics or an individual or group, and
- b) the distinction has the effect of imposing burdens, obligations, or disadvantages on an individual or group that are not imposed on others, or withholds or limits access to opportunities, benefits, and advantages available to others, and
- c) the distinction is not based on a bona fide occupational requirement.



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Harassment is defined as behaviour that occurs while conducting or participating in activities related to the learning or working environment that:

- (a) is based on or related to a prohibited ground of discrimination as set out in the *Human Rights Code*: race, sex, marital status, family status, ancestry, place of origin, sexual orientation, age, colour, religion, political belief, criminal conviction unrelated to employment, or mental or physical disability, and
- (b) is unwelcome or is of such a nature that it would be reasonable to assume that it is unwelcome, and
- (c) detrimentally affects the learning and working environment or leads to adverse consequences for the victim of the harassment.

Harassment can take place at School District functions and activities during normal hours of operation or during non-operational hours.

The victim or the alleged harasser may be a School District employee, parent, volunteer, or a third party doing business with the District.

Examples of harassment include:

- use of insulting or derogatory language;
- unwelcome physical contact such as touching or patting;
- unwelcome attention of a sexual nature such as leering, questions or remarks about sex life, and remarks about physical appearance;
- offensive remarks, jokes or innuendo;
- display of pornographic, sexist, racist or other offensive or derogatory material including through e-mail, the internet or other electronic means;
- social invitations that are unwelcome or that reasonably would be perceived to be unwelcome; and
- retaliation for bringing a complaint under this policy.