

HUMAN RIGHTS EQUITY

Background

In keeping with the spirit and intent of Article 26 of the United Nations Universal Declaration of Human Rights, the United Nations Convention on the Rights of the Child, the Canadian Charter of Rights and Freedoms, and the Saskatchewan Human Rights Code, the Division subscribes to the fundamental principle that all persons are equal in dignity and rights. The development and implementation of procedures, practices and programs shall reflect and promote everyone's right to equal concern and respect, and provide an environment which promotes and fosters growth, harmony, and equality of opportunities for all students and staff members.

In Canada, all people enjoy certain fundamental rights and freedoms regardless of race, ethnicity, culture, gender, religion, ability or disability. The Division supports the principle that all people should have these rights respected. Acts of discrimination based on these or other differences protected by law shall not be tolerated in the public school system.

Procedures

1. Curriculum

- 1.1 The curriculum shall make provision for students and teachers to acquire an understanding of human rights and social justice and the necessary knowledge and skills to enable them to deal constructively with racism, sexism and discrimination encountered in daily life experiences.
- 1.2 Students shall be given the opportunity to:
 - 1.2.1 Develop and maintain confidence and a sense of self-worth;
 - 1.2.2 Acquire the basic skills fundamental for future education and employment opportunities;
 - 1.2.3 Gain the knowledge and acquire the attitudes necessary for active and full participation in Canadian society and in an increasingly interdependent world;
 - 1.2.4 Develop positive attitudes and an understanding of differences in religions, cultures, races, genders, disabilities and abilities;
 - 1.2.5 Gain an appreciation for their own cultural backgrounds as well as for the cultural backgrounds of others; and
 - 1.2.6 Develop their potential and aspirations without limitations imposed by stereotyping or discrimination.

- 1.3 In accordance with Administrative Procedure 250 Instructional Resources, each school shall attempt to select materials that reflect the diversity of the community and recognize positive elements of cultures.

2. Assessment and Placement of Students

- 2.1 All instruments employed for assessment, testing, interviewing and counselling shall be selected, administered and interpreted in such a way that they are valid indicators, as far as possible, of each student's ability and/or achievement.
- 2.2 All assessment procedures and placement practices shall be administered in an unbiased manner.
- 2.3 Staff members shall base expectations of students, and both formal and informal evaluation procedures, on observed growth and verifiable achievements. Staff members shall guard against basing expectations for achievement on prejudices or stereotypes.

3. Incidents of Discrimination

Definition:

Incidents involving discrimination are defined as actions against one's race, culture, religion, gender, ethnicity, disability, ability or other differences protected by law. Such actions include name calling, insults, exclusion, racial, religious, ethnic jokes, teasing, graffiti, threats and physical abuse or violence that:

- Are made by a person who knows, or ought reasonably to know, that such action is unwelcome; and
- Cause discomfort and endanger the well-being, performance or job security of the victim.

3.1 Involving Students

Most incidents of discrimination involving students can be resolved if they are dealt with directly and are part of learning to work and play together productively within the school community. Staff members are asked to use their judgment to determine whether the incident requires the involvement of parents/guardians and/or the application of consequences through existing disciplinary procedures.

- 3.1.1 A student witnessing or experiencing an incident involving discrimination is expected and encouraged to report the details of the incident to a member of the school staff.
- 3.1.2 Any staff member witnessing an incident involving discrimination by a student, or to whom the details of such an incident have been reported, shall, without undue delay:
 - Assist those involved and those looking on in identifying the discriminatory behaviour and appropriate alternative behaviours;
 - Provide support to the victim or victims of the incident; and

- When possible, bring the parties together to seek a mutual understanding about future interactions.

3.1.3 In the event that a mutual understanding has not been reached, or the seriousness of the incident warrants, or it is a repeat offence, the staff member shall record the details of the incident and discuss it with the Principal in order to generate alternative strategies which may be implemented.

3.1.4 When appropriate, the teacher and/or the Principal shall attempt to achieve a satisfactory resolution by discussing the incident with the students and the parents or guardian.

3.1.5 In the event that a satisfactory resolution is not achieved, or subsequent incidents are committed by the same student, further consequences shall be applied in accordance with Administrative Procedures 350 Student Conduct and Administrative Procedure 355 Discipline.

3.2 Involving Staff Members

It is anticipated that most incidents involving staff members can be resolved through an informal process of discussion and working together toward a common ground of mutual understanding. In the event that this is not possible, or a satisfactory informal resolution is not reached, any one of the parties may wish to involve a third party. A more formal route to resolution may be taken by involving the Director or designate. In dealing with allegations of discrimination, confidentiality will be maintained by all persons involved, to the maximum extent possible.

3.2.1 A staff member witnessing or experiencing an incident involving discrimination by another staff member is encouraged to discuss and resolve the incident with the individual(s) involved.

3.2.2 In the event that the incident is not satisfactorily resolved, it shall be reported to the immediate supervisor or a superintendent. The supervisor or superintendent shall discuss the incident with both parties and attempt to reach a satisfactory resolution.

3.2.3 In the event that a mutual understanding has not been reached, or the seriousness of the incident warrants, the Director or designate shall follow regular procedures for dealing with complaints regarding the behaviour of a staff member, including investigation of the circumstances relevant to the complaint. The person whose behaviour is alleged to be unacceptable shall be notified in writing of the complaint.

3.2.4 Notwithstanding the above procedures, any employee may contact his or her employee group and/or the Saskatchewan Human Rights Commission. Should the employee so wish, the employee may be accompanied by, or represented by, a representative of the appropriate employee group at any and all meetings which the employee attends regarding this process.

- 3.2.5 In the event the steps set out in the above procedures do not resolve the issue, the employee may request a meeting with the Board.
- 3.3 Involving Others
 - 3.3.1 Staff members responsible for students participating in extra-curricular activities or out-of-school experiences such as job shadowing or work experience shall ensure support is available for students who encounter incidents of discrimination, and shall attempt to resolve the incidents.
 - 3.3.2 Division-owned facilities shall not be made available to any person, group or association known to advocate hatred of, or discrimination against, any other group based on race, ethnicity, culture, gender, religion, disability or ability.
- 3.4 Notwithstanding the above, any person may contact the Director at any time with respect to an incident of discrimination.
- 4. Staff Development
 - 4.1 Staff members shall be encouraged to seek opportunities to enhance their professional growth in the fields of multiculturalism, ethnic and race relations, gender equity, and working with people of varying abilities.
 - 4.2 In-service sessions to promote gender equity and to enhance sensitivity and competence in working with people of diverse racial, ethnic, religious or cultural backgrounds or varying abilities shall be an integral part of staff development for all Division employees.
- 5. Staffing
 - 5.1 The hiring, placement and evaluation practices shall reflect the principles of employment equity.
 - 5.2 Criteria and guidelines for hiring and promotion shall be communicated to all staff.
- 6. School-Community Relations
 - 6.1 Harmony between the school system and the community shall be promoted.
 - 6.2 When communicating to parents and guardians its plan for dealing with the behaviour of students and staff, each school shall include statements relating to the handling of incidents involving discrimination. Such statements shall include information advising parents and guardians of ways to communicate concerns to the school and Division Office administration.
 - 6.3 Communication shall be encouraged with those that offer consultation or assistance in strengthening the school system's approach to gender equity, abilities, disabilities, multiculturalism, ethnic and race relations, equal opportunity and access to educational services.

Reference: Sections 85, 87 Education Act
The School Division Administration Regulations 45, 49
Human Rights Act
Saskatchewan Employment Act
Occupational Health and Safety Regulations
Canadian Charter of Rights and Freedoms
Canada Labour Code
Saskatchewan Teacher Federation Code of Ethics
Saskatchewan Human Rights Code
United Nations Convention on the Rights of the Child
United Nations Universal Declaration of Human Rights

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