



# SUDBURY CATHOLIC DISTRICT SCHOOL BOARD

165A D'YOUVILLE STREET, SUDBURY, ONTARIO P3C 5E7 tel. (705) 673-5620 fax (705) 673-6670  
<http://www.scdsb.edu.on.ca>

## ADMINISTRATIVE PROCEDURE AND GUIDELINE APG # HR27

## Anti-discrimination

The Sudbury Catholic District School Board is committed to the Catholic principles of educational excellence and equality of opportunity. These goals can only be attained in a positive and supportive environment which protects and promotes the dignity and self-esteem of each person, staff and student (parent/guardian), and the mutual respect and cooperation between individuals and one in which the vision of the gospel message is fundamental in nurturing a respect for all people.

Greater awareness of and sensitivity to the rights of others will prevent discrimination. The Sudbury Catholic District School Board recognizes that training is one of the critical supports that an educational institution can provide with respect to discrimination, harassment and bullying. Each school has a copy of the Guidelines on Accessible Education. All staff are encouraged to review this document. The Board will ensure that principals and staff are fully aware of the complaint process. Staff are encouraged to be proactive.

This complaint resolution procedure emphasizes informal resolution as a primary objective, but provides both informal and formal procedures for complaint resolution.

Notwithstanding the procedure listed below, individuals maintain the right to file a complaint under the *Ontario Human Rights Code*, which (among other things) guarantees:

- the right to equal treatment with respect to services, goods and facilities without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or disability; and
- the right to equal treatment with respect to employment without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, record of offences, marital status, family status or disability.

Further information about this option may be obtained by contacting the Ontario Human Rights Commission (contact information available on-line at [www.ohrc.on.ca](http://www.ohrc.on.ca)) or the Human Rights Tribunal of Ontario (contact information available on-line at [www.hrto.ca](http://www.hrto.ca)).

### Procedure

The following steps should be followed to resolve a problem if a staff or student (parent/guardian) feels they have been discriminated against:

1. To initiate an informal complaint:



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- a. Allegations of discrimination should be reported to the immediate supervisor for staff complaints or to the school principal for student (parent/guardian) complaints.
  - b. The supervisor or principal will effect all necessary measures within the scope of their responsibilities to eliminate all manner of discrimination in a timely fashion.
  - c. If the staff or student (parent/guardian) feels unable to use this process, they should feel free to contact the Superintendent of Employee Relations and/or the union/employee representative or the Superintendent of the relevant school, as the case may be.
2. To initiate a formal complaint:
- a. A written complaint, signed and dated, shall be submitted to the appropriate Supervisory Officer pertaining to all details of the case. The Supervisory Officer with the assistance of the Human Resources Services representative, shall forward a written acknowledgement of the complaint to the complainant within five (5) business days following receipt of said complaint with copies to the Director of Education and Superintendent of Employee Relations.
  - b. The Superintendent of Employee Relations (or designate) reserves the right to conduct any or all parts of the investigation under this APG as part of the Board's governance. The investigation process will commence within ten (10) business days of the complaint and will conclude within thirty (30) business days from the original date of receipt of the complaint.
  - c. The Superintendent of Employee Relations (or designate) will ensure that objectivity is maintained throughout the investigation of the complaint which may include expertise in the form of facilitators both in/outside the Board and the process will be communicated to the complainant within the aforementioned time frame.
  - d. The Superintendent of Employee Relations (or designate) will discuss the details of the case with each party in the presence of their professional association/union representative and/or advocate, separately, corroborate evidence from relevant witnesses through interviews, written documentation and/or verbal information, and work toward a solution in an expedient manner.

## **Outcome**

- a. The complainant may choose to withdraw the complaint at any stage of the process, however, the Board will continue its fiduciary responsibility to investigate and conclude the case.



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b. Upon completion of the investigation of the complaint, the Superintendent of Employee Relations (or designate) will issue a written report for discussion with all parties concerned through a designated meeting and said report will be placed in each party's file.

c. The Superintendent of Employee Relations (or designate) will conduct said meeting whether it is executed, individually or as a group, with the complainant and/or respondent.

d. The complainant and respondent will be provided with a copy of the summary report prior to the above designated meeting and the complete report will be located in the Human Resources Services Department.

e. The intent of the designated meeting is to bring closure to the case within the thirty (30) day time frame. However, should there be mitigating circumstances, for which past correspondence/discussion have not been accounted, the Superintendent of Employee Relations (or designate) will extend the resolution process for up to ten (10) business days in order to bring forth closure. The basis of extension may include:

- proven non-compliance of policy and procedures;
- new evidence;
- absence by complainant, respondent or investigator due to illness, personal and/or extenuating circumstances.

f. The outcome will affirm or amend a decision, which may entail a new investigation.

g. If an investigation determines that an employee has committed acts of discrimination or harassment, that employee will be subject to the procedures of progressive discipline up to and including dismissal.

h. In the event that the outcome is unsatisfactory to the complainant, said person may appeal the case to the Director of Education.

## **Confidentiality**

The Sudbury Catholic District School Board respects a staff's and/or student's (parent/guardian) right to privacy. All information collected or disclosed during the complaint and investigation process will remain confidential.

The Sudbury Catholic District School Board will make every effort to safeguard the information collected. The information will not be released to a third party outside of the complaint process unless express written consent is provided by the complainant or as may be required by law. It is understood



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that the complainant may disclose the terms herein to his/her immediate family members, legal and/or financial advisors.

## **No reprisals**

Individuals who choose to pursue their rights either through the process described herein or in accordance with the *Ontario Human Rights Code*, will do so without reprisal or threat of reprisal for so doing.

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