OTTAWA-CARLETON
DISTRICT SCHOOL BOARD

POLICY P 125 SCO

TITLE: SCHOOL DISTRICT CODE OF CONDUCT

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COMMITMENT TO INDIGENOUS RIGHTS, HUMAN RIGHTS, AND EQUITY

The Board recognizes its responsibility to ensure that this policy and associated procedures promote and protect Indigenous rights, human rights, and equity. The Board will strive to address and eliminate racism and structural and systemic barriers for students, staff, and the community.

1.0 RATIONALE

To set out the expected standards of behaviour for all people in the OCDSB Community in support of positive and respectful learning and working environments that enable students to reach their full potential.

2.0 DEFINITIONS

Please refer to Appendix A for a list of definitions of terms used in this policy.

3.0 GUIDING PRINCIPLES

3.1 The Board recognizes that schools are places that support and guide students in their development and participation in a diverse, democratic, anti-racist, anti-discriminatory, and inclusive society.

3.2 A positive School Climate exists when all members of the OCDSB Community feel safe, accepted, and valued upholding social justice and the human rights and dignity of each person.

3.3 Active and engaged OCDSB Community members are aware of their rights and their responsibility to respect the rights of others.

3.4 The Board recognizes that Bullying, Harassment, Sexual or Gender-based Harassment, and Discrimination are serious issues that have far-reaching consequences for both the OCDSB Community and the community at large as it:
a) adversely affects an individual's well-being and ability to learn;

b) adversely affects healthy relationships, the OCDSB Environment, and the School Climate;

c) adversely affects a school's ability to educate its students; and

d) can have long-term effects on individuals.

3.5 The Board recognizes that children who suffer prolonged victimization through Bullying, Harassment, Sexual or Gender-based Harassment, or Discrimination, as well as children who use power and aggression through Bullying, Harassing, or Discriminating behaviour may experience a range of psycho-social problems that may extend into adolescence and adulthood.

4.0 SPECIFIC DIRECTIVES

Scope and Application

4.1 At all times, this policy shall be interpreted to be consistent with other Board policies related to human rights and equity and with the Ontario *Human Rights Code,* the *Accessibility for Ontarians with Disabilities Act,* and Ontario's *Anti-Racism Act.*

4.2 The School District Code of Conduct applies to all members of the OCDSB Community while in the OCDSB Environment.

4.3 Each school shall adopt the School District Code of Conduct as their School Code of Conduct.

Implementation

4.4 The District shall establish a process that clearly communicates the School District Code of Conduct to all members of the OCDSB Community at the start of each school year in order to obtain their commitment and support. Communications must be culturally relevant and accessible taking into account linguistic, ethnocultural, and accessibility considerations.

4.5 The District shall post signage in school entrances and other visible places that reflect the behavioural expectations of this code of conduct.

4.6 The District shall provide opportunities for all staff to acquire the knowledge, skills, and attitudes necessary to:

a) promote a safe, inclusive, and accepting working and learning environment;

b) recognize and address the various forms of Bullying;

c) be able to identify, disrupt, and dismantle systemic Barriers and Discrimination; and

d) understand the actions that can be taken by those witnessing the behaviour.

4.7 The Director of Education/Secretary of the Board is authorized to issue such procedures, guidelines, and other materials as may be necessary to implement this policy.

5.0 STANDARDS OF CONDUCT - OCDSB COMMUNITY

5.1 All members of the OCDSB Community shall:

a) comply with all applicable federal, provincial, and municipal laws, and Ministry of Education and District policies and procedures;

b) respect the human rights and dignity of each person, differences in people, their ideas, and their opinions and treat one another with respect and dignity at all times especially where there is disagreement;

c) not swear at a teacher or at another person in a position of authority;

d) not engage in or encourage others to engage in physical, verbal, oral, or written, sexual, or psychological abuse, threatening, or intimidation;

e) uphold the appropriate and responsible use of technology in accordance with Policy P 100 IT - Appropriate Use of Technology;

f) refrain from recording, taking, or sharing non-consensual recordings or photos of members of the OCDSB community

g) refrain from engaging in Microaggressions, Bullying, Discrimination, Harassment, Sexual or Gender-based Harassment, and Hate-related Behaviour;

h) not threaten or take reprisal against another person in the OCDSB Community for enforcing their rights, the rights of others, and/or raising a concern under an OCDSB policy; and

i) show proper care and regard for Board property in compliance with Policy P 060 FIN - Vandalism, Theft, Damage, or Loss Affecting Board Property, and for the property of others;

5.2 All members of the OCDSB Community should:

a) demonstrate age and developmentally appropriate behaviour while upholding the principles enshrined in this policy;

b) act with honesty and integrity;

c) contribute to creating a positive OCDSB Environment that is inclusive, accepting, and free from microaggression, Discrimination, Harassment, and Sexual or Gender-based Harassment;

d) take appropriate measures to help those in need;

e) take responsibility for their own actions, resolve conflict peacefully, and seek assistance from a member of the school staff, if necessary; and

f) be anti-racist.

Bullying, Discrimination, Harassment, Sexual or Gender-based Harassment, and Hate-related Behaviour

5.3 Bullying, including Cyberbullying, is a serious issue and is not acceptable in the OCDSB Environment.

5.4 The District shall take intentional action to stop and address Bullying, Discrimination, Harassment, Sexual or Gender-based Harassment, and Hate-related Behaviour through culturally relevant prevention and early intervention.

5.5 Biased, prejudiced ,and Hate-related Behaviour is prohibited. This includes, but is not limited to, wearing of hate or racist symbols, distributing hate information, producing hate-related vandalism, including graffiti, and uttering derogatory remarks or slurs (e.g., the N-word and other racist phrases, homophobic or transphobic insults, antisemitic or Islamophobic comments, ability-based slurs, etc.).

5.6 Each school shall establish a safe and accepting schools team responsible for fostering a safe, inclusive, and accepting School Climate as per PPM 144 and make every effort to ensure that its membership is representative of the school's diverse population.

5.7 Each school shall develop and implement a school-wide Bullying prevention and intervention plan that is culturally relevant and consistent with a restorative practice and progressive discipline approach that includes:

a) appropriate and timely responses to address incidents, including processes to be followed if parents/guardians/caregivers are not satisfied with the school response;

b) safe reporting processes that minimize the possibility of reprisal;

c) strategies and school and community-based supports for students who were subject to the incident, students who initiated the incident, bystanders, and others who have been affected by observing the incident; and

d) consistent, ongoing rights-based, anti-racism and anti-oppression education for students and staff.

5.8 In developing and implementing Bullying prevention and intervention in schools, principals shall consult Procedure PR 521 SCO - Safe Schools.

Vaping and Smoking

5.9 The possession, provision, and use of cigarettes, electronic cigarettes, tobacco, and nicotine products is prohibited at all times in all buildings, including schools, offices, administrative buildings, warehouses, and other facilities, as well as contracted school buses, in accordance with the *Smoke-Free Ontario Act*, 2017. This also applies to Board-owned vehicles and private vehicles parked on Board property and during any school-related activities off school premises.

5.10 Leases to organizations renting Board property shall include a provision banning Smoking/Vaping in alignment with this policy and Procedure PR 522 SCO - Smoking and Vaping on Board Premises.

Substance Use

5.11 The use and/or possession of Alcohol, Cannabis (other than where medically prescribed) or Illegal Drugs is prohibited at all times in all buildings, including schools, offices, administrative buildings, warehouses, and other facilities, as well as contracted school buses, except as prescribed in Policy P 135 CON - Community Use of School Facilities. This also applies to Board-owned vehicles and private vehicles parked on Board property and during any school-related activities off school premises.

5.12 No one shall be under the influence of Alcohol, Cannabis (unless the individual is a Medical Cannabis User), or Illegal Drugs, except as prescribed in Policy P 135 CON - Community Use of School Facilities.

5.13 No one shall provide others with Alcohol, Cannabis (unless medically prescribed), or Illegal Drugs or except as prescribed in Policy P 135 CON - Community Use of School Facilities.

5.14 The misuse of solvents, gasoline and cleaning fluids, and low-alcohol products is not permitted.

5.15 In partnership with Ottawa Public Health and related community and Ministry agencies, schools shall foster an anti-Drug/Alcohol/Cannabis culture in schools by supporting programs that will help students develop the skills needed to make healthy lifestyle choices.

5.16 Intervention with parents/guardians is essential to address a student's Substance use. As such, but in alignment with the obligations of a health care practitioner, parents or guardians shall be informed of their child's substance use and guided to available supports, where a student is not an adult and such contact would not endanger the safety of the student.

5.17 Schools shall endeavour to identify and understand the factors that influence Substance use and focus on prevention and early intervention for students with Alcohol, Cannabis, and/or Drug problems.

5.18 The District shall support professional development opportunities to ensure designated school-based staff are competent and confident in recognizing and handling Substance use.

Weapons

5.19 The Board strictly prohibits the use, possession, display of and/or trafficking in Restricted Weapons, replicas of restricted and Prohibited Weapons, ammunition, or attachments.

5.20 Except for restricted and Prohibited Weapons, which are always considered Weapons, the principal/designate will determine in each circumstance whether an object meets the definition of a Weapon.

6.0 STANDARDS OF CONDUCT - STUDENTS

6.1 Students shall abide by the expectations in this section (6.0) in addition to the behavioural expectations of all OCDSB Community members stated in section 5.0.

6.2 Students shall demonstrate acceptable behaviour when they:

a) attend and participate in school to the best of their ability;

b) practice honesty and integrity including but not limited to: not participating in or encouraging plagiarism, misrepresentation of original work, lying, cheating, theft of evaluation instruments, use of unauthorized aids or false representation of identity;

c) show respect for themselves and for others;

d) refrain from bringing anything to school that may compromise the safety of others; and

e) demonstrate appropriate online conduct/manners and refrain from improper/unethical use of technology, including computer hacking and Cyberbullying. Internet use for any purpose which is contrary to the intent of this policy is strictly prohibited. This includes all forms of violence, threats, Harassment, and Sexual or Gender-based Harassment directed at staff members, students, or any member of the OCDSB Community.

Use of Technology During Instructional Time

6.3 The use of Personal Mobile Devices during instructional time is prohibited, subject to the Policy P 100 IT - Appropriate Use of Information Technology.

6.4 School practices regarding the use of personal mobile devices must include provisions for use in limited circumstances in accordance with the following:

a) for educational purposes, as directed by an Educator;

b) for health and medical purposes;

c) to support special education needs; and

d) as an Accommodation, up to the point of undue hardship, to prevent Discrimination on a Protected Ground.

Fighting

6.5 Fighting is an unacceptable response to conflict.

6.6 The District shall ensure that the school discipline response to Fighting is administered in such a way as to keep students within their traditional learning environment while avoiding suspension and expulsion to the greatest extent practicable.

Dress Code

6.7 Schools shall adopt this policy and procedure PR 628 SCO - Student Dress Code as their dress code.

6.8 The Board recognizes that all students have the right to express themselves fully in school through their choice of clothing, hair styles, jewellery, and accessories, in accordance with PR 628 SCO - Student Dress Code.

6.9 Clothing, possessions, and accessories may not depict, advertise, or advocate the use of Alcohol, tobacco, Cannabis, or other controlled substances and/or graphics that depict violence, profanity, discriminatory, hateful, or pornographic images or sentiments.

6.10 Schools shall not suspend for uniform or dress code violations without consultation with the Superintendent of Instruction and/or System Principal for Safe Schools.

7.0 STANDARDS OF CONDUCT - PARENTS/GUARDIANS/CAREGIVERS

7.1 Parents/guardians/caregivers play an important role in the education of their children and can support the efforts of school staff in maintaining a safe and respectful learning environment for all students.

7.2 Parents/guardians/caregivers fulfil their role with respect to the School District Code of Conduct when they:

a) communicate with the school in ways that promote partnership in support of the student's school work and progress;

b) support the student's school attendance and preparedness for learning;

c) promptly report to the school the student's absence or late arrival;

d) encourage and assist the student in following the School District Code of Conduct;

e) assist school staff in identifying and addressing the root causes of Misconduct and possible remedies;

f) alert the school to any supports, adjustments, or Accommodations required by the student on the basis of a prohibited ground of Discrimination to fully access education and work with the administration to collectively determine an appropriate Accommodation to the point of undue hardship; and

g) are engaged in the initiatives that foster a positive, safe school environment.

8.0 STANDARDS OF CONDUCT - EMPLOYEES

8.1 Employees shall abide by the expectations in this section (8.0) in addition to the behavioural expectations of all OCDSB Community members stated in section 5.0.

8.2 Principals take a leadership role in the daily operation of a school by:

a) demonstrating care for the OCDSB Community and a commitment to student achievement and well-being in a safe, inclusive, accepting, and respectful learning environment;

b) ensuring that the dignity of the student guides all decision-making about that student and that the student's input is given due weight in accordance with their development prioritizing safety of all students and staff;

c) holding everyone under their authority accountable for their own behaviour and actions;

d) communicating to their staff, students, and families about expected standards of behaviour, their rights and obligations, and how to raise a concern or report a violation of this policy;

e) maintaining an environment where students, staff, and families feel safe reporting concerns without fear of reprisal;

f) ensuring that appropriate Accommodations are provided to the point of undue hardship to ensure individuals or groups are not subject to a prohibited ground of Discrimination;

g) empowering students to be positive leaders in their school and community;

h) communicating regularly and meaningfully with all members of their school community;

i) addressing breaches to this policy in compliance with Board policies and procedures;

j) providing an example of respect for all members of the OCDSB Community; and

k) being anti-racist.

8.3 School-based staff are to maintain a positive learning environment and are expected to hold everyone to the highest standard of respectful and responsible behaviour. As role models, school-based staff will uphold these high standards when they:

a) use respectful, inclusive terminology, including a person's chosen name and pronouns when engaging with a person;

b) not use slurs or other derogatory language;

c) help students work to their full potential and develop their sense of self-worth to become positive leaders in their classroom, school, and community;

d) initiate and engage in regular and productive communication with parents/guardians/caregivers and address Barriers to understanding their role and responsibilities;

e) maintain consistent standards of behaviour with all students;

f) demonstrate respect for one another and all other members of the OCDSB Community;

g) prepare students to meet their responsibilities taking into consideration lived experience, including home, life, and culture;

h) employ preventative and educative approaches to support students in developing skills and knowledge to engage in ways that are respectful and promote dignity of self and others;

i) appropriately respond to and report to the principal behaviours which may have a negative impact on School Climate;

j) intervene sensitively and immediately to stop and address behaviour that is Bullying as well as biased, prejudiced, or Hate-related Behaviour, Harassment, Sexual or Gender-based Harassment, or Discrimination based on prohibited grounds; and

k) demonstrate conduct in keeping with this policy and Board policies and procedures.

9.0 REPORTING AND RESPONDING TO BREACHES OF THE CODE OF CONDUCT

Reporting

9.1 Breaches of the Code of Conduct shall be reported as follows:

a) to the principal/vice principal/supervisor or superintendent; and

b) incidents that involve Bullying, Discrimination, Harassment of an employee may alternatively be reported to the Respectful Workplace Office; or

c) incidents that relate to human rights, including Bullying, Discrimination, or Harassment, on Protected Grounds, including Sexual or Gender-based Harassment, Hate-related Behaviour, or Reprisal or threat of Reprisal may alternatively be reported to the arm's length Office of the Human Rights and Equity Advisor.

9.2 Employees (including all school-based staff and bus drivers) must report all incidents of Bullying, Discrimination, Harassment, Sexual or Gender-based Harassment, Hate-related Behaviour, or employee misconduct against a student to the principal/vice principal or superintendent at the earliest opportunity.

9.3 All allegations of Bullying, Discrimination, Harassment, Sexual or Gender-based Harassment, and Hate-related behaviour must be acknowledged upon receipt, be taken seriously and dealt with in a timely, sensitive, and supportive manner as set out in procedure.

District Response to Misconduct

9.4 The District shall ensure that misconduct by OCDSB community members leads to timely, appropriate remedial, restorative, and/or progressive disciplinary actions.

9.5 Investigation of misconduct by trustees can only be:

a) initiated by another trustee under Policy P 073 GOV - Board Member Code of Conduct; and

b) addressed under Policy P 141 GOV - Integrity Commissioner.

9.6 Student misconduct shall be addressed under P 032 SCO - Safe Schools (Managing Student Behaviour) and related procedures.

9.7 Employee misconduct shall be addressed in accordance with the appropriate District policies and accompanying procedures, including but not limited to the following:

a) Policy P 103 HR - Alleged Employee Misconduct Toward a Student;

b) Policy P 147 GOV - Human Rights; and/or

c) Policy P 009 HR - Respectful Workplace (Harassment Prevention).

9.8 Misconduct by an OCDSB Community member may be addressed under the following:

a) Policy P 100 IT - Appropriate Use of Technology and related procedures;

b) PR 524 SCO - Access To School & Board Premises, where in the judgment of an authorized person, the person's presence is potentially detrimental to the safety or well-being of a person or property on the premises, or interferes with the conduct of school activities.

10.0 APPENDICES

Appendix A: Policy Definitions

11.0 REFERENCE DOCUMENTS

Education Act, 2000
Human Rights Code, R.S.O. 1990, c. H.19
Smoke-Free Ontario Act, 2017
Ministry of Education Policy/Program Memoranda (PPM) 119
Ministry of Education Policy/Program Memoranda (PPM) 120
Ministry of Education Policy/Program Memoranda (PPM) 128
Ministry of Education Policy/Program Memoranda (PPM) 144
Ministry of Education Policy/Program Memoranda (PPM) 145
OCDSB Policy P 009 HR - Respectful Workplace (Harassment Prevention)
OCDSB Policy P 026 SCO - Student Suspension and Expulsion
OCDSB Policy P 032 SCO - Safe Schools (Managing Student Behaviour)
OCDSB Policy P 060 FIN - Vandalism, Theft, Damage, or Loss Affecting Board Property
OCDSB Policy P 073 GOV - Board Member Code of Conduct
OCDSB Policy P 100 IT - Appropriate Use of Technology
OCDSB Policy P 103 HR - Alleged Employee Misconduct Towards a Student
OCDSB Policy P 129 GOV - Complaints Resolution Policy
OCDSB Policy P 135 CON - Community Use of School Facilities
OCDSB Policy P 141 GOV - Integrity Commissioner
OCDSB Policy P 145 SCO - Safe Schools (Emergency Planning and Preparedness)
OCDSB Policy P 147 SCO - Human Rights
OCDSB Procedure PR 515 SCO - Student Suspension and Expulsion
OCDSB Procedure PR 521 SCO - Safe Schools
OCDSB Procedure PR 522 SCO - Use of Substances on Board Premises
OCDSB Procedure PR 524 SCO - Access To School & Board Premises
OCDSB Procedure PR 528 SCO - Critical Incident Review Process
OCDSB Procedure PR 534 SCO - Search and Seizure (Students)
OCDSB Procedure PR 542 HR - Alleged Employee Misconduct Toward A Student
OCDSB Procedure PR 543 HR - Alleged Harassment Of A Student

OCDSB Procedure PR 544 SCO - Alleged Harassment/Abuse of a Student by a Student
OCDSB Procedure PR 628 SCO - Student Dress Code
OCDSB Procedure PR 659 SCO - Bullying Prevention and Intervention
OCDSB Procedure PR 660 SCO - Progressive Discipline And Promoting Positive Student Behaviour

APPENDIX A: POLICY DEFINITIONS

In this policy,

Accommodation means making an adjustment, providing support, or making exceptions to remove Barriers on Protected Grounds to ensure fair and equitable access, treatment, and inclusion. This enables a person to participate equally and perform to the best of their abilities when learning, working, or accessing services. The duty to accommodate is a legal obligation that exists to the point of Undue Hardship.

Adult Student means a student who is 18 years of age or older or who is 16 or 17 years of age and has removed themselves from parental control.

Alcohol means all substances defined as liquor in the *Liquor License Act* as well as low-alcohol products.

Anti-racism means an active and consistent process of change to eliminate individual, institutional, and systemic racism as well as the oppression and injustice racism causes.

Barrier means anything that prevents a person from fully taking part in all aspects of the OCDSB, including physical, architectural, information or communications, attitudinal, economic and technological barriers, as well as policies or practices.

Board means the Board of Trustees.

Bias means a predisposition, prejudice, or generalization about a group of persons based on personal characteristics or stereotypes.

Bullying means aggressive and typically repeated behaviour by a student where,

a) the behaviour is intended by the pupil to have the effect of, or the pupil ought to know that the behaviour would be likely to have the effect of,
   (i) causing harm, fear or distress to another individual, including physical, psychological, social or academic harm, harm to the individual's reputation or harm to the individual's property, or
   (ii) creating a negative environment at a school for another individual, and

b) the behaviour occurs in a context where there is a real or perceived power imbalance between the pupil and the individual based on factors such as size, strength, age, intelligence, peer group power, economic status, social status, religion, ethnic origin, sexual orientation, family circumstances, gender, gender identity, gender expression, race, disability or the receipt of special education; ("intimidation")

Cannabis carries the definition used in the *Cannabis Act*, 2017.

Code means the Ontario Human Rights Code.

Cyberbullying means bullying specifically by electronic means and may include, but is not limited to,

c) sending or sharing hateful, insulting, offensive, and/or intimidating electronic communication or images via text messages, emails, direct messages;

d) revealing information considered to be personal, private, and sensitive without consent;

e) making and/or engaging, and/or participating in fake accounts on social networking sites to impersonate, humiliate and/or exclude others; and/or

f) excluding or disrupting access to, a student on purpose from online chat groups, access to accounts and during digital gaming sessions.

Discrimination means any form of unequal treatment based on a Protected 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, policies, practices, procedures, or systems that appear neutral, but disadvantage certain groups of people. Discrimination may take obvious forms or it may happen in very subtle ways. Even if there are many factors affecting a decision or action, if Discrimination is one factor, that is a violation of this policy.

Discrimination may happen because of perceptions about a person based on a Protected Ground or because of association with a person or group with characteristics of a Protected Ground. Engaging in a hate-related behaviour and Harassment are types of Discrimination.

District means the Ottawa-Carleton District School Board.

Educator means a teacher regulated under the *Ontario College of Teachers Act*, 1996, or an early childhood educator regulated under the *Early Childhood Educators Act*, 2007.

Fighting means mutual, intentional participation in a physical altercation occurring between two or more persons with no one main instigator.

Harassment means a course of vexatious comments or actions that are known, or ought reasonably to be known, to be unwelcome. It can involve words or actions that are known or should be known to be offensive, embarrassing, humiliating, or demeaning. *Code*-based harassment is harassment based on a Protected Ground. Non *Code*-based harassment is harassment that is *not* based on a Protected Ground. If a person does not explicitly object to harassing behaviour, or appears to be going along with it, this does not mean that the behaviour is okay. The behaviour could still be considered harassment. In limited circumstances, a singular incident may be recognized as harassment, depending on the nature of the comment or conduct.

Examples of harassment include:

a) epithets, remarks, jokes, or innuendos related to a person;

b) posting or circulating offensive pictures, graffiti, or materials, whether in print form or via e-mail or other electronic means;

c) singling out a person for humiliating, demeaning “teasing”, or jokes; or

d) comments ridiculing a person because of personal characteristics. For example, this could include comments about a person’s dress, speech or other practices that may be related to their sex, race, gender identity, or creed.

Hate Crime means a criminal offense that is committed against a person or property and motivated in whole or in part by bias, prejudice, or hatred based on a *Code*-Protected Ground. This includes, but is not limited to, hate-motivated violence, incitement of hate or hate-motivated violence, and/or the

display of symbols or other representations identified with groups promoting hate and violence. It also includes such crimes committed against a person who is associated, or perceived to be associated, with individuals or groups identified with one of the *Code*-Protected Grounds.

Hate Incident means non-criminal conduct that is motivated in whole or in part by bias, prejudice, or hate against an individual or group on the basis of a *Code*-Protected Ground. The conduct can be verbal, nonverbal, or written, and may manifest itself in the form of slurs, insults, Harassment, abusive gestures, taunting, display of offensive materials or hate symbols, or other acts which may intimidate, degrade, and/or marginalize the targeted individual or group. A hate incident can encompass situations in which the conduct is directed against people associated, or perceived to be associated, with individuals or groups identified with one of the *Code*-Protected Grounds.

Hate-related Behaviour means a hate crime or hate incident. At the OCDSB, Hate-related behaviour is Discrimination.

Illegal Drugs are any substances deemed illegal under the *Controlled Drugs and Substances Act.* This includes prescription drugs that are used for purposes other than as prescribed by the medical professional issuing the prescription.

Medical Cannabis User means a person who is authorized to possess Cannabis for the person's own medical purposes in accordance with the applicable federal law.

Microaggressions means the verbal, nonverbal, and environmental slights, snubs, or insults, whether intentional or unintentional, which communicate hostile, derogatory, or negative messages to target persons based solely upon their marginalized group membership or a Protected Ground. A series of Microaggressions may amount to Harassment.

Misconduct means conduct by any member of the OCDSB Community that contravenes this policy or other related Board policies and/or procedures.

OCDSB Community means trustees, committee members, council members, staff members, students, parents/guardians/caregivers, permit holders, vendors, service providers, contractors, volunteers, visitors, and all other persons learning, working, or accessing services in the OCDSB environment.

OCDSB Environment means Board property, school buses, virtual learning and working environment, electronic media, school or work-authorized events or activities, in before- and after-school programs including co-curricular activities and field trips, and may include any other circumstances that may have an impact on the school or work climate.

Personal Mobile Device means any personal electronic device that can be used to communicate or to access the Internet, such as a cellphone, laptop, or a tablet.

Protected Ground means the attributes or characteristics upon which Discrimination is prohibited under the *Code* or by the OCDSB. The *Code*-Protected Grounds are age, ancestry, citizenship, colour, creed (religion), disability (including mental, physical, developmental or learning disabilities), ethnic origin, family status (such as being in a parent-child relationship), gender expression, gender identity, marital status (including married, single, widowed, divorced, separated or living in a conjugal relationship outside of marriage, whether in a same-sex or opposite-sex relationship), place of origin, race, record of offences (criminal conviction for a provincial offence, or for an offence for which a pardon has been received), sex (including pregnancy and breastfeeding) , and sexual orientation.

An additional ground protected from Discrimination at the OCDSB is Socioeconomic Disadvantage.

Prohibited Weapons mean Weapons such as switch blades, stun guns, pepper spray etc., for which it is a criminal offence to have in one's possession.

Restricted Weapons means any weapon that requires a permit to own and/or operate, such as firearms.

School Climate means the learning environment and relationships found within a school and school community.

Sexual or Gender-Based Harassment means a form of Harassment based on a person's gender identity, gender expression, sex, or sexual orientation that can include:

a) sexual solicitations or advances by any person who is in a position to grant or deny a benefit to the recipient of the solicitation or advance. This includes managers and supervisors, as well as co-workers where one person is in a position to grant or deny a benefit to the other;

b) gender-related comments about a person's physical characteristics or mannerisms;

c) paternalism based on gender which a person feels undermines their self respect or position of responsibility;

d) unwelcome physical contact;

e) suggestive or offensive remarks or innuendoes about members of a specific gender;

f) propositions of physical intimacy;

g) gender-related verbal abuse, threats, or taunting;

h) leering or inappropriate staring;

i) bragging about sexual prowess or questions or discussions about sexual activities;

j) offensive jokes or comments of a sexual nature about an employee or client;

k) rough and vulgar humour or language related to gender;

l) display of sexually offensive pictures, graffiti, or other materials including through electronic means; and

m) demands for dates or sexual favours.

Smoking means inhaling and/or the holding of lighted tobacco, cannabis, or the use of other tobacco-type products, for example, chewing tobacco. Smoking does not include the holding of lighted tobacco or the use of other tobacco-type products in Indigenous cultural practices.

Undue Hardship means the point at which the legal duty to accommodate ends based on an objective assessment of only three factors: (i) costs, (ii) outside sources of funding (if any), and (iii) health and safety considerations (if any) of the proposed Accommodation.

Use of Drugs means the non-medical use of controlled or restricted drugs, including the following:

a) all substances that are listed in the *Controlled Drugs and Substances Act*,

b) all “controlled drugs” and “restricted drugs” as defined and listed in the *Food and Drugs Act*, Schedule G (Sections 33 to 38) and Schedule H (Section 40);

c) all non-prescribed use of prescription medication; and

d) any other non-prescribed substance, when used to induce a mind-altering effect (such as solvents, correction fluids, gasoline and cleaning fluids).

Vaping means using a vaporizer or inhalant-type device, whether called an electronic cigarette or any other name, that contains a power source and heating element designed to heat a substance and inhaling the vapor of the device directly through the mouth, whether or not the vapor contains nicotine.

Weapons are defined in the *Criminal Code* as follows:

a) as anything used or intended for use in causing death or injury to persons whether designed for such purpose or not; or

b) anything used or intended for use for the purpose of threatening or intimidating any person.

All firearms, including replica firearms and imitation firearms, are always considered Weapons.