

Executive Report to Policy and Priorities Committee  
Human Rights @UGDSB Update

To: Policy and Priorities Committee

From: Peter Sovran, Director of Education/CEO

Prepared by: Alicia Ralph, Human Rights, Equity and Accessibility Commissioner  
Brent McDonald, Associate Director/COO  
Deirdre Pyke, Superintendent of People, Leadership & Culture  
Heather Loney, Senior Manager of Communications and Public Relations  
Wendy Donaldson, Superintendent of Student Achievement

Date: March 3, 2026

Report Type: MONITORING

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### **Recommendation**

1. That the Human Rights @UGDSB Update be received.

### **Purpose**

This report provides an update on Human Rights work at UGDSB.

Part 1 - Policy 217 (Human Rights: Code-Based Discrimination and Harassment)

Part 2 – Independent Third Party Review

Part 3 - Strategic Action Plan

### **Background**

Human Rights-focused work at UGDSB entered a formal modernization phase in Fall 2023 with the establishment of the Human Rights and Equity Office, now the Human Rights, Equity and Accessibility Office (HREA-O). While equity and inclusion initiatives were underway across the system, it became clear that a comprehensive, Code-aligned governance framework was required to ensure consistency, procedural clarity, and institutional accountability in how discrimination and harassment concerns were addressed.

*This document is available in alternative formats upon request.*

This modernization effort is grounded in the Ontario Human Rights Code and spans all protected grounds. It includes strengthening governance structures, modernizing reporting processes, staff training, supporting student voice and belonging, and advancing inclusive pathway opportunities for students who have historically experienced systemic barriers. Central to this work is the collection and analysis of identity-based data to identify disproportionalities, address systemic barriers, and inform evidence-based decision-making. This approach recognizes that students and staff may have intersecting identities across race, disability, gender, creed, sexual orientation, family status, and other Code protections, requiring coordinated and system-level responses.

This work does not occur in isolation. The UGDSB's human rights modernization efforts and the Independent Third Party Review are informed by key provincial, sector-leading and community-based frameworks, including, but not limited to, the Ontario Human Rights Commission's *Right to Read* and *Dreams Delayed* reports. Collectively, these documents identify systemic barriers affecting students across race, disability, sexual orientation, gender identity and expression, and intersecting Code grounds. They reinforce the legal obligations of school boards under the Ontario Human Rights Code to address identity-based disproportionalities and institutional barriers through structured, measurable, and transparent action.

In April 2025, the Upper Grand District School Board commissioned an Independent Human Rights Review to build on this established foundational work and to further strengthen transparency, coherence, and impact across the organization. The reviewers were tasked with conducting a comprehensive review of relevant UGDSB policies, procedures, and practices through a human rights lens. The UGDSB committed to the reviewers' independence to ensure that the resulting report would be informed by student, staff, parent, and community voices and grounded in legal and ethical obligations under the Ontario Human Rights Code, the Education Act, and the Anti-Racism Act.

Following UGDSB Policy 302 – Purchasing and corresponding procedures, Patrick Case and Julie Lassonde were appointed to conduct the review. Over the course of several months, the reviewers undertook extensive document and policy analysis, gathered more than 4,200 student survey responses, received over 780 written submissions, and conducted more than 60 interviews involving over 200 stakeholders (see Appendix A). This comprehensive process provided a broad and diverse evidence base to inform findings and recommendations.

The findings of the Independent Third Party Review inform the UGDSB's Human Rights strategic action plan and next phase of implementation.

It is important to note that while the reviewers were tasked with producing a report with findings and recommendations, the format of the report and the examples used was at the sole, independent, discretion of the reviewers.

## **PART 1: POLICY 217 (Human Rights: Code-Based Discrimination and Harassment)**

As part of the Board's governance modernization, Policy 217 was developed to establish a comprehensive framework for addressing Code-based discrimination and harassment across the system.

Beginning in October 2023, intersecting policies were reviewed to ensure coherence and compliance with the Ontario Human Rights Code. In June 2024, a formal Policy Development Plan was approved, establishing a structured governance and consultation process.

Throughout 2024, the policy was drafted to reflect Code-based protections, procedural fairness, and clear institutional accountability. A draft of Policy 217 was approved for public consultation by the Board in January 2025, alongside a consultation framework designed to engage students, staff, unions, advisory committees, and community stakeholders.

From February to April 2025, system-wide consultations were conducted, and the policy was publicly posted for comment. Feedback was received across multiple communities, reflecting broad engagement.

During this period of policy consultation, the Board determined that an independent external review would further strengthen transparency, coherence, and public confidence in its human rights framework. Consultation on Policy 217 was therefore paused pending the findings of the Independent Third Party Review to ensure that refinements could be informed by independent recommendations.

The Independent Third Party Review subsequently affirmed that Policy 217 is well-drafted and grounded in Code-based protections, while identifying opportunities to strengthen clarity of complaint pathways, procedural guidance, and community participation mechanisms. These findings now inform the final refinement stage of the policy, which will incorporate strengthened procedural documents, clearer reporting pathways, and enhanced governance oversight.

## **PART 2: Independent Third Party Review**

The Independent Third Party Review provided both affirmation and direction. It recognized that UGDSB has established a meaningful foundation in human rights work, including the creation of the Human Rights, Equity and Accessibility Office, demonstrated leadership commitment, alignment with Vision 2026+, work in culturally relevant pedagogy and de-streaming, and increasing use of identity-based data to understand patterns of disproportionality.

At the same time, the Review identified areas requiring structural strengthening to ensure greater clarity, consistency, and accountability across the system. These include the need for clearer governance and mandate delineation, more consistent and transparent complaint pathways, defined response timelines, strengthened workforce representation transparency, and improved consistency in school-level implementation.

Importantly, the Review highlighted persistent identity-based disproportionalities in academic achievement and discipline patterns. Findings include the underrepresentation of Black and Indigenous students in honours-level programming, disparities in provincial assessment outcomes, and overrepresentation of equity-deserving students in suspensions. These patterns underscore the Board's obligation to address identity-based harm and inequitable outcomes in a structured and measurable way.

The Review also emphasized the need for sustained, structured professional learning to ensure consistent understanding and implementation of human rights-based practices across all schools and departments. This includes annual Human Rights learning for school and system leaders, ground-specific training such as Anti-Black racism and antisemitism, and enhanced training for staff navigating complex and high-impact incidents, including violence. The findings make clear that policy alone is insufficient; system-wide learning and improved application of practices is essential to ensure that human rights principles are reflected in everyday decision-making.

### **PART 3: Strategic Action Plan**

The Independent Third Party Review confirmed that foundational structures are in place, while identifying the need for greater governance clarity, procedural consistency, and system-wide transparency. The Review noted lack of clarity regarding the mandate of the Human Rights, Equity and Accessibility Office (HREA-O), lack of clarity in reporting pathways, inconsistent responses across schools, and concerns related to awareness, timeliness, transparency, and fear of retaliation within complaint processes.

In response, immediate steps will be taken to clarify the HREA-O mandate and role delineation; develop a publicly accessible complaint pathway and flowchart; establish Human Rights Advisory Committees; and strengthen ongoing engagement through annual affinity group engagement and an annual public community meeting focused on disproportional outcomes. Complaint processes will be strengthened through standardized intake procedures, defined response timelines, implementation of a Hate Incident Protocol, and an annual Human Rights reporting framework that supports transparency and accountability.

## **LEARNING**

The Review emphasized the importance of sustained professional learning to ensure consistent implementation across schools and departments. The UGDSB will include annual mandatory Human Rights learning for school and system leaders, targeted ground-specific training (including Anti-Black racism and antisemitism), and will expand supports for staff navigating complex and high-impact incidents, including violence. This training will move beyond compliance towards a deeper learning, equipping leaders to respond consistently, transparently, and in alignment with our human rights obligations.

As UGDSB advances its Ai Literacy Framework, understanding and implementing human rights-based practices is a foundational element of ethical Ai integration. Ensuring that students and staff understand bias, discrimination, identity-based harm, and systemic inequity is critical to the responsible use of these emerging technologies. Human rights literacy therefore underpins both instructional practice and digital innovation across the system.

Learning for students will include integrating human rights education into curriculum and student engagement, alongside clear support for students to process and address their lived experiences.

## **DATA, MONITORING, ACTION**

An important step towards strengthening human rights accountability at the school level will be through an annual human rights implementation checklist, school-level tracking of identity-based incidents, and regular review of discipline and disproportionality data within school action plans.

To further strengthen consistency and measurable impact, UGDSB will implement the Human Rights Early Identification & Student Success Initiative (HREISSI). HREISSI is a structured framework designed to embed human rights accountability within student achievement processes by integrating identity-based data monitoring, early identification of disproportionality patterns, and targeted intervention planning within the Let's GO! UGDSB quarterly cycles. Through HREISSI, schools will review disaggregated data related to achievement, attendance, discipline, and pathways; identify early indicators of identity-based harm or inequitable outcomes; align interventions with Multi-Year Plan student achievement targets; monitor trends through a human rights lens; and engage principals and vice-principals in structured accountability check-ins. This ensures that belonging, discipline practices, and academic outcomes are directly linked to measurable improvement targets and everyday operational decision-making.

UGDSB will strengthen its identity-based data strategy by disaggregating data across suspensions, achievement, attendance, pathways, and complaints. Annual reporting to the Policy and Priorities Committee will include identity-based trends, complaint resolution timelines, and training completion rates, aligned with Multi-Year Plan targets to improve belonging indicators, reduce suspension disproportionality, increase honours-level representation, and enhance reporting transparency. Through these actions, UGDSB moves from foundational policy development toward measurable system implementation, embedding human rights accountability within governance, workforce practices, and student achievement planning.

## **PEOPLE, LEADERSHIP, CULTURE**

The Review identified workforce conditions impacting institutional culture and implementation fidelity, including representation gaps and concerns related to hiring transparency. Accordingly, UGDSB will review hiring and promotional pathways, strengthen leadership pipeline transparency, and embed human rights considerations within People, Leadership & Culture frameworks in alignment with the Ontario Human Rights Code and Multi-Year Plan (MYP) priorities.

## **REPORTING, TRANSPARENCY, SUPPORTS**

In alignment with the Ontario Human Rights Commission's *Dreams Delayed* Call to Action #1, UGDSB formally acknowledges the existence and impact of systemic anti-Black racism within publicly funded education. The Board recognizes that identity-based barriers continue to affect belonging, representation, achievement, and discipline outcomes for Black students, alongside broader human rights concerns identified across disability, creed, sexual orientation, gender identity and expression, and other protected grounds. Grounded in the Ontario Human Rights Code and aligned with the Multi-Year Plan, Anti-Racism and Identity-based priorities, and broader governance modernization efforts, this acknowledgement affirms a responsibility to measurable, transparent, and sustained action across policy, data strategy, professional learning, and student success initiatives.

To strengthen accessibility and public trust, the Human Rights @UGDSB webpage and communication tools will be updated to provide a clearer access to a "Report a Concern" portal, process map, Code-aligned definitions, FAQs, Policy 217, contact pathways, and educational resources.

This ongoing work will include the establishment of a network of designated Human Rights Leaders across schools to support reporting, early identification, coordinated response, and ongoing learning at the local level, ensuring that human rights commitments are operationalized consistently across the system.

## **Summary**

UGDSB remains committed to transparency, measurable progress, and ongoing communication with students, staff, families, and community partners. The next phase of this work focuses not only on policy refinement, but on operationalizing human rights at every level to ensure dignity, equity, and accountability in practice. Through the execution of the elements outlined in this report, such as the Human Rights Early Identification and Student Success Initiative (HREISSI), human rights accountability will be embedded within student achievement processes, workforce practices, reporting structures, and school-level decision-making.

Next steps will include the provision of financial resources to support the work overall. This will be presented to the Board for their consideration as part of the 2026-2027 annual operating budget process.

## **APPENDIX - A**

### **UGDSB Human Rights Review**

#### **Report by Patrick Case and Julie Lassonde**

### **CONTENT ADVISORY**

*The independent third party report contains accounts of discrimination, harassment, and other harmful conduct. Some of the language and descriptions included are drawn directly from participant experiences and may be distressing or difficult to read.*

*These details are included to ensure accuracy, transparency, and fidelity to the lived experiences shared during the review process. The inclusion of specific language or accounts does not constitute endorsement of the views expressed.*

*Readers are encouraged to engage with this material in a way that prioritizes their well-being.*

**Upper Grand District School Board**

# **Human Rights Review**

*Report by:*

*Patrick Case and Julie Lassonde*

**January 2026**

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## Introduction

In April 2025, the Upper Grand District School Board (the Board)—in an effort to ensure that it was organized and operated in alignment with the aspirations expressed in its draft Human Rights Policy<sup>1</sup> and with its goals for transparency and trust-building—asked us to conduct a human rights review of its relevant policies, procedures, and practices. In initiating this review, the Board committed to the reviewers’ independence.

Our goal, as reviewers, was to ensure that this report was informed by community voices and grounded in legal and ethical obligations under the *Ontario Human Rights Code*, the *Education Act*, and the *Anti-Racism Act*.<sup>2</sup> Further, we have committed to delivering a report that:

- Identifies what the Board is doing well
- Shines a spotlight on persistent systemic barriers, and
- Provides actionable recommendations that promote equitable learning and working environments.

The Board has taken important steps toward advancing human rights and equity, including the creation of a Human Rights, Equity, and Accessibility Office (HREAO), the development of Draft Policy 217 on human rights, and situated human rights as a key element throughout its work. This means embedding fundamental human rights principles in the Board’s approach to:

- Culturally Relevant Pedagogy (CRP)
- Artificial intelligence (AI) literacy strategy
- High school de-streaming programs, and
- Addressing direct discrimination

The reviewers were impressed with the Board’s leadership in consciously pivoting from general conceptions of equity to this focus on human rights. This pivot acknowledges that human rights extends to all students within the board, focuses equally on anti-discrimination and substantive change, and articulates clear goals that produce verifiable outcomes for students. A commitment to equitable outcomes is

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<sup>1</sup> Draft Policy 217, see <https://www.ugdsb.ca/page/policy-217-human-rights-code-based-discrimination-and-harassment>.

<sup>2</sup> Human Rights Code, R.S.O. 1990, c. H.19; Education Act, R.S.O. 1990, c. E.2; Anti-Racism Act, 2017, S.O. 2017, c. 15.

evident in the board’s Multi-Year Strategic Plan (Vision 2026). We hope this report will support the board’s vision and leadership in human rights.

A quick note about geographical jurisdictions and relevant demographic trends: the Board encompasses 14 municipalities, ranging from urban to semi-urban to rural.<sup>3</sup> For Statistics Canada purposes, it spans both the Guelph Census Metropolitan Area (CMA)<sup>4</sup> and part of the Toronto CMA<sup>5</sup>. Between 2016 and 2021 (our survey period), the Indigenous population within the Board grew at twice the rate of the non-Indigenous population.<sup>6</sup> That same period saw a significant increase in the number of racialized people living within the Guelph CMA—a trend that occurred outside the Guelph CMA as well. For example, in the portion of Halton Hills included within the Board, the populations of racialized peoples almost doubled during that time.<sup>7</sup> Also notable, according to Statistics Canada the population of Board residents identifying as white decreased marginally during that time period.<sup>8</sup>

## Methodology

A call for comments, interviews, student survey, document review; in conducting this review, we collected data in four main ways:

- **Call for written comments**
  - This involved a call for written comments from all stakeholders, open from May 26 to June 30, 2025. At our request, the Board posted the invitation on its website and circulated it to parents and staff members. As the two reviewers, we alone have had access to its results.
  - The call allowed participants to indicate whether we could cite their anonymous comments in this report. We therefore did not cite any respondent who did not wish to be quoted, even anonymously.
  - This call for comments garnered 781 responses.

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<sup>3</sup> See <https://www.ugdsb.ca/page/boundary-maps-for-202526>.

<sup>4</sup> See <https://www12.statcan.gc.ca/census-recensement/2016/as-sa/fogs-spg/Facts-cma-eng.cfm?LANG=Eng&GK=CMA&GC=550>

<sup>5</sup> See <https://www12.statcan.gc.ca/census-recensement/2021/dp-pd/prof/details/moreinfo-plusinfo.cfm?Lang=E&cdguid=2021S0503535&SearchText=toronto&DGUIDlist=2021S0503535&GENDERlist=1,2,3&STATISTIClist=1,4&HEADERlist=31,30>

<sup>6</sup> See <https://www.towardcommonground.ca/data-portal/demographics/#indigenous-identity12>

<sup>7</sup> See [https://www12.statcan.gc.ca/census-recensement/2021/as-sa/fogs-spg/alternative.cfm?topic=10&lang=E&dguid=2021A00053524015&objectId=4\\_2](https://www12.statcan.gc.ca/census-recensement/2021/as-sa/fogs-spg/alternative.cfm?topic=10&lang=E&dguid=2021A00053524015&objectId=4_2).

<sup>8</sup> See <https://www.towardcommonground.ca/data-portal/demographics/#race13>.

▪ **Interviews and meetings**

- Both virtual and in-person interviews and meetings were conducted with key stakeholders, such as students, parents, and staff members. Interviews and meetings were conducted from May 1 to November 7, 2025.
- Before conducting interviews with students, reviewers obtained a vulnerable sector check. Schools also sent parents a notice about the interviews that included the potential for their children to opt out.
- We obtained verbal consent from the interviewees to use the information they provided in this report, while protecting their anonymity. We also mentioned that we may include quotes in our report and attribute them to a general stakeholder category, such as “Board staff member” or “parent.”
- A Board staff member provided administrative support to the team, assisting reviewers in scheduling interviews and taking notes, while ensuring the same level of confidentiality as reviewers.
- In this way, we conducted 64 interviews and held meetings with over 200 individuals.

▪ **Student survey**

- This involved a voluntary and anonymous survey circulated to secondary school students who had obtained prior parental consent or were 18-years-old and above. The survey was conducted from June 9 to 11, 2025. Only reviewers have had access to these results.
- Prior to conducting the survey, a note was circulated to parents of secondary school students under 18, providing survey questions and the possibility for their children to opt-out from completing the survey.
- Overall, 4,255 secondary school students participated in the survey.
- In this report, we exclude survey results that represent less than five students’ views.

- **Document review**

- We reviewed selected key documents that were requested from the Board.

A note about confidentiality: both our call for written comments and our student survey were anonymous, and we explained to interviewees that we would use their comments while protecting their anonymity. At all stages of the review, we ensured appropriate levels of confidentiality and sought prior consent to disclose any information where necessary.

### **Summary of Findings**

Overall, most participants in the review believe that the Board’s intentions, key policies, and messaging are aligned with human rights. Nevertheless, respondents identified significant difficulties in implementing human rights principles within school communities. Among obstacles to this implementation, they named the following:

- The broadly held perception is that the composition of staff, management, and trustees does not reflect the diversity of the student body.
- Lack of in-depth, ongoing human rights training for staff, management, and trustees.
- Uneven implementation of human rights principles at different schools.
- Lack of openness and transparency in communication regarding human rights incidents.
- Failure to address human rights concerns and complaints, and where they are addressed, an inability to do so with transparency and clarity.
- Insufficient resources in the Board’s human rights and accessibility office.

Also notable in the responses we received, were that participating students, parents, and staff overwhelmingly denounced psychological and physical violence in schools, which we found includes a significant component of human rights-based violence.

During the review, we asked two main questions. The first focused on how the Board promotes equitable learning and working environments. The second considered blocks

or impediments to respecting human rights at the Board. In this report, we will first highlight actions that respondents perceive as promoting equity and then address perceived barriers to the realization of human rights within the Board’s schools.

### **Actions that Promote Equitable Learning and Working Environments**

*“The board prioritizes culturally responsive curriculum and actively celebrates a variety of backgrounds and experiences.”*

A respondent

Several respondents indicated that there were no blocks or impediments to respecting human rights at the Board. Within that group, more parents than staff members thought there were no human rights issues requiring attention. Many provided examples of how the Board promotes equitable learning and working environments. We have sorted and summarized these into three categories: general, staff-related, and student-related.

#### **General**

Several respondents recognized that Board communications and events actively promote equality and inclusion. They noted that investments in staff, programs, and policies support equitable access—involving diversity, anti-discrimination, and data tracking. These respondents gave the Board positive feedback for establishing a human rights office, pursuing leadership in services to Indigenous students, and engaging with Indigenous elders. For some, establishing reporting tools, increasing transparency, and developing responses to serious issues have contributed to a culture of equity. Many respondents also identified the Board’s support for students with disabilities and its celebration of diversity through, for example, honouring certain holidays and flying the Pride flag.

Ministry of Education leadership on the use of artificial intelligence (AI) is largely absent in schools and in the administration. Some considered it positive that the Board is working with a handful of other boards to develop strategies related to this transformative and disruptive technological advance, including the attendant human rights considerations.

We also learned that the Board has drafted Policy 217 on human rights, which contains helpful content. However, in other sections of this report we discuss how some respondents would have liked greater involvement in developing such a policy.

### **Staff-related**

*“The staff encourage acceptance, tolerance, and anti-bullying.”*

A respondent

According to many respondents, this review represents a positive step by the Board. They noted that the Board actively encourages staff to promote acceptance and an anti-bullying ethos throughout the organization. Some respondents perceived human rights to have advanced through several measures. These include the presence of diverse staff in some schools, an equal application of rules—especially in hiring practices—ensuring a safe working environment, supporting women, creating staff advisory committees, and bringing equity to the forefront in staff meetings.

Educator training also plays an important role in enhancing equity. Some respondents noted that professional development often covers topics such as diversity, equity, and inclusion (DEI), anti-racism, and issues related to Indigenous, 2SLGBTQIA+ Black, Jewish, and Muslim communities. They commented further that this training was strengthened by its incorporation of human rights-focused language, Culturally Relevant Pedagogy (CRP), accessibility considerations, mandatory harassment prevention instruction, and its universal availability to all staff.

### **Student-related**

*“My son’s Education Assistant is wonderful!”*

A Respondent

*“As a parent of a queer child who attended UGDSB schools, I can confidently say that their needs and identity were always respected and honoured by teachers. This is huge. It was sometimes more of a struggle for my child's disability needs to be met, but this has a lot to do with a lack of financial support for schools in the form of hiring enough Special Education Resource Teachers, Education*

A Respondent

*Assistants, and Social Workers to fulfill the needs of school populations. Overall, though, let me say that my child's teachers and administrators were extremely accommodating and kind."*

*"My children's school... does a wonderful job integrating the voices of underrepresented groups into their daily education..."*

A Respondent

Respondents noted that the diversity of the student body in itself promotes equitable learning and working environments—simply by exposing everyone to different lived experiences.

Some respondents expressed finding that understanding of students' unique learning needs promotes equity. They also find it helpful that schools provide specialized accommodations, supports, and programs, for English Language Learners, Indigenous students, students with special education needs, and 2SLGBTQIA+ students. Others also see such practices as positively impacting students' physical and mental health.

Respondents provided an example of the Board implementing an inclusive practice that showed social sensitivity. The Board provides financial support so students who can't afford field trips can attend, and this is handled discreetly to help students avoid questions, stigma, or potential ridicule.

Some respondents noted that certain educational content—such as health, cross-cultural practices, and Black, Indigenous, and 2SLGBTQIA+ issues—promotes equity. Others find that student clubs and groups (book clubs, councils, and affinity groups such as gender and sexuality alliances) are helpful, especially when focusing on historically marginalized communities.

Finally, the following practices were listed as promoting equity:

- Consistently attempting to disrupt racist speech or actions
- Making more technology available in the classroom
- Using student hubs within the school setting, and

- Providing summer school opportunities for students who need remediation.

Respondents also reported that the Board has ceased some directly discriminatory practices, ensuring fairness and inclusion for all students regardless of their race or socioeconomic status. For example:

- A practice that required Black, Indigenous, and People of Colour (BIPOC) students to pay suppliers twice as much for cosmetology mannequins due to supply difficulties.
- A policy that excluded students from low-income backgrounds due to exorbitant fees for overnight school trips.

Respondents also viewed certain Board-sponsored initiatives as positive. Specifically, they mentioned the successful Project SEARCH initiative.<sup>9</sup>

We learned of significant positive developments from other sources in addition to the respondents, including from a paper by Parekh, Brown, and Zheng, entitled *Learning Skills, System Equity, and Implicit Bias Within Ontario, Canada* (2018).<sup>10</sup> For example, we discovered that:

- The Board took practical steps to convert a high school into a Grade 11–12+ Continuing Education Alternative Education Centre with Specialist High Skills Majors and has plans to strategically place two more learning centres so that students, whether urbanized or not, have access to multiple educational pathways.
- The International Baccalaureate program, once located only in downtown Guelph, will soon be available in two other centres within the Board’s jurisdiction.
- The Board’s Program Department has strengthened its commitment to implementing Culturally Relevant Pedagogy (CRP) in classrooms.
- The Board is working to overcome its geographical barriers by establishing a Professional Learning Lab, available at all times throughout its jurisdiction.

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<sup>9</sup> See <https://www.ugdsb.ca/page/project-search-at-the-ugdsb>.

<sup>10</sup> See <https://peopleforeducation.ca/wp-content/uploads/2020/06/Parekh-Brown-Zheng-LS-Pub-2018.pdf>.

From examining meeting records, we learned that student census data has informed senior staff discussions of disproportionality, particularly with respect to student pathways and suspensions.<sup>11</sup> The Board is also moving to reform its data-collection practices to ensure higher response rates from parents and students.

### **Obstacles to Respecting Human Rights**

*“We want to do right by our kids. The pressures put on schools by families is immense. Everyone wants “issues” dealt with immediately and consequences strictly enforced, until it’s their own child. There are so many issues to consider (cognitive development, race, religion, home life, experiences). It feels like we are put in impossible situations to navigate effectively.”*

A Respondent

*“There is a culture of fear where staff feel unsafe raising concerns due to potential retaliation.”*

A Respondent

In the previous section, we saw that some respondents to our call for written comments provided examples of how the Board promotes equity. However, most respondents stated that these efforts did not go far enough. Respondents provided many examples of impediments to the Board’s efforts to respect human rights. We have sorted and summarized these into two categories: general and human rights ground specific.

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<sup>11</sup> Executive Report to Policy and Priorities Committee, 2024-01-22, Presentation to Safe Schools Special Education Committee, presentation made 2023-11-23.

## General

*“The process for reporting human rights violations is not clear for staff.”*

A Respondent

*“As a teacher, I have endured multiple violent and abusive incidents in the classroom, including being punched, kicked, spat on, and threatened, often with little to no consequences imposed on the students involved.”*

A Respondent

*“A lot of harassment in the school goes unreported. Teachers are too busy with students to catch it most of the time.”*

A Student Survey  
Respondent

Respondents expressed concerns about the lack of resources to address human rights issues. They commented that the Board says it supports human rights, but doesn't follow through with implementation, or perhaps offers only uneven implementation across schools. They feel there is a lack of accountability for human rights violations and of responses from the Human Rights, Equity, and Accessibility Commissioner's office. Respondents at all levels overwhelmingly lacked information about where to file human rights complaints, the process for handling such matters, and the possible outcomes.

Many respondents noted that some equity-deserving groups are underrepresented in leadership or decision-making roles at the Board. Some perceived that Board staff lacked diversity and that favouritism in hiring is a barrier to merit-based hiring for diversity.

Many staff consider the Board to be too hierarchical and feel they are not heard. Community members complained that they cannot speak directly to senior Board administration officials about human rights matters affecting them. Respondents universally expressed a need for clear policies and procedures, including complaint mechanisms for incidents involving students or staff. When asked whether they knew which policies to use to file human rights complaints, in most cases respondents did not

know. Amongst those respondents who filed complaints, some experienced retaliation or feared retaliation for reporting incidents. Some said they have noticed a lack of respect for employees in the custodial department. Most significantly, staff suffer from student violence toward them and a perception that there is a lack of protection against this violence.

Both in written responses and in face-to-face encounters, respondents expressed a desire to see more staff training on human rights-based approaches to address systemic barriers that create and sustain uneven student outcomes. Staff expressed a desire to be released from work to engage in human rights education during work hours. They also asked that human rights education not take place exclusively online.

Again, in both their written responses and in face-to-face encounters, staff said that although they would like to intervene when witnessing human rights violations, they either do not know how or are afraid to do so. Several staff members said they find it challenging to teach in communities where racism, ableism, homophobia, and other forms of human rights infringements seem deeply embedded. Educators said that they are asked to uphold human rights but receive limited support when conflicts arise. Several respondents, both staff and community members, expressed their belief that specific schools are not prepared for the growing diversity in their community. Educators also reported feeling unsupported when accused of human rights violations. Staff feel that the Board allows parents to be rude and disrespectful toward them. Further, some respondents felt that parental pressure prevents staff from intervening or imposing appropriate discipline on students responsible for incidents—for example, not removing a student from the classroom or suspending them.

Many respondents noticed inconsistencies within schools and in their responses to human rights violations, creating confusion. Some respondents also pointed out inconsistencies in interpretations of student behaviour and reactions. For example, they noted a tendency for confusion between producing discomfort and bullying. Some say further that student bullying remains unaddressed when both the bully and the victim are racialized or live with disabilities, or when a victim is white. Respondents expressed significant concern about the lack of response or slow response to bullying and other student behavioural issues, whether they occur in class, hallways, or bathrooms. Some

said that parents need to be held accountable for their children’s bullying, human rights violations, harassment, and violence toward other children or staff members.

Respondents pointed out other disparate human rights-related problems, such as:

- Lack of access to French immersion schools and their proliferation as a form of streaming
- Lack of communication about a “no touching” policy at a school and the rationale for such a policy.

Finally, some observed that human rights work requires emotional intelligence and empathy, neither of which is innate.

### **Human Rights Ground Specific**

*“People making fun of others with disabilities. People are saying the N-word every 5 seconds. Making homophobic comments.”*

A Student Survey  
Respondent

We have divided this section into human rights grounds or groups of human rights grounds. However, some comments are intersectional and therefore relate to additional grounds other than those included in the category where they appear. We also note that some comments do not relate to human rights grounds, but rather to the socio-economic status of students and families, such as housing insecurity, the inability to afford school trips, or body image and size issues.

As stated above, the students who responded to our student survey received prior parental approval and participated voluntarily. This means that results may not reflect the entire student body. Nevertheless, they reveal the following:

<b>Identity Category</b> *Note that some students identify as belonging to more than one gender category.	Proportion of student respondents who completed the survey for each category	Proportion from left column in numbers	Of those who identified to each identity category, proportion who felt often treated badly based on this same identity category, in the past school year	Proportion from left column in numbers
<b>Indigenous</b>	5%	189/4091	15%	22/148
<b>Race</b>	22% (other than white) 73%	1101/4015	8%	92/1163
▪ White	9%	2914/4015	2%	56/2762
▪ South Asian	6%	345/4015	10%	33/316
▪ Black	6%	224/4015	19%	38/205
▪ East Asian	5%	226/4015	13%	26/208
▪ Middle Eastern	4%	193/4015	15%	26/179
▪ Southeast Asian	3%	163/4015	12%	18/152
▪ Indigenous	3%	125/4015	16%	19/122
▪ Latino	3%	131/4015	16%	19/121
▪ A racial group not listed above		103/4015	17%	16/94
<b>Ethnic or cultural origins</b>	30% (other than Canadian)	1209/3984	4%	108/2772
<b>Language</b>	11% (other than English) 13%	446/4051	5%	71/1317
▪ French		524/4051	5%	23/493
<b>Disability</b>	13%	514/3933	18%	83/466
▪ Attention Deficit Hyperactivity Disorder (ADHD)	7%	265/3933	21%	53/256
▪ Mental health diagnosis(es)/ disability(ies)	5%	198/3933	25%	48/190
	5%	191/3933	27%	50/186



<b>Identity Category</b> *Note that some students identify as belonging to more than one gender category.	Proportion of student respondents who completed the survey for each category	Proportion from left column in numbers	Of those who identified to each identity category, proportion who felt often treated badly based on this same identity category, in the past school year	Proportion from left column in numbers
<ul style="list-style-type: none"> <li>▪ Catholic</li> <li>▪ Muslim</li> <li>▪ Sikh</li> <li>▪ Hindu</li> <li>▪ Jewish</li> <li>▪ Buddhist</li> <li>▪ Indigenous spirituality</li> </ul>	10%	415/3962	6%	25/402
	6%	251/3962	12%	28/235
	3%	105/3962	15%	16/95
	3%	102/3962	17%	14/96
	2%	62/3962	35%	21/60
	2%	70/3962	20%	13/65
	1%	41/3962	29%	12/41
<b>Gender</b>				
<ul style="list-style-type: none"> <li>▪ Girl/woman</li> <li>▪ Boy/man</li> <li>▪ Non-binary/Trans/</li> <li>▪ Other</li> </ul>	51%	2015/3949	4%	68/1918
	42%	1668/3949	4%	69/1598
	15%	575/3949	26%	83/314
<b>Sexual orientation</b>	33%	1304/3936	13%	117/877
	(other than heterosexual)			

These findings underscore the board’s obligation to address identity-based harm against students.

### **Indigenous Ancestry**

*“I have been made fun of for my looks (being bigger), people have pushed me, said slurs to my face and behind my back. Other kids have said that being white-passing and Native isn't a thing, and I'm faking it. I have also watched my friends be judged and laughed at because of the washroom they go into. We only have one bathroom that anyone can go into (they are Trans). For all my years at this school, there have been rude people that take*

A Student Survey  
Respondent

*from their parents' ideas and push it onto everyone, but the thing that makes it worth coming to school is the teachers. They have been able to foster such a kind place for all the kids."*

Respondents pointed out that experiences of Indigenous students reveal systemic discrimination and pervasive issues rooted in a lack of cultural understanding. The frequent misinterpretation of traditional practices comprised a central concern for Indigenous students and staff members. For example, students engaged in smudging report being often wrongly accused of "smoking weed" due to a general ignorance about the spiritual significance of smudging and other Indigenous cultural practices. Respondents expressed concern that Indigenous programming is limited and not offered in every region. They believe Indigenous culture and language should be taught in schools.

Respondents mentioned that some schools have ceased making land acknowledgements, with staff citing the practice as "too hard," or the responsibility being shifted unfairly to Indigenous students instead of administrators. Additionally, students often mentioned feeling that school-led Truth and Reconciliation initiatives become merely performative gestures rather than genuine educational opportunities.

Respondents stated that incidents of inappropriate behaviour are also common. Students reported educators using Indigenous identity for jokes or making inappropriate comments. We were also told that educators often rely on Indigenous students to explain cultural topics, placing an unfair emotional burden on these students to educate others and reinforcing power imbalances in the classroom.

We heard that instruction regarding sensitive historical topics, such as residential schools and Missing and Murdered Indigenous Women and Girls (MMIWG), is often handled inappropriately or without proper context. For example, a respondent mentioned that a student mocked residential school survivors without consequences. When racist or discriminatory comments are reported, we were told that disciplinary action is frequently minimal or inconsistent.

## **Disability**

*“Teachers do not respect my child’s IEP. No one is helping, and the system has failed my child.”* A Respondent

*“... [T]he Special Education Resource Teacher (SERT) at our school chose not to provide any accommodation, instruction or training; later, refused to provide an Individual Education Plan (IEP) despite specific instructions to do so.”* A Respondent

*“Enclosing a student in crisis in a small closet area, which the student trashes in fear/stress as they are restrained in a tight space is not a viable solution.”* A Respondent

*“My teacher refused to follow the IEP and would not accommodate me”* A Respondent

Respondents understood the problem of insufficient funding for special education and inadequate supports for students with exceptionalities—including those with mental health challenges, behavioural, hearing or visual processing disorders, developmental delays, and neurodivergent students. They spoke about the following:

- Shortage of Educational Assistants (EAs) and Early Childhood Educators (ECEs)
- Shortage of staff for extra supports such as Child and Youth Care (CYC) and Occupational Therapists (OTs)
- Lack of access to AngelSense<sup>12</sup> tracking unit technology
- Lack of support for transportation

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<sup>12</sup> An advanced GPS tracking and safety technology specifically designed for individuals with special needs, autism, dementia, or those prone to wandering, offering real-time location, proactive alerts (like geofence breaches or late departures), a two-way auto-answer speakerphone, and an SOS button for emergencies, all managed through a mobile app.

Some respondents said that supports for students who live with disabilities is only available in some regions, yet they find that travelling every day is not realistic for some students. Others have faced a refusal to move students to schools with better facilities. Some parents in rural areas said that when it comes to Special Education services, their children and they are at a disadvantage.

Regarding classroom organization, some commented that classrooms should provide more inclusive alternatives to segregation for students on the autism spectrum. Others noted that specialized classrooms still do not meet the needs of students who require one-on-one interaction with an OT. Some would like to see open pathways for students who don't learn in traditional ways. Others find class sizes too large. One respondent stated that eating is allowed in a classroom that includes a child with misophonia, who is triggered by eating noises, meaning the child needs to leave the room and miss learning.

Respondents also pointed out a lack of accessibility for students with physical disabilities. For example, some mentioned that students with disabilities were unable to use the gym and that the lift to the gym had been broken for years.

Parents mentioned a lack of oversight by Special Education Resource Teacher (SERT) staff, and one parent said they do not feel they can file a complaint about an incident involving their child because the SERT is a colleague.

Some noticed discrimination against staff with disabilities, and that occasional teachers are treated as "second-class staff."

## **Race**

### *Anti-Black Racism*

*"The N word is used frequently in schools and students are not empowered to report it, and staff are not clear on steps to disrupt and intervene."* A Respondent

*"Person from my school said the N word many times and wasn't suspended since it was one month prior."* A Student Survey Respondent

*“I hear white students say racial slurs, especially the N word, several times daily. Not always directed at certain people, though they are occasionally.”*

A Student Survey Respondent

*“To address racism in this school, the first step would be empathy.”*

A Respondent

*“When my son defends himself, he’s punished—and the experience follows him.”*

A Respondent

Respondents stated that with the dramatic increases in racialized students, there are too few racialized people in positions of responsibility, including racialized educators and staff. They find that there are insufficient policies, procedures, and practices to protect against race or colour-based discrimination. There is also a lack of transparency in communication between educators, students, the administration, and caregivers about racial harm. Black parents notice a lack of engagement with them. Some student respondents said that, in their large school, they know the two educators who will follow up if they complain about other students using “the N word” against them. An educator reported being called a monkey and referred to by the N-word by students. Some students agreed with the sentiment expressed by one of them through the question, “How do you make a system equitable when it was built on inequity?”

Many respondents expressed their perception that schools generally do not take racism seriously—in some schools more than others. They noted a lack of consistent response to racist incidents, including anti-Black racism. Some noticed bullying of racialized students, including racialized students with disabilities. Others commented that the practice of inviting police into schools is harmful. A respondent noted that their child was asked, by an educator to confront the peer who had harmed them—with no support or protection. Another respondent reported that upon complaining that a peer had used “the N word” against them, an educator said that their reaction had comprised a sufficient rebuke.

Some respondents said that Black students are disproportionately disciplined for defending themselves from racism, including being placed in in-school suspensions. They noted that offenders often face no consequences and are quickly returned to the same classroom environment. Other respondents stated that students have left the board altogether due to traumatic experiences and feeling unsafe. We also heard that educators or peers dismiss or minimize students' concerns about microaggressions, such as having their hair touched without consent.

Respondents criticized a lack of anti-racism training for staff—both on anti-Black and other forms of racism. They expressed a belief that senior administrators, educators, and other staff should be trained on how to navigate racist incidents in schools. Some respondents said that prior anti-racism training was led by school principals, many of whom lacked relevant experience. Many respondents noticed frequent use of racial slurs by both parents and students. Others observed incidents of racism by white staff against racialized staff. Few respondents were aware of the Human Rights, Equity, and Accessibility Office (HREA-O).

Respondents pointed to several structural barriers, such as:

- The availability of an Afrocentric course at only one high school
- A lack of data on disciplinary outcomes by race, and
- A lack of clarity in policy application regarding tiered offences and disciplinary action.

### *Anti-Palestinian Racism*

Some respondents feel silenced by the Board when wanting to discuss issues involving Israel and Palestine.

Some students felt silenced when they were told to disband a group they had assembled to shed light on the mounting death toll in Gaza and to support Palestinian liberation. We heard that the atmosphere in schools resulted in some students being labelled “terrorists.” Others spoke of inconsistencies in the way that schools handle students who raise issues related to Palestinian rights, with some schools outright banning student action and others being less strict.

Respondents disagreed with the Board’s stance of “no politics in the classroom,” arguing that this position silences critical equity-based dialogue about matters affecting students’ lives. Some respondents identified a contradiction between the ban on discussing politics and the requirement that, within the curriculum, educators address current events, saying that such a ban is directed at Palestinians and amounts to racism.

**Place of Origin, Ethnic Origin or Citizenship**

*“Getting rid of the ESL classes in secondary schools was a mistake. These students are struggling significantly with language barriers in mainstream classes.”* A Respondent

Respondents who spoke to this ground expressed a need for greater support for multilingual learners and newcomers, as well as for ESL classes in secondary school. One respondent noted incidents of laughing at Irish culture. Others observed passive-aggressive comments by staff against other staff members or students about where they come from or their immigration status (in particular, whether they are newcomers to Canada).

Some respondents noticed bullying based on place of origin.

**Sex**

A respondent noticed disrespect and inequity in teaching requests and a lack of general support, based on sex. A respondent said that contractual staff should have access to paid leave for pregnancy or supporting a pregnant spouse.

Many denounced sexual harassment and assault, noting high incidents of male students harassing female students. They also perceived a lack of protection for student or staff victims of sexual assault, including female student victims. Some respondents stated that complaints of sexual assault against staff members by students often remain unaddressed.

## Gender Identity, Gender Expression or Sexual Orientation

*“Flying a flag does not keep a trans kid safe from slurs and threats.”* A Respondent

*“My school has families that are against the 2SLGBTQIA+ community, and I have not been protected in the past from them, being told to avoid queer books so the families do not get angry.”* A Respondent

*“...you transed my kid. Got her on hormones by 17 without parental consent. You promoted, allowed, and coerced my child into making a life-altering choice as a child. I hope you all die a horrible, miserable painful death in shame. You should be in prison.”* A Respondent

*“Certain people would say things about me behind my back, about my sexual orientation and my weight.”* A Student Survey Respondent

As with race, respondents noticed a lack of gender and sexual orientation diversity among people in positions of power. Some also noted a lack of leadership, including by superintendents, in supporting learning about 2SLGBTQIA+, for example by maintaining books on the topic in the Learning Commons.

Respondents denounced homophobia or transphobia against students and the lack of intervention to stop bullying of 2SLGBTQIA+ students. They acknowledged that some incidents were addressed, but noted a lack of strategy to address broader patterns and hostility. Some noticed a frequent use of homophobic and transphobic slurs by parents and students, stating that such slurs remain unaddressed. Respondents told us as well that some students are bullied because their parents are trans and queer. Some explained that parent pushback prevents staff from effectively intervening against homophobic or racist remarks. As one of the above quotes demonstrates, some parents feel permitted to engage in highly aggressive speech related to gender identity and expression.

As noted above with racism, some respondents noticed unevenness between schools in how they respect student and staff gender identity or expression or sexual orientation. Others said that educators do not always respect students' preferred pronouns and names. In addition, 2SLGBTQIA+ staff feel threatened and isolated at some schools.

Respondents identified other issues as well—for example, that the attendance system, staff titles, and gym classes remain coded in binary ways, and that washrooms should provide more privacy and not be associated with a gender.

### **Creed<sup>13</sup>**

We heard that there is too much focus on staff absences related to religious days compared to sick leave. The Board distributed a form that included questions about staff members' faiths, which respondents found invasive and problematic. The form required employees to describe the depth of their faith, name a spiritual leader, and explain why the holiday could not be celebrated at another time. The form was experienced as targeting religious minorities and deterring observance.

Some respondents said that Christian holidays are no longer celebrated in elementary schools, due to multiculturalism, and that there is a lack of respect for Jewish, Christian, Islamic, and Catholic faiths. Other respondents spoke of being openly ridiculed because of their Christian, Jewish, or Muslim faith.

A few respondents said that schools lack rooms in which to pray.

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<sup>13</sup> Note that some comments also relate to other grounds, such as race.

#### Antisemitism<sup>14</sup>

*"I've noticed from my high school experience there's been a lack of Jewish representation in announcements/events, most notably the absence of any mention of 'Jewish Heritage Month'."*

A Student Survey  
Respondent

*"Coming from a half-Jewish household, I often feel unsafe expressing my cultural ties/beliefs without being targeted. As Jewish schools are firebombed, Holocaust memorials are vandalized, and university campuses are taken over by largely antisemitic groups, I think my school's choice to not acknowledge Jewish heritage month (while putting a heavy emphasis on similar months—e.g. Black History Month, Pride Month, etc.) is an unfortunate decision which makes me feel somewhat unaccepted in a community which supposedly emphasizes diversity, equity, and inclusion."*

A Student Survey  
Respondent

Respondents noted that, while there is a Jewish affinity group within the Board, as with other groups, there is no Board direction on the group's purpose or function. This gives rise to confusion about whether the group ought to exist.

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<sup>14</sup> See

[https://www.ohrc.on.ca/sites/default/files/Policy%20on%20preventing%20discrimination%20based%20on%20creed\\_accessible\\_0.pdf](https://www.ohrc.on.ca/sites/default/files/Policy%20on%20preventing%20discrimination%20based%20on%20creed_accessible_0.pdf). While being fully conscious of its complex history, we have chosen to place our comments about antisemitism under the Code ground "creed". Antisemitism is a multifaceted form of prejudice that has evolved over thousands of years, targeting Jews as both a religious and a racial group. Historically, "religious antisemitism" (or anti-Judaism) focused on the rejection of Jewish beliefs and practices, particularly within early Christian and Islamic contexts, where hostility could sometimes be escaped through conversion to the dominant faith. However, the 19th century saw the emergence of "racial antisemitism," which utilized pseudoscientific theories of eugenics to categorize Jews as a distinct, biologically inferior race. This racialized lens, most notably championed throughout the Holocaust, viewed Jewishness as an unchangeable genetic trait, making conversion moot and leading to state-sponsored genocide. In the 21st century, antisemitism continues to manifest through a blend of these historical religious tropes, racist ideologies, and contemporary political movements.

Respondent members of the Jewish affinity group noted that because they felt unheard and mistrusted by Board staff, they moved the group's activity to personal Zoom and private email accounts. They stated that membership in the affinity group remains small, because some people fear negative consequences for belonging to such a group. Others have left due to a sense of futility or because of a lack of Board response to concerns.

Respondents stated that while other affinity groups have received focused support and education, and despite repeated requests for training on antisemitism, no training was delivered. They said that repeated issues were raised with Board leaders with little or no follow-up. It was noted that in the wake of the October 7, 2023 attack on Israel, complaints were raised about politically charged content in a social media account belonging to a staff member. It was stated that the offending material was removed only after the matter was escalated to the union.

Respondents identified a number of inadequate responses to antisemitic incidents, including the following:

- A swastika having been daubed on a Jewish educator's car.
- Jewish student discomfort with an educator who was an advisor to a school equity club, wearing a keffiyeh and with another educator wearing a "Free Palestine" t-shirt.
- Political content in classrooms about Israel/Palestine, despite board policy on political neutrality.
- Jewish students feeling unsafe about expressing their identity or wearing religious symbols at school.

Some respondents stated they don't trust in the Board's complaint processes, which lacks follow-up mechanisms. A respondent stated they did not know whether or how complaints were handled. They thought antisemitism was not acknowledged with the same seriousness as other forms of hate or racism. On the other hand, some parents reported good results when they complained directly to the principals of schools.

### **Family Status or Marital Status**

Some respondents noticed insufficient effort to support families who have experienced separation and to communicate with them appropriately. One respondent mentioned a lack of sensitivity around Father’s Day for children with a single mom and perhaps no opportunity to celebrate it.

The reviewers are unsure about the background of this matter; however, a respondent reported difficulty returning to the Occasional Teaching (OT) roster and then the Long Term Occasional (LTO) list after resigning from a contract to raise children.

### **Concerns with Human Rights**

*“I don’t believe radical gender ideology should be taught to young children.”*

A Respondent

We note that some respondents expressed concerns with human rights, including that they consider it inappropriate to discuss the human rights grounds of sexual orientation and gender identity/expression with children. They disagree with discussing these topics and with having books on them in schools. One respondent indicated they want to be respected for their decision not to celebrate Pride month.

Others believe that focusing on specific groups on human rights grounds is divisive. For example, a respondent expressed a belief that there should be one prayer room for students of all religions. Another respondent believes that clubs based on race or religion should not be allowed. Another respondent finds that students who do not identify as a minority are portrayed negatively and not celebrated.

## Past Board Surveys

### Background

Pursuant to the *Anti-Racism Act* and the Ministry of Education's directions, the Board had conducted a number of surveys of its elementary and secondary student populations prior to this review. Below, we present a summary of selected findings from several such surveys. As we've done above with our own findings, we wish to highlight the identity-based disproportionalities that these survey results demonstrate. We believe this exercise helps to highlight the more intractable, continuing issues within schools.

We note that one survey, the *UGDSB Counts Student Census*, only received responses from 55% of students. As the disproportionality analysis necessarily reflects only the characteristics of participating students, we caution that conclusions should be drawn carefully, as the results may not fully represent the entire student population. In addition, the Board has not published all of the survey results in this section. Thus, we cannot provide references for all of the data.

Overall, the data highlights consistent patterns of overrepresentation and underrepresentation among different racialized groups as academic expectations increase or in the context of disciplinary actions.<sup>15</sup> By contrast, for white students, the data indicates little or no disproportionality in academic expectations or disciplinary action.<sup>16</sup>

### Academic Expectations

At the secondary level, achieving a passing grade of 50% or higher in mathematics was relatively proportionate across racial groups. However, disproportionalities grew significantly when expectations were raised to attain a grade of 70% or more. At this higher threshold, East Asian students were overrepresented, while Middle Eastern, Indigenous, and Black students were disproportionately underrepresented. The disparities became even more pronounced when the expectation was moved to

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<sup>15</sup> REI - Racial Disproportionalities in UGDSB Programs, Services, and Educational Outcomes Presentation to Executive Group (2023-04-17).

<sup>16</sup> Ibid.

achieving honours (a grade of 80% or higher). East Asian students achieved honours at substantially higher rates than other groups, a disparity disproportionate to their population share. Conversely, Black students achieved honours at significantly lower rates, and Latin American and Indigenous students were also underrepresented.

Performance on standardized tests administered by the Education Quality and Accountability Office (EQAO) and the Ontario Secondary School Literacy Test (OSSLT) also revealed significant disparities in meeting provincial standards. For Grade 3 EQAO scores, Indigenous and Black students were significantly underrepresented in meeting the reading standard. In writing, Indigenous students were underrepresented considerably, and Black students were somewhat underrepresented. In mathematics, East Asian students were significantly overrepresented, while Indigenous, Latin American, Black, and Middle Eastern students were all disproportionately underrepresented.

Disproportionalities increased when reviewing Grade 6 EQAO scores. In reading, Latin American students were somewhat overrepresented, while Indigenous students were significantly underrepresented, and Black and Middle Eastern students were somewhat underrepresented. In writing, Latin American students were slightly overrepresented, Indigenous students were considerably underrepresented, and Black students were somewhat underrepresented. The most significant disparities were seen in Grade 6 mathematics scores. South Asian, East Asian, and Latin American students were all overrepresented (in increasing order), while Indigenous and Black students were significantly underrepresented, and Middle Eastern students were slightly underrepresented.

Data for Grade 9 EQAO mathematics scores showed that East Asian students were disproportionately overrepresented. Black students were significantly underrepresented, and Indigenous students comprised the most underrepresented group.

For the Grade 10 OSSLT data, among students taking the test for the first time, Black students showed some underrepresentation, and Indigenous students showed significantly lower success rates. For students who were previously eligible (re-tests),

racial disproportionality was clearer. East Asian, Southeast Asian, South Asian, and Latin American students succeeded at disproportionately higher rates. Black students were the most underrepresented group, followed by Middle Eastern and Indigenous students.

### **Disciplinary Action**

Data on suspensions demonstrated disproportionate application of disciplinary measures across racial groups. Southeast Asian, South Asian, and East Asian students were underrepresented among those receiving one or more suspensions. Conversely, Latin American, Indigenous, Black, and Middle Eastern students were overrepresented, and multi-racial students were extremely overrepresented. When examining data for two or more suspensions, these disparities became even starker. Latin American, Black, and Indigenous students were overrepresented, while multi-racial students remained the most extremely overrepresented group. A separate report<sup>17</sup> further highlighted that male students and students with special education status were also disproportionately overrepresented in the number of students receiving suspensions, expulsions, and exclusions across several school years.

Finally, data from a student/family survey with a 55% response rate revealed disparities in elementary-level reading, writing, and math achievement (defined as a B- or higher) and honours-level (defined as an A- or higher). In meeting expectations across all three subjects, South Asian and East Asian students were generally overrepresented, while Black, Middle Eastern, and Indigenous students were consistently underrepresented. Disparities increased when looking at honours achievements. In both reading and writing, East Asian students were significantly overrepresented, while Indigenous, Black, and Middle Eastern students were significantly underrepresented. In mathematics honours, South Asian and East Asian students were overrepresented considerably, and Indigenous, Black, and Middle Eastern students were disproportionately underrepresented.

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<sup>17</sup> REI – Suspensions, Expulsions, and Exclusions – May 16, 2023.

## **Observations**

As reviewers, it has been a pleasure and a privilege to have conducted this process. Throughout the review, Trustees, Board staff at all levels, students, and community members have participated openly and with clarity regarding human rights at the Board. Notably, senior Board staff requested this review—after committing to a path focused on applying and deepening human rights principles. Our interviews with the Director of the Board and with senior staff revealed their understanding that in the context of publicly funded education, a human rights-based approach tries to apply a sharp focus on both anti-discrimination—addressing the everyday ways in which people are treated differently from others —and the systemic imbalances and structures impeding equality of outcomes for students from historically disadvantaged backgrounds.

## **Positive Initiatives and Progress**

Our summary of findings highlighted what work the Board engages in that promotes human rights. These are all achievements that we encourage the Board to maintain and expand across schools in the entire region it covers.

## **Challenges and Concerns**

Notwithstanding these sterling efforts and based on the results of both this review and various past reviews, the Board continues to face a series of significant challenges in realizing its human rights goals. Many students and parents expressed serious concerns about the student experience in schools and about outcomes for many students. Concerns about ableism, anti-Black racism, homo-bi-transphobia, and religious-based prejudice abound among students and parents, as well as a generalized concern about violence in schools. As was detailed above in the section [Human Rights Ground Specific](#), many of these human rights violations go unchallenged by many school staff.

A more detailed discussion of the various challenges highlighted through this review is presented below.

## **Hiring**

In 2020, the UGDSB commissioned a workforce census to capture the diversity and well-being of its employees. A total of 59% of 4,988 employees responded to the survey administered by the Survey Research Centre at the University of Waterloo. An analysis of the census, communicated to the Board in February 2022, concluded that, though some progress was made in hiring for diversity among support staff, UGDSB staff respondents were demographically largely homogeneous. The analysis noted that fewer than one in ten teachers reported being a member of a racialized group.

According to the data analysis from that survey, although 36% of white board employees reported feeling marginalized, that percentage rose to 46% when the same question was put to racialized employees. Similar results emerged when employees were asked whether they felt a sense of belonging to the Board— significantly more racialized employees felt a poor/low sense of belonging to the Board.

With respect to subjective probes related to employees’ feelings, the surveyors noted that the survey was administered during the COVID pandemic and questioned whether in some respects the results simply reflected the debilitating conditions of the time. Significantly, despite the survey's poor timing, respondents placed a high degree of value—by wide margins—on the Board’s various equity initiatives.

As a closely related matter, during interviews with community and staff respondents for the present review, there was a perception that nepotism is a factor in staff recruitment and hiring.

## **Human Rights Equity and Accessibility Office**

In 2019, the Ministry of Education offered funding to the Board to establish a human rights office. The Board turned down the Ministry’s offer, saying that there was no need for such an office at that time. During the 2022/23 budget year, the Board approved a staff recommendation to establish the current HREA-O. The current self-funded human rights office commenced operations in 2023, and indeed, both the office and its role have grown since then. The HREA-O consists of two offices with roles that may appear to be in conflict. Before the HREA-O was created, the Board equity office handled

broadly defined equity issues arising in schools and classrooms. The equity office’s work consisted of advising school principals and teachers on curriculum and instructional matters. When the Human Rights Commissioners’ position was added and the office was given its current name, the work of the amalgamated unit expanded to address human rights concerns and complaints, creating the potential for conflict among its various roles. For example, the same office would be responsible for advising principals and teachers on the instructional process and for managing human rights dispute resolution processes, in which principals or teachers may become complainants or respondents.

- We found consistent confusion about the HREA-O's role and mandate. To ensure confidentiality and fairness, and to allay concerns about potential role conflicts, whether apparent or actual, the HREA-O’s mandate and internal workings must be clarified.

In addition to the observations above, almost every community and affinity group we spoke with expressed concern that the Board’s Human Rights, Equity and Accessibility Office (HREA-O) is ineffective in addressing human rights issues and complaints. Community members spoke of phone calls and other communications going unanswered and a sense that the HREA-O lacked impartiality. We asked every group we spoke to where they would go if they had a human rights-based concern; a few parents and staff mentioned the HREA-O as a resource, but no student thought of this option.

### **Community Participation in Policy Creation and Implementation**

The *Draft Policy 217 on Human Rights: Code-based Discrimination and Harassment* is, by its wording, well drafted. The draft policy contains all the elements that would make it an effective statement of the Board’s values and principles regarding human rights. Many community members praised the Board for having created Draft Policy 217. However, a significant number of community members stated that while they had wished to participate in creating Draft Policy 217, they had had little opportunity to do so. It is important to note that Draft Policy 217 is posted on the Board’s website, and the Board makes it clear that it is open to comments on the draft. The creation of human

rights policies may differ from that of many other policies in that the content of such policies belongs directly to those they concern.

- Human rights policies and procedures require community buy-in to work effectively. Regardless of the time and effort involved, therefore, community participation must be mobilized when developing these policies and procedures.

Such policies and procedures should be created with the broadest possible participation in the process. A collaborative approach to creating policy and procedures takes more time than if staff alone take on the task; however, a highly participatory process can be seen as a key pathway to cultural change and trust-building within the organization. If, at the end of the collaborative process—for example, creating a policy and procedure on accommodating employees with disabilities—both principal parties to accommodation (the employer and bargaining units) sign off on the final product, that moment will represent a unity on the matter and a consensus on the principles related to addressing disability rights in the workplace.

## **Code-based Discrimination and Harassment**

### **Draft Policy 217 Human Rights**

As previously stated, Policy 217 is well drafted, and here, we offer comments intended to strengthen the document. In its initial Policy Statement, the policy speaks to creating environments free of discrimination, harassment, and oppression. Though the commitment to addressing harassment and discrimination is clear, the link between anti-oppression and remedying systemic inequities might be made more explicit for those unfamiliar with the language of human rights. This observation carries over into the section on definitions, where ‘systemic discrimination’ is defined but not tied back to the concept of oppression.

In relation to the Draft Policy's guiding principles, it should be clear that each instrument in section 3.1 has a different status. School boards are legally bound by the Canadian Charter of Rights and Freedoms, and by the provisions of the Ontario Human Rights Code; the international instruments cited may be used to interpret our law, but they do not ‘bind’ school boards. The guiding principles in section 3.2 of the Draft Policy stand

out as articulating both the right to be protected from discrimination and harassment as well as aspirational rights to equality in outcomes.

The aspirational spirit articulated in section 3 flows through both sections 4 and 5. However, within section 5.5, it might be prudent to note that the principles applied to resolving competing rights are guiding principles set out in the Ontario Human Rights Commission (OHRC) policy<sup>18</sup> and are not a complete statement of the law. With modification, these principles were applied in various cases.<sup>19</sup> It might be more prudent to identify that the principles should 'guide' rather than 'shall' guide from the OHRC.

With regard to 6.17 Human Rights, Equity and Accessibility Office (HREA-O), a revision of this section should be considered in order to align it with the recommendation made about the office in this report.

It is highly likely that once the Board has drafted a full procedure for addressing behaviours that fall below the standards set under the Draft Policy, the provisions of that procedure may require changes to the Draft Policy itself. A question arises: should approval of the Draft Policy be held in abeyance until both it and the procedure are complete, or should approval proceed and later amendments be made to align it with the procedure? This decision arises particularly when taking into consideration the provisions under the Draft Policy's subheading Complaints about Policy Violations. We believe that if these provisions are intended to serve as interim pathways to complaint resolution, the Draft Policy should state so. It may also be the case that the pathways described in the Draft Policy are incomplete and may lead to unfairness, a diversity of methods for handling complaints, or the termination of rights held by those participating in the process.

We are aware of the difficulties arising from requiring all school principals to follow the same process for addressing parents' concerns and complaints; however, during this review, we heard that there are considerable differences in how school principals address code-based concerns and complaints from parents. We are concerned that directing the public to use the previous Policy 215's section on public concerns will not

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<sup>18</sup> See <https://www3.ohrc.on.ca/en/policy-competing-human-rights>

<sup>19</sup> The so called 'Niqab case', *R. v. N.S.*, 2012 SCC 72, [2012] 3 S.C.R. 726

resolve this inconsistency. At this time, Policy 215 does not include usable guidelines or checklists for school principals and others working to address public concerns.

Subsection 6.23 advises that community members may “raise concerns or complaints in accordance with the procedures under this policy or use any other mechanism that currently exists”. This subsection raises questions about whether the intention is to move the Draft Policy to approval in the absence of a companion procedure. The subsection will be confusing to members of the public, students, and many employees because it references unspecified mechanisms currently in place.

We are unsure about the practical effect of subsection 6.25 specifying that the HREA-O complaints process trumps all other policy-based processes. We do not think that the reference to policy-based processes was intended to include grievances under collective agreements. A future procedure should make it clear that complaints accepted by the HREA-O will result in grievances made under collective agreements being held in abeyance until the conclusion of the HREA-O investigation. We also question whether a human rights ground-based complaint made under the board’s Safe Schools procedures should be terminated until it is certain that all issues that might be raised under those processes are addressed in the human rights complaint.

### **Caring About Human Rights**

We are concerned that in our face-to-face meetings with students from marginalized groups, many participants stated their perception that significant numbers of educators, vice-principals, or principals do not care about human rights violations against them. The violations spoken about by students run the length of the continuum from microaggressions (for example, Black female students’ hair being touched) to overt discrimination (the sexual stereotyping of female Indigenous students). Reports of such behaviour varied from school to school, with some schools reporting positive responses from educators and administrators.

## **Professional Development**

We acknowledge that the Board’s geographical spread and its sizeable employee base poses barriers to learning and development. As stated above, the Board has established a Professional Learning Lab available 24/7 online across the regions to help address this. The professional learning spans many topics, with plans to develop human rights-specific modules.

However, many educators say they are not given time to use this professional development tool, meaning only the most highly motivated educators who also have time outside of work can benefit.

- To be optimally effective, professional development should be conducted during working hours, even if other tools to deepen knowledge remain available at other times.

In addition, we remain concerned that at the local school level, the network of "school equity representatives" has remained untended and thus unable to ensure local staff participation in human rights-based professional learning.

- To improve this, the network of school equity representatives should act as a “post office” for central communications on human rights, an aid to administrators in arranging professional learning for staff, a local CRP resource, and a go-to person for students concerned about mistreatment.

## **Culturally Relevant Pedagogy (CRP)**

We were heartened to learn from senior staff that the Board is placing great emphasis on implementing Culturally Relevant Pedagogy (CRP). As opaque as the term may seem, CRP is simply a student-centred model that allows for each person in a classroom to simultaneously teach and learn by including their own perspectives.<sup>20</sup>

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<sup>20</sup> See, for example, <https://oxford-review.com/the-oxford-review-dei-diversity-equity-and-inclusion-dictionary/culturally-relevant-pedagogy-definition-and-explanation/>.

- In relation to CRP, individual teacher practices must be supported by systemic and leadership-driven changes for sustainable and impactful school-wide implementation.<sup>21</sup>

By building a sense of belonging and trust, learning about real-world issues, and fostering cultural competence, CRP provides a strong pathway to developing educator empathy and addressing student mistreatment.

## **Violence**

It would be impossible to write this report without speaking about the alarming levels of violence in schools. While certainly not an issue unique to this Board, we heard about bullying and violence persisting in Board schools without effective intervention. Our sources indicate that there is a direct connection with gender dynamics, with male violence and bullying dominating the problem. While some mentioned occasional female bullies, the information we gathered indicated that disproportionately large numbers of male students resort to intimidation and violence to assert power or resolve issues.

- A model of positive masculinity is needed to transform a negative culture and promote effective intervention by adults engaging with students.

Students talked about some elements that reinforce a culture of violence, such as valuing competitive sports over the arts. While competitive sports can be positive, promote gender equality and positive masculinity, they can also perpetuate sexist or aggressive behaviour, for example, locker room conduct that often silences those who would like to call out problematic behaviours. Sexist attitudes clearly make up a core part of school violence.

Nevertheless, other harmful belief structures, such as racism, ableism, transphobia, heteronormativity, and classism, also help create and maintain a culture of violence in schools, affecting students in interconnected ways. We fully understand that the

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<sup>21</sup> Zaretta Hammond, *Culturally Responsive Teaching and the Brain: Promoting Authentic Engagement and Rigor among Culturally and Linguistically Diverse Students* (Thousand Oaks, CA: Corwin, 2015) at 36.

phenomenon of violence in schools is connected to broader societal trends. Bottom line: it is difficult to foster human rights in an environment characterized by frequent incidents of violence.

We learned from our consultations that in some schools, violence is normalized. Students provided a dual perspective: they shared their love for their school while simultaneously acknowledging the violence they experienced—clearly compartmentalizing the violence so that it could coexist with examples of positive experiences. We believe that violence can only taint all students’ experiences.

Returning to anti-Black racism, students pointed to a lack of empathy as lying at the root of their experiences. We agree.

- A targeted focus on building empathy may help in the struggle against school-based violence.

We do not pretend to have an answer to this global phenomenon; however, we do know that there were successful attempts at building caring school communities. In 1996, based on her belief that the absence of empathy underscored violence of all kinds, Toronto Educator Mary Gordon set out to break this cycle by developing empathy in children. Gordon went on to create the program Roots of Empathy (ROE).<sup>22</sup> The ROE program involves elementary school children who are coached to recognize and connect with the vulnerability and humanity of a baby who visits their classroom throughout the school year with their parent(s), along with a trained Roots of Empathy Instructor, using a specialized curriculum.<sup>23</sup> The ROE program is already in play within several Ontario schools and, indeed, the program has proven to be successful on three continents and in locations such as Northern Ireland, where there are histories of violence between communities.<sup>24</sup>

Some students also mentioned having served as mediators at a previous school, outside the Board, and found the process positive. Sadly, we also heard that some staff

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<sup>22</sup> See <https://rootsofempathy.org/>.

<sup>23</sup> See <https://ywcacambridge.ca/roots-of-empathy/>

<sup>24</sup> See <https://us.rootsofempathy.org/global-sites-list/>

members do not intervene for fear of parents' reactions to finding out that their child had problematic behaviour.

- We believe that placing greater emphasis on teaching students, parents, educators, and administrators non-violent communication and mediation skills may help reduce violence in schools.

In short, to respect human rights, much work needs to be done to build a common understanding on how to reduce and eliminate violence in schools.

### **Artificial Intelligence**

We welcome the Board's consideration of the effects of AI on human rights.

In the United States, emerging legal challenges are already addressing the discriminatory impact of AI tools currently used in educational settings.<sup>25</sup> Key areas of concern include the use of data to predict students' future success or graduation likelihood by generative AI tools that fail to take into account the individualized nature of accommodation of students with disabilities and, of course, academic integrity.

On the other hand, advocates speak about using adaptive learning platforms (powered by AI) to tailor learning to students' individual needs. Within the past year, the Law Commission of Ontario and the Ontario Human Rights Commission collaborated on a "Human Rights AI Impact Assessment."<sup>26</sup>

- A Board consultation with the Commission on the human rights challenges and opportunities posed by AI may prove fruitful.

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<sup>25</sup> See <https://www.tshanywhere.org/post/legal-issues-ai-education-key-insights> ; Also see <https://www.ed.gov/media/document/avoiding-discriminatory-use-of-artificial-intelligence-112274.pdf>

<sup>26</sup> See <https://www3.ohrc.on.ca/en/human-rights-ai-impact-assessment>.

## **Indigenous Ancestry**

We were told that systemic gaps are evident in both the curriculum and educators' preparedness with respect to classroom teaching on Indigenous topics. Students often perceive educators as lacking the necessary knowledge and initiative for Indigenous-centred learning, feeling that they rely on outdated materials and fail to engage authentic Indigenous voices or provide age-appropriate content. Events like the Truth and Reconciliation week are sometimes treated as checklist activities rather than meaningful learning opportunities, leading to calls for mandatory staff training on Indigenous matters to address ignorance and ensure accountability. Ultimately, students emphasize the need to build empathy and connection by creating space for authentic Indigenous voices.

- Open-forum discussions about Indigenous topics, integrated across all subjects, would foster mutual respect and deeper understanding throughout the school community.
- Indigenous students consulted also expressed unanimous support for the Board's efforts to periodically bring them together with community Elders.

Indigenous communities universally advocate for the responsibilities school boards hold regarding their children's education to be separate from general equity portfolios. This aligns with the Truth and Reconciliation Commission's findings on scholastic outcome disparities and the need for working relationships that recognize the uniqueness of Indigenous life in our communities.

- The Administrator of Indigenous Education's reporting line should be co-developed to honour the distinction between Indigenous interests and those of other groups protected under human rights policies, programs, and legislation.

## Disability

Our concerns in relation to disability rights relate to reported non-compliance with the terms of Individual Education Plans (IEP), and the widespread use of “the R word” to describe students with disabilities and students perceived as living with disabilities. We were disappointed not to have encountered greater familiarity with the *Final Report for the Development of a Proposed K-12 Education Standard under the Accessibility for Ontarians with Disabilities Act*.<sup>27</sup> Though the Ministry is responsible for pursuing the recommendations made in what can only be described as a transformative approach to disability rights in education, the report can foster vigorous debate and action among school boards on how to articulate and implement human rights-based approaches to serving students with disabilities.

As a starting point, the report takes issue with concepts and terms such as: exceptional student, exceptionality, special needs, and even special education, arguing that they are outdated and themselves discriminatory. The report points out that the term exceptionality leaves out some disabilities covered by the *Canadian Charter of Rights and Freedoms* and the *Ontario Human Rights Code*.<sup>28</sup> The report argues that our education systems should operate without pathologizing and without barriers to inclusion, and that students have a right to education and not special education. In short, the report advocates for significant shifts in concepts and approaches that we understand will no doubt prove challenging to many but that we nevertheless support.

- Effectively serving students with disabilities means uniting our services to students with disabilities with our human rights principles.

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<sup>27</sup> See <https://www.ontario.ca/document/development-proposed-kindergarten-grade-12-k-12-education-standards-2022-final-recommendations>; *Accessibility for Ontarians with Disabilities Act*, 2005, S.O. 2005, c. 11.

<sup>28</sup> See This report’s starting point – Final proposed long-term objective section of the report, cited in the previous footnote.

## Antisemitism

During our consultations, we encountered deep fear on the part of Jewish staff and parents. The organization Facing History and Ourselves<sup>29</sup> has developed a structured communication method used in classrooms to facilitate meaningful conversations about difficult topics, such as racism and other forms of bigotry. The methodology involves students speaking with intention and listening with attention to build trust, share ideas, and develop critical thinking and civic engagement skills. This approach creates a safe environment for students to explore complex historical issues and their connections to the present day. The Facing History approach is intended to enhance humility, curiosity, understanding, and empathy.

- Using the experience of organizations such as Facing History can help to address antisemitism, enhance learning across UGDSB school communities, and improve the school experience of Jewish students.

## Anti-Black Racism

In all but one school we visited, Black students registered what can only be described as despair at the manner in which their peers treated them. They perceive some staff as indifferent to the daily torment of “the N word” being hurled at them and at microaggressions perpetuated by both students and staff. This behaviour is corrosive, and it weighs dramatically on the scholastic experience and outcomes for Black children. In the lexicon of racist language, “the N word” ranks amongst the worst animalizing and dehumanizing epithets. Taken together, the environment for Black students in some schools can be described as a poisoned environment.

In one high school, Black students said that they know of two educators who “give a damn” about them. It was in the same school that a Black student said, *“to address racism in this school, the first step would be empathy.”* It would be hard to have encountered a more poignant plea for change.

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<sup>29</sup> See <https://www.facinghistory.org/about/locations/facing-history-ourselves-canada>

Regarding the widespread use of “the N word,” as with almost everything covered in this report, education may be the key. Some school boards across North America have taken steps to institute outright bans on the use of the word. We do not think that such measures can be successful in addressing harm. Student exposure to the word is guaranteed, given its widespread use in music and on social media. It would also seem to be an exercise in futility to expect that every educator will come to class equally skilled in properly addressing the many contexts within which it arises. As a devastatingly practical matter, a ban on using “the N word” in schools would mean students would not be exposed to the works of leading authors, such as those of the Harlem Renaissance or Canadian author Lawrence Hill.

On the other hand, professionally developing defined cohorts of educators whose subjects might include the use of “the N word” would provide focus where it is necessary and would seem to be both strategically sound and economical. Many school authorities have permitted educators to use materials that include “the N word”; however, when encountering it, they read it out as “N-word” rather than fully. At least one Ontario school board has developed an excellent package of resource material to guide educators through these difficult classroom discussions.

- The Board has made significant progress in establishing an Afrocentric program at one high school in Guelph.<sup>30</sup> This offering should be expanded to include communities within the Board’s jurisdiction where diversity is expanding rapidly.

Across Ontario, parents of Black children have organized like never before in attempts to level the playing field. The Board is no exception to this organizing push. Perhaps in recognition of this movement, the Ontario Human Rights Commission (OHRC) recently released its report, “Dreams Delayed: Addressing Systemic Anti-Black Racism and Discrimination in Ontario's Public Education System,”<sup>31</sup> following a comprehensive consultation. The report notes the rise in community activism in relation to anti-Black

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<sup>30</sup> See <https://www.ugdsb.ca/article/8133>.

<sup>31</sup> See <https://www3.ohrc.on.ca/en/dreams-delayed-addressing-systemic-anti-black-racism-and-discrimination-ontarios-public-education>.

racism in education, stating that seven decades of research have proved that anti-Black racism and discrimination still exist in education.<sup>32</sup>

We adopt the report's 29-point action plan calling for, among other things, the need to:

- Establish board-based human rights offices
- Publish disaggregated data on student academic progress
- Address disproportions in the suspension and disciplining of Black students
- Address shortfalls in the recruitment of Black educators
- Update complaint procedures and create an early intervention system for instances of racial discrimination
- Improve academic outcomes for Black students,
- Develop a larger cohort of Black graduation coaches
- Expand system navigator programs, and
- Create affirmative and empowering curricula for Black students.<sup>33</sup>

Not surprisingly, what we heard from Black students and parents in the Board dovetails identically with the conclusions reached by the OHRC and with many of the focal points in its action plan.

### **Homo-Bi-Transphobia**

School boards are currently facing immense pressure to reverse efforts aimed at ensuring equality for trans students. If successful, this pressure may extend to demands that boards broadly scale back equality for all 2SLGBTQIA+ students. In almost every school we visited to discuss 2SLGBTQIA+ issues with students, the atmosphere for students who are part of the Pride community, or perceived as such, was profoundly disheartening. While strong educator support seemed to alleviate some of the negativity, the common and everyday use of “the F word,” along with threats of physical, psychological, and sexual assault, is simply intolerable.

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<sup>32</sup> Ibid. at p. 137.

<sup>33</sup> Ibid. at p. 11-13.

In 2021, Egale Canada released its report, *Still Every Class in Every School*, an update to its 2011 “Every Class in Every School” report.<sup>34</sup> The 2011 version was the first national climate survey to explore homophobia, biphobia, and transphobia within Canadian schools, utilizing data from over 4,000 students nationwide. These reports reveal that many 2SLGBTQIA+ students feel unsafe and regularly hear homo-bi-transphobic language that causes them emotional distress.

Among its recommendations, which we endorse, Egale urged schools to:

- Include respectful representations of 2SLGBTQIA+ people
- Promptly and effectively respond to 2SLGBTQIA+ harassment and discrimination and implement clear reporting systems
- Ensure access to inclusive facilities (e.g., gender-neutral washrooms, single-user change rooms, clear signage on multi-user spaces)
- Promote the integration of 2SLGBTQIA+ diversity within regular professional development opportunities
- Support student groups and clubs, such as gender and sexuality alliances or similar 2SLGBTQIA+-inclusive student-led clubs, through material resources and staff support
- Take steps to recruit and retain 2SLGBTQIA+ educators and school staff, including 2SLGBTQIA+ BIPOC educators and school staff, and
- Educate students on all anti-harassment and anti-discrimination policies protecting 2SLGBTQIA+ students and students with 2SLGBTQIA+ families.

Here, a striking similarity emerges. Just as there is unity between the concerns of the Board’s Black communities and the OHRC’s recommendations, the concerns of the Board’s 2SLGBTQIA+ students, families, and staff align closely with the conclusions and recommendations found in the Egale Canada reports. As a further indicator of unity across communities, these reports specifically call for kindness among students.

- We firmly believe that pursuing empathy and kindness, through education, non-violent communication, and mediation, represents the fundamental expectations that all marginalized communities have of our education systems.

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<sup>34</sup> See <https://egale.ca/awareness/still-in-every-class/>.



## **Anti-Palestinian Racism**

The term, anti-Palestinian racism is controversial with some community members. However, it is neither the role of the reviewers nor the right of outside communities to define for Palestinians the experiences they have had in their schools and communities, particularly during the past two years of conflict.

Palestinian parents, along with their allies in Jewish communities and beyond articulate experiences denying the historical displacement of Palestinians, justifying or ignoring violence against them, refusing to acknowledge the longevity of their roots in the Middle East, devaluing their lives as they die and are maimed in unprecedented numbers, silencing their narratives in schools and beyond, stereotyping them as terrorists, and censoring their voices. Clearly, these adverse effects weigh on the scholastic experiences of Palestinian students and must be challenged.

- There are community groups, such as Toronto Palestinian Families that are well able and appropriately placed to assist in addressing the negative experiences of Palestinian students.

## **Conclusion**

Throughout the review, several key themes have crystallised. The principal concerns reported by students, parents, and staff centre on discrimination based on disability, race, religion, sex, gender, and sexual orientation. These critical issues are inextricably linked to the Board's efficacy in addressing systemic discrimination, staff hiring practices, curriculum development, school violence prevention, and religious accommodation policies.

The collective circumstances underscore the necessity for the Board to foreground its efforts in these specific domains of action. Consequently, our recommendations, though they may seem generic or homogenizing, are structured around and directly flow from these identified areas.

Overall, there is a need for listening, community engagement, building relationships across communities, transparency, and restorative justice to address human rights issues and build trust.

## **Recommendations**

The following recommendations aim to strengthen the Board's commitment to human rights, fairness in employment, and inclusive educational practices across its jurisdiction.

### **Governance and Dispute Resolution**

#### **Establish Two Human Rights Advisory Committees**

The Board should create two dedicated Human Rights Advisory Committees—one focused on human rights policy and procedures and another on fairness in employment.

- **Human Rights Policy and Procedures Advisory Committee:** Chaired by the Board's Human Rights Commissioner with balanced representation from trustees (including a student trustee), staff affinity groups, the Parent Involvement Committee, and the Special Education Advisory Committee. Its core mandates include:
  - Drafting an interim human rights complaints procedure without delay.
  - Recommending a completed Policy 217 consecutively to the Director and through the committee process to the Board.
  - Creating and recommending a complete procedure for addressing human rights concerns and complaints, focused on involving students, staff, and parents in the dispute resolution processes.
- **Fairness in Employment Advisory Committee:** Chaired by the Board's Human Rights Commissioner, with representation from Board management and unions. Its responsibilities include:
  - Conducting a workforce demographic survey.

- Conducting an employment systems review and developing a "Fairness in Employment Plan," pursuant to PPM 165.
- Extending the provisions of PPM 165 to cover both educator and staff recruitment and hiring.
- Recommending policies and procedures regarding the accommodation of employees with disabilities and religious/spiritual practices.

### **Annual Meetings with Staff Affinity Groups**

- At least once per year, as early in the school year as practicable, the Director should meet with members of each of the Board's staff affinity groups to hear community concerns and articulate the Board's annual priorities in relation to human rights.

### **Annual Parent and Community Groups Meeting: Addressing Disproportionate Outcomes Amongst Students**

- At least once per year, as early in the school year as practicable, to hear community concerns and articulate the Board's annual priorities in relation to human rights, the Chair of the Board and the Director should meet with members of each of the parent and community groups dedicated to addressing disproportionate outcomes for particular groups of students.

### **Office of the HREA-O**

The Board should strengthen the office of the Human Rights Equity and Accessibility Office (HREA-O) by:

- **Clarifying the HREA-O mandate:** This clarification should include a description of the difference between the HREA commissioner role and the Principal, Human Rights, Equity & Accessibility role. This is to avoid confusion for staff, community, and students, and to avoid perceptions of conflicting interests within the office.
- **Ensuring appropriate supervision** of management and staff.
- **Conducting annual performance evaluations** of management and staff, which will involve collecting comments from all relevant stakeholders.

- **Requiring an annual report to the Director and the Board.** The report should include:
  - Evidence of collaborative efforts with senior staff and school principals to close identified student achievement/discipline gaps.
  - A comprehensive accounting of *Code*-based concerns/complaints received, resolved, and remaining open.
  - The number of training sessions conducted and topics covered.
  - Systemic initiatives engaged in to address *Code*-based harassment and discrimination in schools.

### **Establish a Network of Human Rights Representatives**

- The HREA-O should establish and maintain a network with one representative in every school, each appointed for a minimum term of two years.
- The mandate is to work with the HREA-O to inform staff of system-wide and school-specific measures, plan and lead, for example, lunch and learn professional development sessions, and attend periodic meetings of the Board-wide network.

### **Professional Development**

We recommend that the following training be offered during working hours and paid time, for example, during staff meetings.

### **Training on Intervening in Violent Incidents**

- Within the following year, offer staff one professional development session on how to intervene in violent incidents at schools.
- Training should include policies and procedures, dispute-resolution techniques (e.g., mediation), and nonviolent communication techniques.

## **Annual Human Rights Training**

- The Board should offer one professional development session per year on human rights, to:  
  
Board trustees, Director, superintendents, principals, administrators, educators, and support staff
- Training should address various human rights areas of concern on a rotating basis, including, but not limited to, disability, anti-Black racism, antisemitism, 2SLGBTQIA+ rights, and anti-Palestinian racism. All training should be developed collaboratively with community-based partners and must incorporate a practical section on how to safely and effectively intervene when incidents of harassment or discrimination occur.

## **Engaging Parents**

- In collaboration with the Parent Involvement Committee, the Board should develop an information session on human rights to be used in at least one school-based parent meeting per year.
- The session would include tips for parents on how to address concerns about harassment and discrimination.

## **Hate Incidents Protocol**

- The Board should develop a protocol on hate activities, including mechanisms for reporting and documenting steps taken to address them.
- The protocol should involve alternative dispute resolution or restorative practices, and not exclusively police intervention.
- The protocol should require an annual report to the Board, detailing the total number of hate activities and associated human rights grounds.
- Immediately following the first reported incident in a school year, the Chair of the Board and the Director must jointly draft and distribute a message to the entire Board community unequivocally denouncing the incident.

## **New Program Recommendations**

### **Establish an Annual Human Rights Program**

- Establish an annual one-week residential, experiential human rights program for grade 10 high school students, organized by expert board staff and facilitated by educators and vetted community members.

### **Establish CRP Project Schools**

- The Board is advised to establish a CRP (Culturally Responsive Pedagogy) project schools in one location within each of its three geographical areas.

### **Roots of Empathy Program**

- Engage with the Roots of Empathy organization to identify at least two elementary schools suitable for implementing their program in the upper grades. The elementary schools chosen to host the ROE program should be feeder schools to a high school that was identified as experiencing higher degrees of school-based violence.

### **Communicate Demographic Data**

- Within one year, the Board must communicate the results and analysis of its student demographic data surveys to all communities, including parents.
- The report/analysis must be accompanied by a strategic plan, focused on principal professional development and reducing identified disproportions.

### **Artificial Intelligence**

The Board should consult with the Ontario Human Rights Commission on its identification of the human rights challenges and opportunities posed by the use of Artificial Intelligence in publicly funded education.