



## **Human Rights Annual Report 2018 - 2020**

**To:** Program and School Services Committee

**Date:** 17 February, 2021

**Report No.:** 02-21-4034

### **Strategic Directions**

- Create a Culture for Student and Staff Well-Being
- Provide Equity of Access to Learning Opportunities for All Students

### **Recommendation**

It is recommended that the Human Rights Annual Report 2018 - 2020 be received.

### **Context**

All students and staff have the right to learn and work in an environment free from discrimination, where they feel welcome, respected and safe. To do this, equity – built on a strong foundation of human rights – must be central to every decision we make in the Toronto District School Board.

In its Multi-Year Strategic Plan, the TDSB outlined its commitment to ensure that every student receives a great education by having equitable access to programs and resources and increased opportunities to succeed. A key action item coming out of this work was to create a culture where Human Rights moved beyond conflict management and towards a greater focus on education, understanding and system transformation.

Before effective change can happen though, we have to acknowledge the long-standing inequities and advocate for system change that centres human rights. We must also review our own data. This report connects data sets from a number of different TDSB surveys, censuses and sources to present current trends which have emerged within the Board. It also lays out a comprehensive plan to address the serious issues identified, through four specific areas: systemic accountability, capacity building within

the organization, more effective outreach and engagement, and the creation of more effective incident and resolution processes.

Through this plan, the TDSB will be in a position to more effectively identify, address, remedy and prevent racism and discrimination and move closer to becoming a school system within which each and every student can succeed and reach their full potential.

### **Understanding the Data**

With more than 245,000 students and 40,000 staff, the TDSB is one of the most diverse school boards in Canada from the country's most multi-cultural city. Challenges experienced in the TDSB are often mirrored from societal challenges and human rights is no different.

This report is the first of its kind in the Toronto District School Board and beyond. It is critically important to note that some of the data contained within the report gives cause for deep concern. The data clearly indicates that the Board continues to have a serious racism problem. *Race or race related grounds* is the most frequent ground of complaint received by the Human Rights Office making up 54% of all complaints alleging a human rights violation. Disability is the second most frequently cited ground making up 20% of complaints.

Employees of the TDSB are required through policy to report to managerial staff any incidents of hate, bias or racism that they encounter through "hate activity reports." Incidents of racism and hate occur in TDSB schools daily and they do so in significant numbers. From September 2018 to April 2019, 15 "hate activity" reports were sent to the Human Rights Office. After identification of this issue, Board-wide communication with all system leaders was initiated, amplified and reinforced through multiple platforms. By the end of the 2018-2019 school year, 64 hate activity reports had been filed. Between June 2019 and August 31, 2020, 312 "hate incident" reports had been filed. Specifically, incidents citing anti-Black racism exceeded all other incidents reported by a wide margin. Incidents of Antisemitism have risen at an alarming rate as have incidents of homophobia.

We must be relentless in addressing each and every one of these incidents. In the TDSB, every one of these incidents is now tracked and monitored through an updated data management system. Drawing greater emphasis to these issues has brought them to the surface so that they can be dealt with in a thorough manner and tracked appropriately for follow-up. The responsibility for doing so does not rest exclusively with staff within the Human Rights Office but also with each staff member of the Board. In

fact, we must go beyond this and tap into the expertise that resides in local communities. Working through partnerships with community organizations and agencies will enable the Board to be more culturally relevant and responsive.

This report takes up data from the most recent Student and Parent Census as well as from the Staff Census and Well-Being survey in ways that have never been examined at TDSB. Through analysis of these data sets we have more evidence than ever that students who self-identify as being Black, Indigenous and Indigenous Spirituality-practicing students and gender non-conforming students are much less inclined to feel that school rules are applied to them fairly. Students that self-identify as having a “disability,” Black students, Latin American students, non-binary students, LGBTQ2S students and Indigenous Spirituality-practicing students feel much lower degrees of belonging in their school.

When Grades 7-12 students were asked whether their “teachers respect my background,” two groups were found to be significantly less likely to answer in the affirmative: Indigenous students and students who practice Indigenous Spirituality. Significant numbers of Grades 7-12 students also reported having lower degrees of well-being including East Asian students, students who practice Indigenous Spirituality, students who identify as disabled, agnostic and atheist students, students who practice Indigenous Spirituality, LGBTQ2S and non-binary students.

On the staff side, those who identify as being disabled, Black, Latin American or Muslim are less inclined to feel that “all backgrounds are treated fairly in our workplace.” Staff who identify as disabled are much less likely to feel that “harassment, discrimination or violence are harms that the TDSB aims to prevent.” 12% of staff strongly disagreed when they were asked if “my employer deals effectively with situations that may threaten or harm employees.” Only 55% of staff who identify as disabled agreed or strongly agreed with this statement. While it is extremely concerning that 10% of all TDSB employees reported experiencing discrimination, a recent survey by the Centre for Canada’s Future found that 30% of Canadians who identify with a specific diversity group reported experiencing at least one incident of discrimination at their current employer – including 41% of respondents with a disability, 40% of Indigenous respondents, 34% of respondents who identify as people of colour, 33% of LGBTQ2S respondents, and 33% of women, to put such data in some comparative perspective.

It is extremely important to note here that a disproportionate number of complaints from Black administrators involving allegations of anti-Black racism have emerged in the Board. To address this serious issue of anti-Black racism, a systemic review will be undertaken. This review will engage staff and community partners in a manner that will bring about authentic and meaningful change.

### **Advancing the Human Rights Office**

To make the kind of systemic change necessary, a strong, effective team must drive the work. Significant hiring has occurred in the Human Rights Office of the Board of human rights experts who will proactively contribute to schools and workplaces that are safe, welcoming and free of discrimination and harassment. These experts support and advise the TDSB community with respect to system transformation. This work however will not reside only in the Human Rights Office of the Board. Eliminating discrimination and hate is the responsibility of everyone working, learning and serving within the TDSB. We must all be committed to acknowledging long-standing inequities and advocating for change and we must recognize the importance of engaging with community partners in more accessible and culturally responsive ways.

### **Developing Strong Policy**

Creating and developing a strong policy framework is integral to this work. To that end, our recently reviewed and updated *Human Rights Policy P031* will soon take effect. We have developed a comprehensive procedure for *Reporting and Responding to Racism and Hate Incidents Involving or Impacting Students in Schools (PR728)*. This procedure makes reporting of these incidents mandatory. It is important to be clear: ALL incidents of this type are to be reported and acted upon. The new procedure clearly outlines the steps that staff must follow in response to these types of incidents. The steps include supporting those individuals impacted by these incidents, addressing the inappropriate behaviours, putting in place corrective and preventative measures and effectively communicating these incidents to school communities in a transparent and timely manner. All TDSB policies and procedures are reviewed on an ongoing basis to ensure that, to the greatest extent possible, they are free of bias. These review processes will engage experts both within and outside of the Board.

### **Enhancing Systemic Accountability**

The TDSB must be transparent about our human rights commitments, plans, measures and progress. Everyone within our Board must know what is expected of them with respect to these commitments and be held accountable for upholding human rights. There must be consequences for poor human rights performance. The *Human Rights*

*Action Plan* commits to develop a human rights accountability framework to clarify roles and responsibilities for human rights across the Board.

### **Building System Capacity**

The high expectations that we have for our staff in the area of Human Rights must be supported by meaningful and accessible learning opportunities. In order to be more successful in this work, staff within the Human Rights Office have developed and have a mandate to deliver professional learning to employees throughout the Board. This work has already begun. Staff have had the opportunity to learn through ongoing formal sessions but also by doing the work through structures like the Organizational Response Team. The hundreds of staff members that have participated in these meetings have been afforded the opportunity to learn and grow while working through difficult matters in a collaborative way.

### **Improving Outreach and Engagement**

TDSB staff, students and parents must be aware of their rights and responsibilities and how they can enforce these. Specifically, the human rights concerns of historically marginalized and disadvantaged groups must be identified, amplified and be at the centre of every decision made within the Board. The Human Rights Office of the Board through will work through their action plan to connect with other departments in the Board to better serve and engage students and parents. Human Rights must be brought closer to schools. This is being done through the development of resources for students and staff. It will also be supported by the creation of a “Human Rights Charter” for schools. Student Voice will be the most important element in the creation of the Charter.

### **Resolving Incidents and Complaints**

Since the Board has begun to place greater emphasis on issues of human rights, there has been a surge in the number of incidents reported to the Human Rights Office. This has added to the backlog of cases and caused significant delay in the resolution of matters. To address this issue the Board is hiring additional staff and developing an Early Resolution Strategy with a focus on conflict resolution and mediation, where possible.

Excellence cannot be achieved within any school district without equity built upon a foundation of human rights. The Board must continue to raise the bar for all students and staff while relentlessly addressing the racism and discriminations directed towards students and staff based on their identities. To support this important commitment, the Toronto District School Board is working towards creating a culture where Human

Rights means much more than a place where conflict is managed. This cultural shift is coming about through intentional work being carried out on multiple fronts.

We must enable, support and inspire the creation and preservation of a proactive, inclusive and transformational culture of Human Rights at the Toronto District School Board. In order to achieve this goal, we must make systemic changes across all areas of the Board. Strong accountability structures must be in place to ensure the monitoring of progress. Ultimately, this work must serve as a way of creating and building trust between the Board and those that we serve. In order for every one of our students and staff members to flourish, we have a duty to create schools and workplaces which are free of discrimination, harassment and hate. This is what every student and staff member at TDSB deserves. More importantly and significantly, it is their right.

### **Timelines**

*Human Rights Action Plan: 2021* is tied to the Board's Multi-Year Strategic Plan. As such, the items included in this Plan are being implemented during this school year with updates as required in the years ahead.

### **Resource Implications**

Requests for funding to address additional staffing in the Human Rights Office will continue to be made through Business Services.

### **Communications Considerations**

The *Human Rights Annual Report 2018 – 2020* will be shared with key stakeholders through existing TDSB communication channels and posted publicly on the TDSB's website.

### **Board Policy and Procedure Reference(s)**

- Employment Equity (P029)
- Human Rights Policy (P031)
- Workplace Harassment Prevention Policy (P034)
- Equity Policy (P037)
- Caring and Safe Schools Policy (P051)
- Accessibility Policy (P069)
- Workplace Harassment Prevention and Human Rights Procedure (PR515)

- Reporting and Responding to Incidents of Racism and Hate Involving or Impacting Students in Schools (PR728)

### **Appendices**

- Appendix A: Human Rights Update: Annual Report 2018-2020

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