

# EXPECTED PRACTICES FOR RESPONDING TO DISCRIMINATION



***The Greater Essex County District School Board (GECDSB) is committed to building inclusive learning and working environments and curricula that actively promote and support the dignity, worth, and human rights of all.***

The delivery of education must ensure that no one experiences harm from the words or actions of others. Adults/staff need to understand and address these very serious harms. Students experiencing discrimination need learning environments where they are welcomed, respected and feel like they belong.

In keeping with the GECDSB's [Indigenous Protocol](#), the GECDSB acknowledges and seeks to dismantle the Board's colonial structures and practices, and to continue to work to rebuild school and workplace cultures that respect Indigenous sovereignty and that recognize the devastating and ongoing impacts of colonization on First Nations, Métis, and Inuit people.

The GECDSB acknowledges and seeks to dismantle institutional and *systemic* forms of marginalization including *racism, transphobia, homophobia, ableism, sexism/misogyny, faithism*, and other forms of marginalization and prejudice within the GECDSB.

We all have a role to play in continuing to build equitable, inclusive, and welcoming schools and workplaces where everyone feels safe and valued for who they are. The GECDSB acknowledges and appreciates the ongoing work of staff, students, parents/guardians and community members in support of human rights and equity within the Board.

*This document is not intended to be a comprehensive resource for addressing the complexity of discrimination at our board. It is a reference guide that is linked to the Human Rights Policy and accompanying Regulation and Administrative Procedure.*

## Prohibited Conduct:

The following conduct is not permitted by anyone in GECDSB environments, on social media, or in any other context that can negatively impact the school or workplace.

- discrimination;
- *bullying and harassment*;
- spreading hate including sharing hateful images;
- the use of the n-word\* or asking for an "n-pass" (permission to use the n-word);
- the use of any hateful slurs or epithets; and
- reprisal (retaliation) for trying to have an incident addressed.

\*The use of the n-word is hateful, dehumanizing, anti-Black violence that has its roots in slavery and was used to rationalize enslavement. The purpose of the euphemism ("n-word") is to avoid ever repeating the word as its usage is prohibited.

## What is Discrimination?

Discrimination includes any rule, act, or failure to act, whether intentional or unintentional, which results in the unequal/unfair treatment of individuals, or groups of individuals, based on a protected human rights ground(s). It includes the condonation (failure to act) of discrimination by a person in a position of authority, and includes not meeting the *duty to accommodate*.

Discrimination can take many forms. It can be direct or subtle; it can be *microaggressions*; it can be *systemic* or *adverse effects*. Discrimination includes actions that occur when we act upon our unconscious biases, hate, stereotypes and prejudices about a group of people. *Harassment* or *bullying* based on a protected human rights ground is a form of discrimination.

The Ontario Human Rights Code (the “Code”) and the GECDSD [Human Rights Policy](#) prohibit discrimination based on a protected human rights ground or the *intersection* of two or more grounds:

## Protected Human Rights Grounds

- age (18 and over)
- creed (includes religion, includes Indigenous spirituality)
- disability (includes mental disability, physical disability, perceived disability)
- gender identity, gender expression
- marital status, family status (includes child, adoptive, elder relationships)
- race, colour, ancestry, place or origin, ethnic origin, citizenship
- record of offences (in employment only)
- sex (including pregnancy and breastfeeding)
- sexual orientation

Note: You also cannot be discriminated against because of your **association** or relationship with another person or group identified by a protected human rights ground.

## The Prohibition Against Reprisal

All individuals have a right to be free from reprisal of any kind for naming or raising a *human rights concern*, or participating in a process to address a *human rights concern*. Reprisal can include punishing, threatening, excluding, *harassing* or *bullying*, making a false complaint against someone on purpose, or calling them names. Reprisal is a human rights violation.

## What if a staff/principal/supervisor or other person in a position of authority does not take action to address discrimination?

When a person in authority does not appropriately address discrimination, it is called condonation, which is a form of discrimination. To report condonation, see step 3.

# What should I do if I think discriminatory language or conduct has occurred?

## 1. WHEN YOU WITNESS: STOP, INTERRUPT & NAME THE DISCRIMINATORY ACT if safe to do so.



- When possible, intervene to immediately stop the discriminatory act.
- Name the discriminatory act. Try to focus on the act itself, eg. *That comment is racist/transphobic*. Never repeat a discriminatory slur.
- Acknowledge the conduct is harmful.
- Reinforce school/board conduct expectations. Be clear that discriminatory conduct, slurs, etc. have no place in the school/board.
- Staff – respond publicly in a manner all bystanders can hear you.

## 2. SUPPORT THE AFFECTED INDIVIDUAL(S) Make sure those impacted are safe. Ask how you can support their well-being – do not make assumptions about what they need. All members of the GECDSB are expected to support those impacted by discrimination. Revisit this step as appropriate.

- **Immediate steps must be taken by the school/board to stop potential harm right away.** This may include removing the alleged perpetrator(s) from the area/separating people when necessary/appropriate.
- **Other school/Board supports could include:** social and/or community work and/or guidance counsellors, or other services. (Board employees needing support may access the Joint Employee Assistance Program at 519-776-6004.)
- If the incident affected many people, so should the restorative intervention and supports.

## 3. TELL AND DOCUMENT WHAT HAPPENED

### Students

- Tell your teacher, principal/vice-principal, or a trusted school staff member. Students are also encouraged to tell parents or another trusted adult if appropriate/safe.

### Staff

- *Human rights concerns* impacting students must be taken seriously by all staff.
- **Report the human rights concern to principal/supervisor. Mandatory if a student is involved, or directly or indirectly impacted.**
- Record names of witnesses & preserve other evidence (papers, photos, screen shots).
- Principal: notify parent(s)/guardian(s) unless harmful to the student and ask how you can support the student's well-being. Notify superintendent.
- Principal/supervisor: conduct an investigation into the human rights concern.
- **Outcome:** Principal/supervisor must discuss the investigation findings (ie. what happened & was it discrimination), and what is being done to address the concern, to those directly impacted and their parent/guardian, while maintaining appropriate confidentiality.

### If the *human rights concern* is about a principal/supervisor

- Contact your school superintendent (listed on your school website, contact information [here](#)). For non-school staff, contact your supervisor's supervisor.
- If the concern is about a superintendent:
  - incidents impacting students: contact the [Human Rights and Equity System Advisor](#), the [Superintendent of Human Resources](#) or the [Director of Education](#);
  - incidents impacting staff: contact the [Superintendent of Human Resources](#) or the [Director of Education](#).

#### 4. EXAMINE, RESTORE, EDUCATE, ENSURE ACCOUNTABILITY, PREVENT

**Students** – Work to create welcoming, inclusive, safe spaces where everyone belongs. Consult staff, principal/vice-principal or other trusted adults to support this work.

**Staff** – Rebuild positive climates for learning and working. Reassess your school/classroom/workplace culture for root causes or recurring discrimination, and provide ongoing capacity building and education if appropriate to your role.

Principals/supervisors apply progressive discipline as appropriate.

Do not instruct harmed individuals that they need to forgive.

#### 5. PLAN, PROTECT, MONITOR.

**Principals/supervisors & staff who supervise students** – Implement a plan to continue supporting impacted individuals, protect from further discrimination, and make sure they are comfortable to report future violations. Conduct regular check-ins to assess for more incidents.

## For more information:

Please see [publicboard.ca/humanrights](https://publicboard.ca/humanrights)

## Definitions:

**Ableism** – Belief systems and prejudicial attitudes about persons with disabilities as being less worthy of respect and consideration, less able to contribute and participate, or of less inherent value than others. Ableism may be conscious or unconscious, and may be embedded in institutions, systems or the broader culture of a society. It can limit the opportunities of persons with disabilities and reduce their inclusion in the life of their communities. Ableist attitudes are often based on the view that disability is an “anomaly to normalcy,” rather than an inherent and expected variation in the human condition.

**Adverse effects discrimination** – Discrimination resulting from a seemingly neutral rule or practice that negatively impacts individuals or a group in relation to a protected human rights ground.

**Anti-Asian racism** – Prejudice, beliefs, stereotyping and discrimination that is directed at people of Asian descent and rooted in unique experiences of xenophobia.

**Anti-Black racism** – Prejudice, biases, attitudes, beliefs, stereotyping or discrimination directed at people of African descent and rooted in their unique history of enslavement, colonization and its legacy. Anti-Black racism is deeply entrenched in Canadian institutions, policies and practices, to the extent that it is normalized/invisibilized. See GECDSB’s [Dismantling Anti-Black Racism Background Report](#).

**Anti-Indigenous racism** – *Racism* against Indigenous peoples that is rooted in colonization the failure to recognize Indigenous sovereignty, and colonial notions of white/settler superiority that permeates systems, institutions and societal values. Colonization has resulted in *systemic* attempts at cultural erasure, and entrenched *systemic racism* that adversely affects outcomes including the health, well-being, access to resources, access to justice, and opportunities for Indigenous peoples, and impacting access to education, housing, food security and employment.

**Antisemitism** – Latent or overt hostility, or hatred directed towards, or discrimination against, individual Jewish people or against Jewish peoples for reasons connected to their religion, ethnicity, and their cultural, historical, intellectual, and religious heritage.

**Bullying** – Defined in the [Bullying Prevention and Intervention Regulation](#).

Harassment/discrimination includes bullying that is connected with a protected human rights ground.

**Cisgenderism/cissexism** – The commonplace assumption that all people are or should be cisgender (or cis, meaning their gender identity aligns with their sex assigned at birth), and

includes overt, subtle and *systemic* prejudice/discrimination against people who are trans, Two-Spirit, gender non-conforming, or non-binary. See [the 519 Glossary of Terms](#) for additional definitions.

**Duty to accommodate** – The human rights obligation to make adjustments, provide supports, or make exceptions on a case-by-case basis in order to avoid discrimination on the basis of a protected human rights ground and to remove barriers to ensure fair and equitable access, opportunity, treatment, and inclusion.

**Faithism** – stereotypes, stigmatization, assumptions, bias, negative treatment and discrimination based on creed/religion.

**Harassment** – A course of comments or actions that are known, or ought reasonably to be known, to be unwelcome. It can involve words, images, gestures or actions that are offensive, embarrassing, humiliating, or demeaning.

**Homophobia** – Negative attitudes, actions, feelings, aversion, fear or hatred of queer, Two-Spirit, lesbian, gay or bisexual people and communities, or of behaviours stereotyped as “homosexual”.

**Human rights concern** – A witnessed, reported, alleged or suspected situation, incident, or series of events that violate(s) the Human Rights Policy, or would violate the Policy if substantiated. It includes conduct that is discriminatory on the basis of the protected human rights grounds or intersecting grounds including situations that are not overtly discriminatory, but in which bias may be operating.

**Intersectionality** – The way people's experiences are shaped by their overlapping identities and social locations, which can produce distinct/unique experiences, eg., creating distinct barriers, discrimination, opportunities, and/or power imbalances.

**Islamophobia** – Includes *racism*, biases, stereotypes, prejudice, fear or acts of hostility toward individual Muslims or followers of Islam in general. In addition to individual acts of *racism* or racial profiling, Islamophobia can lead to viewing and treating Muslims as a greater security threat on an institutional, *systemic* and societal level.

**Microaggression** – A casual comment, action, or “compliment” that subtly and often unconsciously/unintentionally expresses bias or prejudice toward a member of a group that experiences marginalization, or that fails to take their history or lived experience of oppression into account. People engaging in microaggressions are often unaware they are causing harm with conduct that subtly demeans, affirms stereotypes, or recreates oppressive experiences. Microaggressions may include expressions that suggest the dominant group is normal or superior and that groups that experience marginalization are different or abnormal; that express disapproval of or discomfort with marginalized groups; that assume all group members are the same; that minimize the existence of discrimination; or that deny *racism* or privilege.

**Misogyny** – The hatred and disparagement of women and characteristics deemed feminine.

**Racism** – Beliefs that a racial group is superior/inferior, or actions/practices, whether intentional or unintentional, that subordinate individuals/groups because of their marginalized racial identity. Racism exists at a number of levels, including individual, institutional or *systemic*, and societal. Racism is tied to power, i.e. relative social, political, economic and institutional power.

**Systemic discrimination** – Patterns of behaviour, policies or practices that are part of the social or administrative structures of an organization and perpetuate disadvantage based on a protected human rights ground(s).

**Transphobia** – Biases, prejudices, fear or aversion to trans, Two-Spirit, non-binary, or gender non-conforming people based on stereotypes/misconceptions used to justify discrimination, *harassment* and violence.

Sources: We acknowledge the contributions to this document from documents produced by the Toronto District School Board, York Region District School Board, the Durham District School Board, and [The 519 Glossary of Terms](#).