

Procedure No. VI-102

Responding to Hate or Bias Motivated Incidents Involving or Impacting Students	
Adopted: August 15, 2022	Last Reviewed/Revised: August 15, 2022
Next Scheduled Review: 2025-2026	
Associated Policies & Procedures: II-45 Equity and Inclusive Education VI-54 Equity and Inclusive Education II-40 Bullying Prevention and Intervention II-39 Progressive Discipline and Safety in Schools VI-44 Progressive Discipline and Safety in Schools III-16 Workplace Discrimination and Harassment VI-04 Complaints Resolution Process – Workplace Discrimination/ Harassment/Violence VI-63 Social Media	

Purpose

To provide a consistent, fair and transparent process for responding to, reporting, documenting, remedying and preventing hate or bias motivated incidents impacting students of the Halton Catholic District School Board (HCDSB).

Application and Scope

This procedure applies to hate or bias motivated incidents involving or impacting HCDSB students, either as victims, witnesses, or alleged perpetrators. This procedure outlines steps to be taken to create safe and inclusive learning environments for all students. This includes incidents that take place at school or at an HCDSB school-related activity, on student transportation, in virtual spaces, on social media, or any forum that harms student well-being and dignity and/or negatively impacts the school climate.

Incidents impacting staff in the workplace will be addressed as per HCDSB Policy III-16 Workplace Discrimination and Harassment.

References

[Anti-Racism Act, 2017](#)

[Equity and Inclusive Education in Ontario Schools](#)

[Halton Regional Police Services](#)

[Halton Regional Police – School Board Protocol](#)

[Ontario's Education Equity Action Plan](#)

[Ontario's Equity and Inclusive Education Strategy](#)

[Occupational Health & Safety Amendment Act](#)

[Ontario Human Rights Code](#)

[Municipal Freedom of Information and Protection of Privacy Act](#)

[Racism & Discrimination: Responding with Faith, Hope and Love](#)

[HCDSB Code of Conduct and Standards of Behaviour](#)

Definitions

Ableism – attitudes in society that devalue and limit the potential of persons with disabilities. Persons with disabilities are assumed to be less worthy of respect and consideration, less able to contribute and take part, and of less value than other people. Ableism can be conscious or unconscious and is embedded in institutions, systems or the broader culture of a society.

Anti-Black Racism – policies and practices rooted in institutions such as education, health care, and justice that mirror and reinforce beliefs, attitudes, prejudice, stereotyping and/or discrimination towards people of African descent.

Anti-Indigenous Racism – ongoing race-based discrimination, negative stereotyping, and injustice experienced by Indigenous peoples within Canada. It includes ideas and practices that establish and perpetuate inequitable outcomes that stem from the legacy of colonial policies and practices in Canada.

Anti-Racism – an active and consistent process of change to eliminate individual, institutional and systemic racism.

Anti-Semitism – latent or overt hostility or hatred directed towards, or discrimination against individual Jewish people or the Jewish people for reasons connected to their religion, ethnicity, and their cultural, historical, intellectual, and religious heritage.

Discrimination – treating individuals unfairly or unequally based on their race, gender identity, gender expression, sex, sexual orientation, creed, age, or any other ground protected by the Ontario Human Rights Code. Discrimination may be intentional or unintentional. Discrimination does not need to be intended or on purpose. The focus of Discrimination is on the effect, not the cause or intent of the differential impact.

Hate or Bias Motivated Crime - refers to criminal incidents that are found to have been motivated by hatred toward an identifiable group. According to the Criminal Code of Canada such groups are distinguishable by race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, sexual orientation, or gender identity or expression, or on any other similar factor. Incidents may include deliberate property damage, hate-filled graffiti, assaults, criminal harassment, or threats to cause injury or death. Hateful speech delivered on social media, in posters and other literature may also be hate-motivated crime if the communication targets an identifiable

group and actively promotes hatred against the group. In accordance with the Halton Regional Police - School Board Protocol, the police will determine when charges are to be laid.

Hate or Bias Motivated Incident - is a non-criminal action (does not involve violence, threats or property damage) committed against a person or property that is motivated in whole or in part by hate and or bias based on membership in a Code Protected ground such as race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, age, disability, sexual orientation, sex, gender identity, gender expression, family status, marital status or socio-economic status. The conduct can be verbal or non-verbal and may include jokes, innuendos, pictures, teasing, ridiculing, etc.

Homophobia – the aversion to, fear or hatred of gay, lesbian or bisexual people and communities, or of behaviours stereotyped as ‘homosexual’.

Intersectionality – the way in which people’s lives are shaped by their multiple and overlapping identities and social locations, which together can create additional barriers, opportunities and/or power imbalances for that individual or group.

Islamophobia – includes racism, stereotypes, prejudice, fear or acts of hostility directed towards individual Muslims or followers of Islam in general.

Ontario Human Rights Code - the Code prohibits actions that discriminate against people based on a protected ground in a protected social area. Some of the protected grounds include race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, age, disability, sexual orientation, sex, gender identity, gender expression, family status, marital status.

Racialized – The Ontario Human Rights Commission describes race as socially constructed differences among people based on characteristics such as accent or manner of speech, name, clothing, diet, beliefs and practices, leisure preferences, places of origin, etc. Recognizing that race is a social construct, it describes people as *racialized person* or *racialized group* instead of the more outdated and inaccurate terms *racial minority*, *visible minority*, *person of colour* or *non-white*.

Racial Discrimination – racial discrimination is a legally prohibited act. It happens when any distinction, conduct or action, whether intentional or not, is based on a person’s race and has the effect of imposing burdens not imposed upon others. Racial discrimination could happen when someone acts on racist beliefs and attitudes in areas covered by the Ontario Human Rights code, such as employment, services, and housing.

Racism – includes ideas or practices that establish, maintain or perpetuate the racial superiority or dominance of one group over another. Racism exists at a number of levels, including individual, institutional or systemic, and societal.

Reprisal - is defined as any act of retaliation, direct or indirect.

Transphobia- the aversion to, fear or hatred or intolerance of transgender people and communities. Like other prejudices, it is based on stereotypes and misconceptions that are used to justify discrimination, harassment and violence towards transgender people.

Principles

- As a model learning community that is distinctly Catholic, we are committed to nurturing learning and work environments that are free of discrimination, harassment and violence for all students, staff, and members of our HCDSB community.
- All members of our HCDSB community have a shared responsibility to nurture inclusive, respectful, safe and positive learning environments for all students.
- Human Rights and equity are guiding values that are consistent with both Catholic Social Teaching, reaffirming the dignity of every individual, as well as the Ontario Human Rights Code which safeguards from discrimination based on the protected grounds.
- Harassment and discrimination, hate or bias motivated incidents and crimes will not be tolerated, condoned or ignored at HCDSB.
- Any HCDSB student who experiences any form of hate or bias motivated incident (racism, homophobia, ableism, Islamophobia, anti-Semitism, transphobia, etc.) is encouraged to report the incident immediately, as outlined below. This includes incidents that take place at school or at an HCDSB/school-related activity, on student transportation, in virtual spaces, on social media, or any forum that harms student well-being and dignity and/or negatively impacts the school climate.

Requirements

- All members of the HCDSB community must take the necessary steps to respond to hate or bias motivated incidents (comments and conduct), regardless of intent, in a timely manner that is in accordance with this procedure. Failure of staff to fulfill their responsibilities under this procedure may lead to disciplinary measures.
- All hate or bias motivated crimes must be reported to the Halton Regional Police Services, in addition to relevant HCDSB staff, as required below.
- School and Senior Administration are responsible for communicating the procedure to all staff, students and parents/guardians (i.e., CPIC, Catholic School Council, Safe Schools Teams, student assemblies, etc.).

Protection from Reprisal

This procedure prohibits reprisals against students or parents/guardians of students who report hate or bias motivated incidents and students and staff who participate in an investigation and/or act as witnesses. The HCDSB staff will take all reasonable and practical steps to prevent reprisals, threats of reprisal or further harassment.

Students Reporting an Incident

- Before reporting an incident, students are encouraged to tell the person who has expressed the comment or behaviour to stop. However, HCDSB recognizes that students may be vulnerable and may not feel safe to tell the person directly. (Refer also to Appendix A)
- Students are encouraged to report an incident as soon as they become aware of it.
- Students or their parents/guardians are encouraged to report an incident to a trusted adult at school (e.g., School Administration, Teacher, Child and Youth Counsellor, Social Worker, Chaplain, etc.).

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- Students or their parents/guardians may choose to report an incident using the Online Reporting Form. The online report will be forwarded to the School Administration and the Family of Schools Superintendent.
- If the incident is reported through the online reporting form, School Administration or Family of Schools Superintendent will follow the steps as noted below.
- Concerns under this procedure must be raised in a timely manner.

Staff Witnessing or Becoming Aware of Hate or Bias Motivated Crimes

If an issue or incident involves a possible hate or bias motivated crime, staff must inform the School Administration immediately. School Administration must contact the Superintendent of Safe and Accepting Schools, the Family of Schools Superintendent and the Police. School Administration must await police direction regarding further investigation.

For hate or bias motivated incidents, the following action steps are outlined below. (Refer also to Appendix B)

Staff Witnessing or Becoming Aware of Hate or Bias Motivated Incidents

Any HCDSB employee (i.e., permanent, contract or occasional) who witnesses or becomes aware of a hate or bias motivated incident involving a student must follow the four steps outlined in the HCDSB Protocol, Responding to Racism and Discrimination with Faith, Hope and Love Disrupt and Name:

1. Explain and Support
2. Document and Ensure Accountability
3. Reflect and Restore

STEP 1: Disrupt and Name

- Stop the discriminatory language or behaviour if it is continuing.
- Identify the infringement on human dignity and name the behaviour.
- Be specific (e.g., *“that language has a racist impact; that language is a homophobic slur”*).
- Ensure all witnesses hear that the language or behaviour is being disrupted.

STEP 2: Explain and Support

- Affirm the dignity of the impacted student(s) and offer resources and supports.
- Explain to all witnesses why the language or behaviour is harmful in the context of Catholic Teaching and the Ontario Human Rights Code.
- Follow up with impacted students and parents/guardians in collaboration with the School Administration in a timely manner (i.e., before the end of the school day, where possible), for the purposes of providing appropriate updates regarding the incident, investigation and developing appropriate responses.
- School Administration will consult with their Family of Schools Superintendent and Communications to determine when a communication to the whole class and/or school community is required.
- School Administration will proactively offer appropriate supports (e.g., Child and Youth Counsellor, Social Worker) to the impacted students and any witnesses and seek input on

what additional supports are required in consultation with parents/guardians on an ongoing basis.

- School Administration will connect with the class teacher(s) of the impacted and witnessing students to enquire what additional supports may be required on an ongoing basis.
- Teachers are responsible for sharing any ongoing concerns regarding student needs with School Administration.

STEP 3: Document and Ensure Accountability

Incidents involving a Staff Member to Student(s)

- In accordance with any other reporting obligations, when a staff member witnesses or becomes aware of a hate or bias motivated incident involving a student and a staff member, they must report the incident to their School Administration immediately.
- School Administration will inform Human Resources as soon as they become aware of the incident. Human Resources will support School Administration in the required next steps.
- If a Vice-Principal is involved in the alleged incident, staff must inform the School Principal.
- If a Principal is involved in the alleged incident, staff must inform the Family of Schools Superintendent.
- The Principal or the Family of Schools Superintendent will inform Human Resources.

Incidents involving Student(s) to Student(s)

- Any HCDSB employee (i.e., permanent, contract or occasional) who witnesses or becomes aware of a hate-based incident between/among students must report the incident in writing through the *Safe Schools Incident Reporting Form Part One* and inform their School Administration and/or Supervisor.
- The Family of Schools Superintendent and/or Supervising Superintendent must inform the Director of Education, the Human Rights Office, and the Superintendent of Safe and Accepting Schools as soon as they become aware of the incident.
- Any HCDSB Trustee who witnesses or becomes aware of an incident of a hate or bias motivated incident involving a student must report the incident immediately to the Director of Education and the Family of Schools Superintendent.
- School Administration will conduct an investigation to determine appropriate actions in accordance with Policy II-39 Progressive Discipline and Safety in Schools and Administrative Procedure VI-44 Progressive Discipline and Safety in Schools.

Steps to be Followed for All Reported Incidents

- For any reported incident, the investigation will include the following at a minimum:
 - What happened – a description of the events or situation
 - When it happened – dates and times of the events or incidents
 - Where it happened
 - Participant accounts
 - Witness accounts, where available
 - Collect any pertinent physical evidence (e.g., picture, recording, email etc.)

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- School Administration must inform the Family of Schools Superintendent, the Superintendent of Safe and Accepting Schools, the Human Rights Office and Human Resources (where applicable) of their findings.
- The School Principal must complete the *Safe Schools Incident Reporting Form Part Two* for incidents between/among students.
- If the incident rises to the level of concern that a Violent Threat Risk Assessment (VTRA) is required as per the Police-School Board Protocol, a VTRA One (1) or VTRA Two (2) must take place. The decision to carry out a VTRA is done in consultation with the Family of Schools Superintendent and the Superintendent of Safe and Accepting Schools.
- Within 24 hours of becoming aware of a hate or bias motivated incident, a Human Rights Response Team (team may include school-based and system-level members) will be mobilized by the School Administration to support the school.

The Team may include the following:

- Child and Youth Counsellor
 - Communications staff
 - Family of Schools Superintendent
 - Human Rights Office
 - Indigenous Education Advisor
 - Psychology Staff
 - School Administrators
 - School Chaplain
 - School Staff
 - Social Worker
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- The Human Rights Response Team will make recommendations for appropriate responses and action plans regarding additional supports for students, staff and/or parents as required; corrective and preventative measures (e.g., training and/or education); and communications strategies.
 - The School Principal, using the recommendations of the Human Rights Response Team, will develop a summary of recommended actions, including timelines, which will be shared with the Family of Schools Superintendent and the Human Rights Office.
 - The School Administration is required to notify the parents/guardians of students who have been harmed as the result of a hate or bias motivated incident. The School Administration shall disclose the following information when the respondent is a student:
 - The nature of the activity that resulted in harm to the student.
 - The nature of the harm to the student.
 - The steps taken to protect the student's safety, including the nature of any disciplinary measures taken in response to the activity.
 - The supports that will be provided for the student in response to the harm that resulted from the activity.
 - Where the incident involves a staff member and meets the threshold for investigation, at the conclusion of the investigation, the impacted student and/or their parents/guardians will be apprised of whether the complaint was substantiated, unsubstantiated,

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or inconclusive. Where the matter is substantiated, the impacted student will have confirmation that appropriate remedial actions will be implemented.

- If the student or their parents/guardians believes the incident has not been adequately addressed by the School Administration, they may raise their concerns with the Family of Schools Superintendent.
- The actions taken in response to the incident will be reviewed and a written response regarding the progress to date or next steps will be provided to the student and parent/guardian within five (5) business days by the Family of Schools Superintendent.
- If the student or their parents/guardians believes the incident has not been adequately addressed by the Family of Schools Superintendent, they may raise their concerns with the Director of Education.
- The actions taken in response to the incident will be reviewed and a written response regarding the progress to date or next steps will be provided to the student and parent/guardian within five (5) business days by the Director of Education.

STEP 4: Reflect and Restore

- The School Administration, Family of Schools Superintendent, the Superintendent of Safe and Accepting Schools and members of the Human Rights Response Team will review the incident, response and next steps.
- Family of Schools Superintendent will direct and oversee implementation of any remedial or preventative action plans required within their Family of Schools and report progress to the Director of Education.
- The Superintendent of Safe and Accepting Schools and the Human Rights Office will monitor and track hate or bias motivated incidents and responses through the Safe Schools Incident Reporting Form.
- Data will be analyzed bi-annually to identify trends and will be shared with Director of Education and Senior Administration.
- A summary version of the aggregate statistical trends will be shared with the Board of Trustees annually which will also be posted on the HCD SB's website.
- Learnings will inform action plans for additional training, system-wide preventative measures, dismantling systemic barriers, policy and procedure reviews and collation of promising practices.

APPROVED: Regular Meeting of the Administrative Council

AUTHORIZED BY: _____
Director of Education and Secretary of the Board



Reporting Hate or Bias Motivated Incidents



Option 1



Tell a **trusted adult at school** (e.g. Teacher, Principal, Coach, CYC, Chaplain, etc.)



The staff person will follow steps outlined in Procedure VI 102 to support you in resolving the matter.



Option 2



Report the incident online: hcdsb.info/ReportingTool



You will be contacted for additional details to help resolve your concern.



within **3 school days** of submitting your report

If I don't feel supported or think the matter was resolved



Report the incident to the Family of Schools Superintendent.



The Family of Schools Superintendent will respond within **5 business days** of submitting your report



If I still don't feel supported or think the matter was resolved



Report the incident to the Director of Education.



The Director of Education will respond within **5 business days** of submitting your report



Responding to Hate or Bias Motivated Incidents Impacting Students

I am an HCD SB
staff member who has become
aware of a hate or bias motivated
incident impacting a student.

Refer to **Procedure VI-102** to support the
student and resolve the matter.

Stop the harmful behaviour immediately if it is still
happening and offer support to the student.

Inform the School Administration immediately.

If the incident involves a
staff member to student, the
School Administration will
contact Human Resources
for next steps.

If the incident involves the
School Principal, inform the
Family of Schools
Superintendent.

If the incident was between or among students, complete
the *Safe Schools Incidents Reporting Form*.

School Administrator will determine who will contact the
parent/guardian - this must be done
as soon as possible.
Explain the action steps take, as well as next steps.

Determine with School Administrator if a message to
the entire class and/or community is needed.

School Administrator will follow up with parent/
guardian once the investigation is completed.

School Administration will connect with teacher to
determine additional ongoing supports.

Teachers are responsible for sharing any ongoing student
concerns with School Administration.