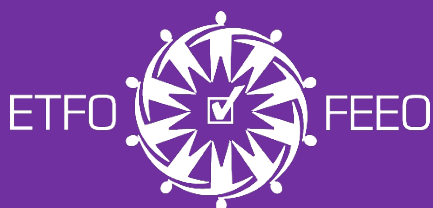




ETFO Submission to the Ministry of Education on Human Rights Complaint Procedures in Ontario School Boards

July 2021



Elementary Teachers' Federation of Ontario
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**Elementary Teachers' Federation of Ontario
Fédération des enseignantes et des enseignants
de l'élémentaire de l'Ontario**

The union represents 83,000 elementary public school teachers, occasional teachers and education professionals across the province. Its Building Better Schools education agenda can be viewed at **BuildingBetterSchools.ca**.

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INTRODUCTION

The Elementary Teachers' Federation of Ontario (ETFO) represents 83,000 public elementary school teachers, occasional teachers, designated early childhood educators and education professionals across the province and is the largest teacher federation in Canada. ETFO is an important stakeholder in the public education system and appreciates the opportunity to provide feedback to the Ministry of Education on its proposed guidance to school boards on human rights complaint procedures.

The Ministry of Education's goal of ending all forms of discrimination and building an education system that is safe, inclusive, and welcoming for all is a goal that the ETFO shares. It is a goal that informs all of ETFO's work on behalf of its 83,000 members as reflected in ETFO's Equity Statement:

It is the goal of the Elementary Teachers' Federation of Ontario to work with others to create schools, communities, and a society free from all forms of individual and systemic discrimination. To further this goal, ETFO defines equity as fairness achieved through proactive measures which result in equality, promotes diversity, and fosters respect and dignity for all.

ETFO's Equity Initiatives

ETFO is a union committed to social justice, equity and inclusion. The Federation's commitment to these principles is reflected in the initiatives it has established as organizational priorities, such as: ETFO's multi-year strategy on anti-Black racism; two spirit, lesbian, gay, bisexual, transgender, queer and questioning education; and addressing First Nations, Métis and Inuit issues. ETFO establishes its understanding of these issues

within an anti-oppressive framework. The Federation ensures its work incorporates the voices and experiences of marginalized communities, addresses individual and systemic inequities, and supports ETFO members as they strive for equity and social justice in their professional and personal lives.

Using the anti-oppressive framework is one of the ways that ETFO is operationalizing its Equity Statement.

Definition of an Anti-Oppressive Framework

An anti-oppressive framework is the method and process in which we understand how systems of oppression such as colonialism, racism, sexism, homophobia, transphobia, classism and ableism can result in individual discriminatory actions and structural/systemic inequalities for certain groups in society. Anti-oppressive practices and goals seek to recognize and dismantle such discriminatory actions and power imbalances. Anti-oppressive practices and this framework should seek to guide the Federation’s work with an aim to identify strategies and solutions to deconstruct power and privilege in order to mitigate and address the systemic inequalities that often operate simultaneously and unconsciously at the individual, group and institutional or union level.¹

Being proactive — not reactive — in dismantling oppressive systems such as colonialism and racism and eradicating discrimination in our schools, communities and for ETFO, our union, is critical. The work must be strategic, systemic and appropriately funded and resourced with

¹ Elementary Teachers’ Federation of Ontario (2021). *Equity Statement*. Available at: etfo.ca/AboutETFO/Governance/pages/equitystatement.aspx

processes in place to measure and report progress and hold those in positions of power to account. The work cannot be voluntary.

ETFO is concerned that the Ministry of Education’s voluntary guidance for school boards on human rights complaint procedures fails to meet these necessary requirements for transformative change. Complaint procedures should not be the primary focus of any equity strategy or plan for reconciliation with Indigenous communities.

The Limits of Complaint Procedures

Human rights complaint processes are not proactive. They are reactive. They place the burden of upholding human rights on the individuals and communities who are experiencing discrimination. Where comprehensive internal school board procedures exist, they are often not followed. Delays in the processing and investigation of complaints are incessant and cause further harm to participants. Human rights complaint processes are frequently limited in their impact with investigations focused on individual actions without meaningful consideration of the systems of oppression operating at the group and institutional level and accountability for those in positions to effect change.

Policy/Program Memorandum No. 119 (PPM 119) *Developing and Implementing Education Policies in Ontario*, which the Ministry cites in this consultation, was last issued almost a decade ago in 2013. PPM 119 identified three goals of the equity and inclusive education strategy² and required each school board policy on equity and inclusive education to cover eight areas of focus. “School

² (1) Shared and committed leadership by the ministry, boards, and schools to eliminate discrimination through the identification and removal of biases and barriers; (2) equity and inclusive education policies and practices to support positive learning environments that are respectful and welcoming for all; (3) accountability and transparency with ongoing progress demonstrated and communicated to the ministry and community (PPM 119, page 5).

climate and prevention of discrimination and harassment” was one of eight focus areas. The requirement that “boards will also put procedures in place that will enable students and staff to report incidents of discrimination and harassment safety, and that will enable boards to respond in a timely manner” was just one of many requirements in that area of focus³. PPM 119 appropriately situated complaint procedures as one of many aspects of a school board’s equity and inclusive education policy.

Though having discrimination and harassment procedures is described as a requirement in PPM 119, it has not been treated as a requirement. For many years, all school boards have had workplace discrimination and harassment policies and procedures for staff, in part, because of legislated requirements under the *Occupational Health and Safety Act*. However, most, if not all, school boards still do not have comparable policies and procedures for students despite the requirements outlined in PPM 119. Rather, students and their families are generally directed to discuss any complaints with the teacher, then the principal, then the superintendent, and so on. For the Ministry to now propose voluntary guidance for “requirements” that have never truly been “required” is disappointing.

It is particularly disappointing considering what has transpired since 2013. In 2015, the Truth and Reconciliation Commission (TRC) concluded and issued 94 Calls to Action⁴, including recommendations for education that remain unfulfilled.

In 2017, the Ministry of Education released *Ontario’s Education Equity Action Plan*,⁵ which recognized that human rights must be embedded in all aspects of the education system and

³ PPM 119, page 7

⁴ Truth and Reconciliation Commission of Canada. (2015). Truth and Reconciliation Commission of Canada: Calls to action. Available at: ehprnh2mwo3.exactdn.com/wp-content/uploads/2021/01/Calls_to_Action_English2.pdf

⁵ Ontario Ministry of Education (2017). *Ontario’s Education Equity Action Plan*. Toronto, Ontario: Queen’s Printer for Ontario.

included action items that were responsive to several TRC Calls to Action. *Ontario's Education Equity Action Plan* identified key action items across four areas — School and Classroom Practices; Leadership, Governance and Human Resource Practices; Data Collection, Integration and Reporting; and Organizational Culture Change. It included a three-year timetable for achieving specific outcomes and performance measures, including requirements in the area of Leadership, Governance and Human Resource Practices for “school board structures to promote and enforce human rights and equity.”⁶ These school board structures are not limited to complaint procedures. Action items on board policies for complaint processes are not offered as “voluntary guidance.” Years later, the promise of *Ontario's Education Equity Action Plan* remains unfulfilled. It should be reviewed, updated and implemented.

In 2020, the review of Peel District School Board was released with directives for implementation but little follow through. The review was released during a global pandemic that has exposed and exacerbated systemic inequities faced by Black, Indigenous and other marginalized communities. Those systemic inequities became the catalysts for local, national and global protests. With rallying cries of “Black Lives Matter” and “Every Child Matters”, people around the province and the world have repeatedly taken to the streets to collectively mourn lives lost to racism and colonialism, and to urgently demand action and accountability.

Last October, ETFO joined many other organizations in calling on the Ministry of Education to take concrete measures to address anti-Black and anti-Indigenous racism in public education. This call included a total revision of the curriculum in consultation with Black and Indigenous communities. It also included a requirement that all school boards take an anti-racist approach by beginning to

⁶ Ontario Ministry of Education (2017). *Ontario's Education Equity Action Plan*. Toronto, Ontario: Queen's Printer for Ontario. (pp. 28)

collect disaggregated race-based student data by the end of 2021, and that the province ensure there is a standardized collection of data across all school boards.⁷ Noting that there have been many reviews and reports with countless recommendations over the years that have still not been implemented, the letter called on the Minister of Education to implement the 27 directives issued to the Peel District School Board in all other school boards.

In February 2021, ETFO wrote to the Solicitor General and Minister of Education reiterating the need for an accelerated timeline for the collection of disaggregated race-based data.⁸ ETFO also requested a joint meeting with both Ministries on the timeline and standards for the collection of race-based data, including requirements that school board data include all employees and their positions and be publicly available, and requirements for professional development for all administrators, school board trustees and teacher candidates. Both Ministries have yet to respond to ETFO's requests.

By proposing voluntary guidance to school boards on complaint processes, the Ministry is not responding to the urgency of the times nor following its own policy. It is also not responding to the repeated requests by ETFO and other organizations for immediate and concrete action. In recognition that the work for equity in education must be proactive, strategic, systemic, appropriately funded and resourced, and include accountability processes, ETFO recommends that the Ministry of Education:

- Review, revise, and implement *Ontario's Education Equity Action Plan*.
- Attach roll-out funding to ensure that school boards include *Ontario's Education Equity Action Plan* requirements as part of their Board Improvement Plans for Student

⁷ Include link to October 27, 2020 Joint Statement on Anti-Black and Anti-Indigenous Racism in Ontario's Education System

⁸ See Appendix A.

Achievement and Well-Being (BIPSAs); School Improvement Plans for Student Achievement and Well-Being (SIPSAs); and board multi-year strategic plans.

- Require that BIPSAs, SIPSAs, and multi-year strategic plans include data collection, data-tracking, transparent reporting and accountability measures.
- Ensure that each school board have one or more roles (e.g., Human Rights Office) responsible for operationalizing these plans through ongoing training and professional development, data tracking and reporting, resource development and sharing throughout the board, and ongoing consultation with respect to policy, procedure, and board communication on equity/Indigenous-led initiatives. Sufficient ongoing funding for these roles should be provided.
- Require that all multi-year plans include mandatory ongoing, scaffolded professional development in cultural safety, anti-oppression and anti-racism for all staff and trustees. Reference these requirements in board postings and performance appraisals for administrators and other system leaders.
- Promote principals and vice-principals, consultants, coordinators, and other system leaders who have demonstrated knowledge of, commitment to, and experience in successfully addressing equity-based issues and upholding human rights.

Complaint Procedures: Indigenous Perspective

The Ministry’s consultation documents state in the project rationale that there is a “significant disconnect between many Indigenous Peoples and human rights systems” which the Ministry hopes to ameliorate with written guidance on how school boards can remove barriers to complaint systems for Indigenous Peoples. This focus is, again, too narrow.

Colonization and the legacy of residential schools has both directly and indirectly impacted community, parental and student relationships to schools today. The distrust and broken relationships are evident in the disengagement of Indigenous communities within the school systems. The disconnect is not isolated to complaint procedures. The disconnect and disengagement is related to the entire system.

Historically, the Ministry of Education often creates policies intended to benefit Indigenous students without consultation with Indigenous communities. This is evidenced by the lack of a detail-oriented plan based on Indigenous pedagogy or practice. Policies have often focused on meeting Ministry aims, not the goals of Indigenous communities/families.

The failure to implement Ministry policy that is responsive to some of the TRC Calls to Action, such as action items in *Ontario's Education Equity Action Plan* for curriculum revision and enhancing educator capacity and knowledge, further erodes trust.

It is important to acknowledge that the current relationships are deeply embedded in colonization, with deep roots of violence and trauma. That reality needs to be reconciled over time through the building of relationships on an equal ground — a return to the original agreement of the Two Row Wampum. Relationships based on respect and non-interference must be re-established through reconciliation.

Boards should include the Indigenous Education Lead in developing processes, policies and procedures related to Indigenous students, and in the many contexts in which human rights issues might be expected to arise. Creation of a single complaints policy/procedure is insufficient. Many of the situations where students' human rights are most at stake (i.e., when a student is disciplined and faces the prospect of suspension or expulsion, or when a student has special education needs) are dealt with through statutory processes mandated by the *Education Act*. Ensuring that students

and families have appropriate and accessible information about these processes, and also have advocates to support and assist them in navigating school boards' processes, is critical.

To support the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), Articles 18 and 19, an Indigenous advocate/navigator role should be established within each board. The role would support communities/parents and students in navigating board processes. Those processes include, but are not limited to, human rights complaint processes, special education processes (e.g., Individual Education Plans and Identification Placement Review Committee meetings), and student discipline processes. The Indigenous advocate/navigator's role would include filing of paperwork, consulting with families, attending meetings with or in the absence of families/caregivers. This role is similar to Jordan's Principle navigators that exist federally.

If navigators are not available, the Indigenous Education Lead, community liaison or community support person should be able to participate in processes alongside the student/caregiver, or in their absence with signed consent.

When these support roles are filled by school board staff, those staff members must be protected from any reprisals for acting on behalf of Indigenous families/communities.

The navigator role must be promoted publicly. Their contact information should be easily accessible and available in digital and hard copy formats through the board website, at board buildings, in communities at the membership office or council building, and in urban friendship centres.

Culturally responsive dispute resolution processes must be specific and developed in consultation with the communities connected to each school board (UNDRIP Article 19). Plans for these processes must be submitted to Indigenous Education Advisory Committees annually for ongoing consultation and planning with local Indigenous communities.

Plans for culturally responsive dispute resolution processes should identify the roles and responsibilities of all participants in the process. They should describe how information collected in the process may be used and outline expectations, including confirming that consequences outside of the process (such as the determination by the school board that discipline and/or a report to the regulator are required) may follow. It is important to emphasize that restorative justice is not meant to replace consequences. In fact, trying to engage Indigenous families in these processes without consequences for those who are found to have caused harm will only reinforce the distance between Indigenous families and the education system. When nothing was done in the past to remedy wrongs, families that participated in these processes asked ‘what is the point?’

It is also important that anyone carrying out complaint investigations and/or complaint resolution processes is trained and educated about the history and impacts of residential schools and solutions for healing in response to TRC Call to Action 1 (iii, iv, v)⁹.

The ongoing practice of reconciliation must be undertaken by every stakeholder in the education system. Mandatory professional development and training for public servants about the legacy, history and impact of residential schools in response to Call to Action 57 must be undertaken. That professional development must include all trustees, senior administration and school board staff. Cultural safety training for everyone engaged in the provision of services, similar to the training developed for health services, should also be required along with proactive and on-going staff training in anti-oppression and anti-racism.

Finally, the Indigenous Education Lead must be charged with the reporting of data in the Board Action Plan for Indigenous Education for students who identify as First Nation, Métis or Inuit.

⁹ Truth and Reconciliation Commission of Canada., & United Nations. (2015). Truth & reconciliation: Calls to action (pp. 1). Available at: ehprnh2mwo3.exactdn.com/wp-content/uploads/2021/01/Calls_to_Action_English2.pdf

Complaint Procedures: ETFO Experience

As noted earlier in this submission, workplace harassment and discrimination policies and procedures have been in place for many years in school boards across the province. As processes that are reactive and place responsibility for upholding human rights on the individuals experiencing discrimination, individual complaint policies and procedures should not be the focus of any equity strategy.

ETFO believes that when school boards make visible, tangible commitments to fairness, equity, anti-discrimination and anti-racism in collective agreements (e.g., including management rights language that explicitly indicates those rights will be exercised reasonably, equitably and fairly, or ensuring that all protected grounds under the *Human Rights Code* are listed in a collective agreement), they increase the trust level of staff members who may not feel comfortable coming forward with incidents of harassment/discrimination because they do not believe the board will take their concerns seriously. Unfortunately, there are school boards that have difficulty making such visible and concrete commitments to creating and maintaining an inclusive environment where everyone's rights are understood, validated and protected.

The Toronto District School Board's (TDSB) *Human Rights Update: Annual Report 2018-2020*, released in March 2021¹⁰, reinforces why the fair, reasonable and equitable exercise of management rights is so important in upholding human rights. It emphasizes the need for organizational change and policy that “will impose and embed new proactive ‘positive human rights duties’ on system leaders and staff, so that the burden of upholding rights and maintaining discrimination-free workplaces is placed more upfront and on the shoulders of ‘directing minds’ and

¹⁰ Toronto District School Board (2021), *Human Rights Update: Annual Report 2018-2020*. Available at: tdsb.on.ca/Portals/0/docs/HRO%20Report_March%202021.pdf

those with power, rather than on the victims of discrimination ‘after the fact’ (the current complaint driven and focused model).” It identifies “the ongoing modernization of data collection, monitoring and reporting tools” as “particularly essential precondition to a much more strategic, proactive and systemic approach to human rights enforcement.” The report expresses hope that “the days of leaving human rights issues to boil over and fester (as “not our core business”) only to pass on to the Human Rights Office to come in and clean up at the last hour (at the most difficult-to-resolve, endemic stage of conflict years in the making)...will be numbered.”

It is often at the stage where human rights issues have “boiled over” and educators have been adversely impacted by the failure to protect and respect their human rights that they approach ETFO for support. So many of these situations, and the harm done to ETFO members, could have been avoided by placing positive duties on administrators and system leaders to identify and uphold human rights; by providing them with ongoing training; and by holding them accountable through data reporting and promotion/performance evaluation processes.

Individuals occupying positions of authority, like principals and vice-principals, consultants, coordinators, and other system leaders, should demonstrate knowledge of, commitment to, and successful experience in addressing equity-based issues and upholding human rights. Experience in anti-racism, anti-oppression and cultural-safety approaches and in understanding the systemic issues facing racialized members and members with disabilities, in particular, is also important as the majority of complaints experienced by ETFO members are based on grounds of race and disability. Knowledge of board policies and procedures, as well as human rights legislation, should be a requirement at all levels of school board leadership.

When human rights situations arise that may be new or challenging (e.g., competing rights), administrators and system leaders should be encouraged to consult promptly with appropriate

board human rights specialists, and to refer staff to their unions. If human rights issues are dealt with before they fester and boil over, complaints should be rare.

Teachers and education workers who do make complaints, too often feel unsupported in the process and further marginalized and revictimized by procedural dysfunction. In ETFO's experience, the dysfunction has less to do with the content of policies and more to do with their implementation. The Ministry has asked what makes for an effective complaint procedure. ETFO's view is that an effective complaint procedure is one that provides for a fair, respectful and timely investigation and resolution of complaints. Many school board complaint procedures satisfy these criteria on paper. However, a complaint procedure is only effective if it is followed. Too often they are not.

Complaint policies and procedures could be improved by including measures to better manage expectations, improve communication and transparency, and promote and enforce accountability. For example, complaint policies and procedures should:

- Clearly outline the scope of remedies available through the process, including what consequences and accountability measures may result from a determination that an individual engaged in discrimination and what information complainants will be provided about the measures taken by the school boards at the conclusion of an investigation;
- Provide a realistic timeline for the processing of complaints;
- Include reprisal prohibitions that are specific and detail how allegations of reprisal will be investigated;
- Describe the qualifications and training required for those charged with investigating complaints. Seeing that an investigator receives ongoing professional development and

training in conducting investigations and human rights (e.g., anti-racism, anti-oppression, and cultural safety) may enhance confidence in the process;

- Be specific about impartiality and bias-free investigations. Identify the positions/offices in the board that are charged with investigating complaints and explain the mandate of these positions and how they fit into the overall structure of the board. Identify the circumstances where third-party investigators may be engaged, such as in circumstances where the nature of the allegations necessitates an external investigator;
- Require that regular updates and check-ins be conducted with participants throughout the course of the investigation; and
- Promote and enforce accountability, outline the measures and consequences that may be taken when procedures are not followed.

Failing to adhere to timelines in complaint policies and procedures is a persistent problem. Delays are incessant, particularly in complaints about race and disability. A complainant should not wait months or years for their complaint to be investigated. For example, it is not reasonable for a matter from December 2019 to remain unresolved in July 2021. According to the TDSB *Human Rights Update: Annual Report 2018-2020*, during the 2019-2020 school year there were 343 active cases in the Human Rights Office. 97 per cent of these cases were employment-related. The average age of active cases 478.3 days. The average age of closed cases is 538.99 days. The delay in processing claims is not just unreasonable, it is unconscionable.

Complaints not being investigated and resolved in a timely manner harms everyone involved in the process. It is particularly harmful for complainants who feel further marginalized and revictimized by dysfunctional processes. Their health may be affected. Some educators are unable to continue

working. They may go on disability leaves, file Workplace Safety and Insurance Board (WSIB) mental stress claims, or choose to leave the profession, including retiring earlier than they planned.

The causes for delay are almost always related to resources. It is critical that sufficient resources (human, financial, and technological) be provided to ensure the fair, respectful and timely processing of complaints.

The Ministry must provide sufficient funding to school boards to establish Human Rights Offices (where they do not already exist) and ensure that such offices are appropriately staffed with enough experienced human rights specialists to carry out all of the responsibilities of the role, including investigating complaints. Funding for the technology required for data tracking, investigation management and progress reporting is required as is funding for ongoing professional development for staff.

It should be noted that the delays in processing complaints reported by the TDSB occurred in a Human Rights Office (HRO) that grew from a staff of four to ten in 2018. Virtually all of the complaints considered in the TDSB report are employment-related as the HRO's mandate has not yet been extended to the investigation of complaints involving students. ETFO is very concerned that, without sufficient resources to deal with all complaints appropriately, the delays will continue to increase.

The Ministry has stated in its project rationale for providing guidance to school boards on complaint procedures that the number of applications to the Human Rights Tribunal of Ontario (HRTO) is too high. ETFO disagrees with this conclusion and with the implication that increasing access to complaint procedures, particularly given the current challenges, will impact the number of HRTO applications.

The Ministry states that “1,048 HRTO applications [were] filed against 68 school boards between January 1, 2012 and December 31, 2019.” This amounts to less than two applications per board per year over an eight-year period. The TDSB *Human Rights Update: Annual Report 2018-2020* data demonstrates that the number of HRTO applications against the TDSB has remained relatively consistent over the period of 2016-2019.¹¹

It is also important to remember that prior to the creation of the HRTO in 2008 as a direct-access system, human rights complaints were filed with and investigated by the Ontario Human Rights Commission, which determined which complaints would be adjudicated by the tribunal. Significant delays and backlogs in processing complaints by the Commission were one of the key reasons for the creation of the HRTO.

The HRTO serves an important function. It provides remedies not available through internal board processes and is an independent adjudicative body. It must be appropriately funded.

Complaint Processes for Students

As noted above, ETFO is not aware of any school board that has a comprehensive human rights complaint policy and procedure for students. This must change. Students and their families/caregivers deserve to have human rights issues and complaints dealt with in a fair, respectful, and timely manner.

¹¹ HRTO applications:

2016 – 25 (with 10 related to employment and 14 to goods/services)

2017 – 27 (with 16 related to employment and 11 to goods/services)

2018 – 31 (with 16 related to employment and 15 to goods/services)

2019 – 25 (with 11 related to employment and 14 related to goods/services)

ETFO's views about the importance of school boards being proactive in identifying and addressing human rights issues before they become complaints and making those in positions of power accountable for the enforcement of human rights, apply equally to students.

With respect to proactive enforcement of human rights, ETFO supports policies and procedures that place positive duties on board staff to report human rights violations (e.g., TDSB Procedure PR728 Reporting and Responding to Racism and Hate Incidents Involving or Impacting Students in Schools).

With the types of improvements mentioned in this submission, existing workplace complaint policies and procedures could be easily modified for complaints relating to students. Many of ETFO's recommendations related to Indigenous students apply to other students. There is a need to provide mechanisms for addressing human rights issues in other board and *Education Act* processes, such as those relating to student discipline and special education services.

Clear and accessible information about student's legal rights and board policies, procedures and enforcement must be readily available for students/families/caregivers in electronic and hard copy formats. School boards should make this information available outside of the school board in the broader community. Boards should also provide contact information for organizations outside the board that can provide support and advocacy services to students/families/caregivers (e.g., legal clinics, such as Justice for Children and Youth, the Black Legal Action Centre, and ARCH).

Conclusion

The responsibility for dismantling oppressive systems and eradicating discrimination in our schools cannot fall on the individuals and communities who are experiencing oppression and discrimination. That strategy has not worked to date and often only reinforces the distrust, pain, and

disengagement many marginalized communities experience. Complaint procedures should not be the primary focus of any equity strategy or plan for reconciliation with Indigenous communities. Complaint policies and procedures must provide for the fair, respectful, and timely disposition of complaints and must be followed, which requires funding and resources.

Protecting and upholding human rights and practicing reconciliation with Indigenous communities is everyone's responsibility, especially those in positions of leadership in government and school boards. Working towards equity and reconciliation in our education system requires a proactive, strategic, systemic approach with accountability measures. It requires funding and resources, and it must be mandatory. This was the approach in *Ontario's Education Equity Plan* and ETFO urges the Ministry to update and implement it. In an education system where everyone is responsible and accountable for protecting and upholding human rights, human rights complaints should be rare.

Appendix A – Letter to Solicitor General and Minister of Education



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February 26, 2021

The Honourable Sylvia Jones
Solicitor General
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The Honourable Stephen Lecce
Minister of Education
5th Floor
438 University Ave
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RE: Collection of Race-Based Data in Ontario's Public School Boards

Dear Solicitor General Jones and Minister Lecce:

I am writing today on behalf of the Elementary Teachers' Federation of Ontario (ETFO) and the 83,000 members we represent to discuss measures that we believe the government must implement as part of a larger strategy to confront systemic anti-Black racism in Ontario. The implementation of some of these measures would require a multi-ministerial approach and we are looking to both the Ministry of the Solicitor General and the Ministry of Education to work with ETFO and other stakeholders in this process.

In 2018, ETFO adopted a multi-year strategy to promote the United Nations International Decade for People of African Descent and to address anti-Black racism within the education sector and in broader society. As part of that multi-year strategy ETFO has been diligently working to train and educate our leadership, our staff and our members, to recognize and address anti-Black racism. We have also developed several resources to celebrate the contributions of Black people to Canada and to support educators in addressing anti-Black racism in our public schools.

While no one policy or practice can on its own eliminate systemic anti-Black racism, there are some immediate steps the government could take to improve the experiences of Black students and Black educators in Ontario's public education

system. In October 2020, ETFO alongside many other organizations called on the provincial government to take some concrete measures to address anti-Black and anti-Indigenous racism in our public education system.

The government's current plan requires the collection of race-based data of public school boards by January 1, 2023. Greater efforts must be made to ensure all public-school boards in the province comply. Assessing the experiences of Black students and educators in the public education system must be a priority. In addition to prioritizing the collection of race-based data, the government should standardize the collection of the data, to maximize its use and impact have on future public policy.

I would like to request a joint meeting with representatives from both of your ministries to discuss the following proposals:

- Speeding up the collection of disaggregated race-based student data by all public school boards before January 1, 2023.
- Ensuring that the collection of race-based data by school boards is standardized, includes all employees and their positions, is publicly available and meets current best practices.
- Implementing mandatory ongoing training and professional development for all administrators, school board trustees and teacher candidates on recognizing and addressing anti-Black racism, including microaggressions.

ETFO stands ready to work with both your ministries, education stakeholders and community representatives to ensure that these proposed measures can be developed and implemented in a timely fashion.

I believe that by working together we can ensure that Ontario's public schools are safe and welcoming spaces for Black students and Black educators. I look forward to your response.

Sincerely,



Sam Hammond
President
Elementary Teachers' Federation of Ontario



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