

Toronto Waldorf School Policy and Procedure Manual

APPROVED BY: Board of Directors on June 5, 2024;

POLICY AREA:

4) Faculty & Staff & Students

UPDATED: August 28 2024 CATEGORY:

e) Prof. Behaviour & Expectations

PREPARED BY: Faculty Council

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Discriminatory Incident Reporting Policy Faculty and Students

Toronto Waldorf School is committed to providing an environment free of discrimination and harassment, where all individuals are treated with respect and dignity, can contribute fully, and have equal opportunities.

All members of the Toronto Waldorf School and its constituents are expected to uphold and abide by this policy, refrain from any form of discrimination and discriminatory harassment, and cooperate fully in any investigation of discrimination or discriminatory harassment.

Objectives:

To ensure that students, staff, and parents of Toronto Waldorf School are aware that discrimination and discriminatory harassment are unacceptable practices and are incompatible with the standards of the Toronto Waldorf School.

To identify areas of discrimination and to actively work to prevent them, to remove them, and to continue to learn and heal from them.

Definitions:

In this policy,

“discrimination” means differential treatment of, or impact on, people/groups based on a protected personal characteristic (as defined in this policy) or related people/groups. Discrimination may take obvious forms, such as discriminatory comments, or it may happen in subtle ways, such as an unequal effect that arises when treating individuals and groups in the same way. If the effect of conduct results in an unequal impact on a person/group based on the person’s/group’s protected characteristic, it is discrimination.

“discriminatory harassment” means a course of comments or actions that are known, or ought reasonably to be known, to be unwelcome and that is related to a protected personal characteristic (as defined in this policy). It can involve words or actions that are offensive, embarrassing, humiliating, demeaning or unwelcome.

“discriminatory incident” means an action and/or conduct that that is motivated by discrimination (as defined in this policy) and includes discriminatory harassment (as defined in this policy). Discriminatory incidents may include name calling, racial slurs or the distribution of material promoting discrimination.

“protected personal characteristic” means any of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sexual orientation, gender identity, gender expression, age, marital status, family status, or disability.

Prevention:

Toronto Waldorf School takes measures to reduce the potential for, and prevent, discrimination and discriminatory incidents. These measures include, but are not limited to, the following:

- faculty and staff education, including policy review and training upon hire and annual reviews thereafter, and training from third-party providers;
- encouraging faculty to monitor for discrimination, observe behaviours in and outside of the classroom and monitor for signs of exclusion or differential treatment of students (including based on protected personal characteristics);
- encouraging communication between faculty, staff, and parents about observations and signs of potential discrimination;
- teaching students about diversity and the harmful effects of discrimination;
- developing and communicating clear expectations for a safe and open environment;
- establishing rules and expectations for appropriate behaviour and communications;
- setting up an effective reporting system; and
- encouraging students to speak up if they observe discrimination or other inappropriate behaviour and to challenge it.

The following guidance is provided to Toronto Waldorf School faculty:

- Listen, watch, learn
 - Observe behaviour and watch for developing patterns in student behaviours
 - Be aware of, and tuned into, the school and class culture, environment, and climate
 - Watch for exclusion, or differential treatment, of students or groups of students.
 - Watch for unspoken behaviours, such as physical exclusion or non-verbal taunting behaviours
 - Communicate with other teachers, administration, and student parents about observations
 - Develop and encourage school pride and involvement in events that build community cohesion
- Set high expectations
 - State clear expectations for a safe and open environment in classes and handbooks
 - Understand and follow the school’s reporting system and encourage students to share their own concerns and observations
 - Set expectations on how students should speak to each other
 - Lead and encourage discussions about respectful ways to interact
- Take advantage of teachable moments
 - Use opportunities to speak as a class about struggles occurring elsewhere, including “how” and “why” things have happened and the kind of environment that is best for the school
 - Focus on respectful treatment of others, and treating others as one would want to be treated
 - Use opportunities to show support and empathy to others
- Teach, and model, speaking up
 - Be prepared, and prepare students, to by practicing what to say and how to speak up
 - If casual pejoratives are heard, challenge them: “Those words are hurtful and harmful and they have no place in this classroom or school”

- Use the phrase “see something, say something”

When Discriminatory Incident is Observed or Reported

Discriminatory Incident Response

When a potential discriminatory incident is reported to, or observed by, a faculty member or staff of Toronto Waldorf School, the safety of individual(s) is of the utmost importance. Immediate steps should be taken to ensure student safety and well-being, and involved students should be removed to a location in which they are safe. If a student requires medical care, the faculty member or staff should promptly take the steps necessary to arrange for such care and notify the Pedagogical Administrator. The Pedagogical Administrator will notify the student’s parents.

The faculty member or staff of Toronto Waldorf School must report any potentially discriminatory incident to the Pedagogical Administrator as soon as possible and no later than twenty-four (24) hours after becoming aware of the incident. The Pedagogical Administrator will determine whether any immediate and/or interim measures are necessary or appropriate.

Interim measures may include, but are not limited to:

- providing support and/or resources for affected individuals;
- implementing measures to avoid and/or minimize contact between individuals involved; and/or
- other measures to ensure student safety and comfort at the school.

The Pedagogical Administrator will notify the parents/guardians of any students directly involved in the potentially discriminatory incident (i.e., any students who are alleged to have engaged in discrimination or discriminatory harassment and any students who are alleged to have been subjected to or experienced discrimination and/or discriminatory harassment) of the reported incident, of any interim measures being taken, and inform them of the process that will be followed.

The Pedagogical Administrator will appoint a lead investigator to conduct an investigation into the incident as soon as reasonably practicable. The Pedagogical Administrator may, if the Pedagogical Administrator considers it appropriate, contact the York Regional Police (e.g., if the incident involves conduct that may be a criminal offence).

Investigation Protocol

The lead investigator is responsible for gathering information about the alleged discriminatory incident, including by talking to students involved, faculty, and others.

The lead investigator will:

- Meet with the individual(s) who is/are alleged to have been subjected to discrimination and/or discriminatory harassment and gather information about what took place, gather any other information that may inform what took place, and identify others who may have information relevant to what took place.
- Meet with the individual(s) who is/are alleged to have engaged in in discrimination and/or discriminatory harassment and gather information about what took place, gather any other

informant that may inform what took place, and identify others who may have information relevant to what took place.

- Meet with other individuals, if any, who the lead investigator has reason to believe has information relevant to what took place.

In the event an individual refuses to, or otherwise does not, participate in the investigation, the lead investigator may proceed with, and conclude, the investigation without hearing from that individual. The lead investigator may draw such inferences as the lead investigator sees fit from an individual's non-participation and the surrounding circumstances.

Discussions regarding the incident and any follow-up will be handled with care and privacy. Information about the incident will be shared on a need-to-know basis, while remaining in compliance with privacy guidelines.

The lead investigator will document the information and evidence gathered through the investigation and will draw conclusions as to what occurred on the "balance of probabilities" standard (i.e., whether something is more likely than not to have occurred). The lead investigator will report their findings to the Pedagogical Administrator, including a summary of the alleged discriminatory incident (as reported), the results of the investigation, and whether the investigator has found that there was, in fact, discrimination and/or a discriminatory incident.

The Pedagogical Administrator will review and consider the lead investigator's findings and determine what corrective measures, if any, are appropriate. The Pedagogical Administrator will notify the parents of any students directly involved of the outcome and corrective measures being taken.

Where appropriate, corrective measures with an individual found to have engaged in discrimination and/or discriminatory harassment will be focused on educational and restorative measures rather than punitive. However, punitive consequences will be imposed where the Pedagogical Administrator deems appropriate.

Other corrective measures may also be taken other than with an individual found to have engaged in discrimination or discriminatory harassment. Such measures may include, but are not limited to, providing support to those subjected to discrimination, restorative actions with individuals involved, measures to enhance safety, arranging for additional learning opportunities, or implementing training.

Response Team

The Pedagogical Administrator may, upon receiving the report from the lead investigator, convene a Response Team (which may consist of various members, such as the section chair, the class teacher, the school counsellor, and/or an external consultant). The intent of the Response Team is to form an objective, helpful, and unbiased team to consider the findings and assist in developing recommendations on appropriate corrective measures. The Response Team will not act as an advocate for any person and will not provide legal advice or analysis. The Pedagogical Administrator and/or the Response Team may consult with the parents of any students involved in regard to potential appropriate corrective or measures. The subject matter under consideration by the Response Team will be confidential and will not be disclosed other than to the Pedagogical Administrator, to parties involved (including parents), or if disclosure is otherwise required by law or to ensure procedural fairness.

The Pedagogical Administrator retains the ultimate decision in regard to corrective measures.

Resources:

Canadian Resources:

Ontario's Equity and Inclusive Education Strategy:

<https://files.ontario.ca/edu-equity-inclusive-education-strategy-2009-en-2022-01-13.pdf>

Supporting Bias Free Progressive Discipline in Schools:

<https://files.ontario.ca/edu-supporting-bias-free-discipline-en-2022-01-20.pdf>

Toronto Initiative for Diversity and Excellence:

<https://www.toronto-tide.ca/education-modules/>

AntiHate.ca

<https://www.antihate.ca/>

US resources:

Checking Yourself for Bias in the Classroom:

www.tolerance.org/magazine/checking-yourself-for-bias-in-the-classroom

How Implicit Bias Impacts Our Children in Education:

www.americanbar.org/groups/litigation/committees/childrens-rights/articles/2017/fall2017-how-implicit-bias-impacts-our-children-in-education/