

January 20, 2021

To Parents, Guardians, Students, and Malvern Staff:

I am writing this letter to inform all members of the Malvern community of:

1. What constitutes an incident of racism or hate/bias; and
2. What our procedures are once an incident is reported.

① Incidents of racism or hate/bias

A racism or hate/bias incident refers to conduct that is motivated, in whole or in part, by racism or hate/bias on the grounds of someone's identity or group affiliation (real or perceived). The conduct is a violation of someone's right to learn and work in an environment that is free of discrimination and harassment.

- *Identity or group affiliation*

Examples of someone's identity or group affiliation (that are protected under the Ontario Human Right Code) include the following: race, national or ethnic origin, language, colour, creed, religion, sex, age, mental or physical disability, gender identity, gender expression, and sexual orientation.

- *Conduct*

Examples of conduct can include the following: slurs, insults, abusive or offensive gestures, displaying, posting or re-posting offensive messages or material that are racist, homophobic, transphobic, Islamophobic, misogynistic, etc.

This conduct could be verbal, a written message, a gesture, a symbol, or an illustration.

It could have started by an unknown person and then promoted or supported by a student (through their encouragement or re-posts).

It could take place at school, off school property, or online.

It could take place during the school year, during the holidays or on the weekends.

It could have taken place recently, or it could have taken place in the past and has resurfaced.

② Malvern/TDSB procedures

When an incident of racism or hate/bias has been reported, here is what will happen next:

1. The principal or designate will report the incident through the Racism, Bias and Hate (RBH) portal.
2. The principal or designate will notify the School Superintendent and the Human Right's office of the RBH report and of the school's initial response.
3. If the incident constitutes a *hate crime*, as defined in [PR728](#), it will be reported to the police.
4. As per the [TDSB's Chart of Consequences for Inappropriate Behaviour](#), the principal may issue a suspension of up to 20 days, pending a possible expulsion, which is then subject to a *Principal's Inquiry*.
5. After issuing the suspension, the Principal's Inquiry will be completed within 5 school days and the principal will make a determination regarding consequence.

6. The determination of consequences is made in consultation with the Caring and Safe Schools Department, the Human Rights Office, the Superintendent, and the Organizational Response Team, if such a team is convened.
 - a. The superintendent may convene an Organizational Response Team (ORT) to inform next steps for the victim(s), the alleged perpetrator(s) and the school community.
 - b. The ORT may include: the school administration, a Human Rights Officer, Community Advisory members, the Executive Superintendent, and advisors from the Equity, Communications, Legal, and Caring and Safe School Dept's.
7. Where is it deemed appropriate and necessary, communication may be sent to the school community regarding the incident.
8. The principal, in partnership with other TDSB/School personnel, will support those students affected by the incident, and will work with the school community to promote and support the safety and wellbeing of all members of the school community.

Malvern's Code of Conduct and the [*TDSB's Chart of Consequences for Inappropriate Behaviour*](#) outline definitions, expectations and the range of consequences involved in a racism incident or a hate/bias incident, as well as other incidents that compromise the safety and wellbeing of the school community.

Reference Documents:

[*Reporting and Responding to Racism and Hate Incidents Involving or Impacting Students - TDSB*](#)

[*Human Rights Policy - TDSB*](#)

[*Canadian Charter of Rights and Freedoms - Equality*](#)

[*Ontario Human Rights Code*](#)

It is my hope, as we continue in our collective efforts to inform and educate students about what it means to have a safe, inclusive and equitable learning community, that no member of the school community will be subjected to conduct that is motivated by racism, hate or bias.

Sincerely,

Sandy Kaskens, Principal