



Hate and Bias Motivated Incidents

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Reviewed/Revised:
Memo To: All Staff
From: Director of Education

ACCESSIBILITY:

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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 Waterloo Catholic District School Board.

REFERENCES:

- [Anti-Racism Act, 2017](#)
- [Equity and Inclusive Education in Ontario Schools](#)
- [WCDSB and Waterloo Region Police 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](#)
- [WCDSB Code of Conduct and Standards of Behaviour](#)

FORMS:

- N/A.

REPORTS:

- N/A.

APPENDICES:

- N/A.

COMMENTS AND GUIDELINES:

Application and Scope

This procedure applies to hate or bias motivated incidents involving or impacting WCDSB 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 WCDSB 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 WCDSB Policy: Workplace **Discrimination and Harassment**.

Definitions

Ableism (Ontario Human Rights Commission)	Prejudiced thoughts and discriminatory actions based on differences in physical, mental and/or emotional ability that contribute to a system of oppression. Usually of able-bodied/minded persons against people with illness and/or disabilities.
Anti-Asian Racism (Addressing Anti-Asian Racism)	Anti-Asian racism refers to historical and ongoing discrimination, negative stereotyping, and injustice experienced by peoples of Asian origin, based on others' assumptions about their ethnicity and nationality. Peoples of Asian origin are subjected to specific overt and subtle racist tropes and stereotypes at individual and systemic levels, which lead to their ongoing social, economic, political and cultural marginalization, disadvantage and unequal treatment.
Anti-Indigenous Racism (Ontario Data Standards for the Identification and Monitoring of Systemic Racism)	Anti-Indigenous racism is the ongoing race-based discrimination, negative stereotyping, and injustice experienced by Indigenous Peoples within Canada. It includes ideas and practices that establish, maintain, and perpetuate power imbalances, systemic barriers, and inequitable outcomes that stem from the legacy of colonial policies and practices in Canada.
Anti-Black Racism (Ontario Data Standards for the Identification and Monitoring of Systemic Racism)	Prejudice, attitudes, beliefs, stereotyping, and discrimination that is directed at people of African descent and rooted in their unique history and experience of enslavement and its legacy. Anti-Black racism is deeply entrenched in Canadian institutions, policies, and practices, to the extent that it is either functionally normalized or rendered invisible to the larger White society.
Anti-Oppression (CCR Anti-Oppression Policy)	Strategies, theories, actions, and practices that actively challenge systems of oppression on an ongoing basis in one's daily life and in social justice/change work. Certain people in our society face oppressive experiences because of individual and systemic unequal power related to race, colour, culture, ethnicity, language and linguistic origin, ability, socio-economic class, age (children, youth, seniors), ancestry, nationality, place of birth, religion or faith or other forms of conscientiously held beliefs, sex, gender (including gender identity and expression), sexuality (including sexual orientation), family status (including marital status), and residency/migratory status in Canada. Anti-Oppression work seeks to recognize the oppression that exists in our society and attempts to mitigate its effects and eventually equalize the power imbalance in our communities.
Anti-Racism (Ontario Human Rights Commission- Policy and Guidelines on Racism and Racial Discrimination)	An action-oriented approach to identifying and countering the production and reproduction of all forms of racism. It addresses the issues of racism and the interlocking systems of social oppression.
Barrier (Ontario Human Rights Commission)	Anything that prevents a person from fully taking part in all aspects of society, including physical, architectural, information or communications, attitudinal, economic, and technological barriers, as well as policies and practices.
Bias (Ontario Human Rights Commission)	A predisposition, prejudice, or generalization about a group of persons based on personal characteristics or stereotypes.
Colonialism (Ontario Data Standards for the Identification and Monitoring of Systemic Racism)	The historical practices of European expansion into territories already inhabited by Indigenous peoples for the purposes of acquiring new lands and resources. This expansion is rooted in the violent suppression of Indigenous peoples' governance, legal, language, and social cultures.

Discrimination (Ontario Human Rights Commission)	Treating someone unfairly by either imposing a burden on them, or denying them a privilege, benefit, or opportunity enjoyed by others, because of their race, citizenship, family status, disability, sex, or other personal characteristics.
Diversity (Ontario Human Rights Commission)	The presence of a wide range of human qualities and attributes within an individual, group, or organization. Diversity includes such factors as age, sex, race, ethnicity, physical and intellectual ability, religion, sexual orientation, educational background and expertise.
Harassment (Ontario Human Rights Commission)	Engaging in a course of comments or actions that are known, or ought reasonably to be known, to be unwelcome. It can be embarrassing, humiliating, demeaning, or unwelcome.
Homophobia (Ontario Human Rights Commission)	Homophobia is often defined as the irrational aversion to, or fear or hatred of gay, lesbian or bisexual people and communities, or to behaviours stereotyped as “homosexual.” It is commonly used to signify a hostile psychological state in the context of overt discrimination, harassment, or violence against gay, lesbian or bisexual people.
Human Rights (Canadian Human Rights Commission)	Everyone in the world is entitled to the same fundamental human rights. There are 30 of them. They are the universal human rights that we, as citizens of this world, have agreed we are all entitled to. They include the right to live free from torture, the right to live free from slavery, the right to own property, and the right to equality and dignity, and to live free from all forms of discrimination.
Intergenerational Trauma (Ontario Data Standards for the Identification and Monitoring of Systemic Racism)	Historic and contemporary trauma that has compounded over time and been passed from one generation to the next. The negative effects can impact individuals, families, communities, and entire populations, resulting in a legacy of physical, psychological, and economic disparities that persist across generations.

Hate or Bias Motivated Crime refers to criminal incidents 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 Waterloo Regional Police Services - 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.

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

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 WCDSB community.
- All members of our WCDSB 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 WCDSB.
- Any WCDSB 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 WCDSB /school-related activity, on student transportation, in virtual spaces, on social media, or any forum that harms student well-being and dignity and negatively impacts the school climate.

Requirements

- All members of the WCDSB 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 Waterloo Regional Police Services, in addition to relevant WCDSB 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 WCDSB staff will take all reasonable and practical steps to prevent reprisals, threats of reprisal or further harassment.

Students Reporting an Incident

- If the student feels safe to do so, before reporting an incident, students are encouraged to tell the person who has expressed the comment or behaviour to stop. WCDSB recognizes that students may be vulnerable and may not feel safe to tell the person directly.
- 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.).
- Students or their parents/guardians may choose to report an incident using the Online Reporting Form. (link to our bullying 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, the 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 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. The School Administration must await police direction regarding further investigation.

For hate or bias motivated incidents, the following action steps are outlined below.

Staff Witnessing or Becoming Aware of Hate or Bias Motivated Incidents

Any WCDSB 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 WCDSB 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 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 support.
- 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 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?
- School Administration will connect with the class teacher(s) of the impacted and witnessing students to ask what additional support may be required.
- Teachers are responsible for sharing any ongoing concerns regarding student needs with the 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.
- The 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 WCDSB employee (i.e., permanent, contract or occasional) who witnesses or becomes aware of a hate-based incident between/among students must report the incident online through the [Safe Schools Incident Reporting Form](#) 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.
- The School Administration will investigate appropriate actions in accordance with Policy Progressive Discipline and Safety in Schools and Administrative Procedure 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.)
- The School Administration must inform the Family of Schools Superintendent, the Superintendent of Safe and Accepting Schools, the Senior Manager of Equity 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, the Crisis Response Protocol will be mobilized by the School Administration to support the school.
 - The Emergency 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 Crisis Response Team, will develop a summary of recommended actions, including timelines, which will be shared with the Family of Schools Superintendent and the Equity and Human Resources Managers and Superintendents.
 - The School Administration must notify the parents/guardians of students harmed by a hate or bias-motivated incident. The School Administration shall disclose the following information when the respondent is a student:
 - The activity that harmed 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 support provided for the student in response to the harm resulting 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, 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 Crisis Response Team will review the incident, response and next steps.
- The Family of Schools Superintendent will direct and oversee the 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 Equity Office will monitor and track hate or bias motivated incidents and responses through the Create data collection 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 WCDSB'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.