



Ontario
College of
Teachers

Ordre des enseignantes
et des enseignants
de l'Ontario

Professional Advisory

Addressing Hate and Discrimination

About this Advisory

This *Professional Advisory Addressing Hate and Discrimination* applies to all Ontario Certified Teachers (OCTs) who hold a Certificate of Qualification and Registration issued by the Ontario College of Teachers (the College), including teachers, consultants, vice-principals, principals, supervisory officers, directors of education, those working in private and independent schools, and those in non-school positions.

The purpose is to help OCTs:

- Address incidents of hate and discrimination by recognizing and responding to such occurrences within learning environments.
- Build awareness and understanding of professional, ethical, and legal obligations to avoid discriminatory conduct and foster safe, equitable and inclusive learning environments.
- Know their role through increased understanding of professional expectations and how their actions inside and outside the learning environment, both in-person and online, must reflect professional standards and ethical conduct.

The term “**learning environment**” is used broadly to describe all aspects of the learning community and involves relationships with and among educators, support staff, students, parents, families, Elders, and community partners. It is influenced by mindsets, beliefs, prevalent ideologies, pedagogical approaches, written/unwritten rules, school climate, online spaces, power dynamics, and communication practices.

The term “**parent**” is used throughout this advisory to refer to a parent, guardian, and/or caregiver.

Please note, this advisory offers guidance and examples to support the ongoing learning of OCTs. It is not meant to be exhaustive.

OCTs are encouraged to explore additional resources and training aligned with this advisory’s purpose, which may be offered by their employers, the Ministry of Education, federations, and professional associations, including those referenced in this advisory. OCTs should always consult relevant Ministry of Education policies, as well as employer policies and procedures.

Content warning

The content in this advisory may be sensitive for some individuals. Please note that the terms and approaches used in this document were current at the time this advisory was released.

Introduction

Responsibilities of OCTs

Holding the professional designation OCT means being part of a community of regulated professionals. Only those who are qualified and certified can use this designation. Being a member of a regulated profession is a privilege that is earned and must also be maintained.

OCTs strive to be current in their professional knowledge and recognize its relationship to practice. They apply the standards of the teaching profession in their interactions with students, colleagues, and the broader community.

Professional Standards

The College's *Ethical Standards for the Teaching Profession* and the *Standards of Practice for the Teaching Profession* provide the foundation for professional conduct.

The *Ethical Standards* require OCTs to uphold the honour and dignity of the teaching profession and identify ethical responsibilities and commitments. OCTs use the *Ethical Standards* as a framework to guide their decisions and actions.

Further, these standards embody the principles of trust and fair-mindedness. OCTs must exercise particular care to ensure that bias does not adversely influence the application of professional standards to their interactions with any student and the larger education community.

Finally, OCTs are responsible for ensuring the safety and well-being of students, both within and outside of learning environments, by treating and interacting with students and the education community in ways that reflect the standards of the profession.

Being an OCT is a call to role model

Teaching professionals are seen as role models by students, other OCTs, parents and the broader community. Holding a unique position of trust, influence, authority, and leadership in their communities, OCTs are responsible for modelling positive behaviours and values in society. OCTs must “always treat others with dignity and respect both in person and online, especially when there is disagreement or difference.”¹

Discrimination often occurs without a clear intent to do harm. It is a common misunderstanding that discrimination only occurs when harm is intended or when other factors explain the situation.²

Ontario's *Human Rights Code*, R.S.O. 1990, c. H.19, (the *Code*) does not provide a definition of discrimination. Instead, the understanding of discrimination has evolved from case law and includes the following elements:

1. An individual has a personal characteristic that is protected under the *Code*, such as race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability.
2. The individual has experienced an adverse impact within a social area protected by the *Code*.
3. The protected characteristic was a factor in the adverse impact.³

Professional obligations, and legal and disciplinary considerations

Ontario Regulation 437/97: Professional Misconduct, made under the *Ontario College of Teachers Act, 1996*, defines what constitutes professional misconduct and underscores the College's commitment to anti-oppression, equity, diversity, and inclusion. According to this regulation, "making remarks or engaging in behaviours that expose any person or class of persons to hate on the basis of a prohibited ground of discrimination under Part I of the *Human Rights Code*"⁴ constitutes professional misconduct and can lead to a finding of professional misconduct by the College's

Discipline Committee. Depending on the circumstances, other findings under the professional misconduct regulation may also apply to conduct of this nature such as verbal abuse, psychological abuse, disgraceful, dishonourable or unprofessional conduct, or conduct unbecoming a member. Not all discriminatory conduct exposes a person or class of persons to hate. Depending on the circumstances, the College's Investigation Committee can address allegations of discriminatory conduct through remedial or rehabilitative measures.

As noted above, prohibited grounds of discrimination under the *Code* include "race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability."⁵

This provision applies to an OCT's conduct and remarks in the following circumstances, among others:

- while working,
- outside of work,
- made electronically, including on social media, and
- to anyone.

The factors outlined under the *Code* can shape how actions are perceived. What an OCT may consider well-intentioned could be experienced negatively by students, parents, colleagues, or the community.

Freedom of expression

Freedom of expression is not absolute. While an OCT has the right to freedom of expression, this right must be balanced with the obligation to provide every student with learning environments that are free

from discrimination, based on the *Code's* prohibited grounds of discrimination.

OCTs must understand their professional boundaries and responsibilities related to the appropriate use of communications, regardless of the forum, in-person or online. As an Ontario Divisional Court decision noted, “When individuals join a regulated profession, they do not lose their Charter right to freedom of expression⁶. At the same time, however, they take on obligations and must abide by the rules of their regulatory body that may limit their freedom of expression.”⁷

Another 2024 Ontario Divisional Court decision indicated that “Freedom of expression is not a magic mantra that frees us from responsibility and accountability for our lawful obligations. [...] in cases where valid laws might penalize expression, the freedom of expression gives people the ability to choose to express themselves knowing that they may be held accountable for doing so.”⁸

Advice to OCTs

OCTs need strong foundational knowledge to effectively address acts of hate and discrimination in different contexts. Engaging in ongoing professional learning and self-reflection is essential to fostering effective practice that supports student learning and well-being.

A self-reflective framework

- Reflect on your own identity and practice.
- How does your lived experience and learning shape your daily practice as an OCT?
- How do your position, power, and privilege influence your role, practice and interactions?

- How are you creating an identity-affirming space where all students feel valued and like they belong?
- How might your words or actions be perceived as hurtful or offensive?
- How do you communicate care and high expectations for all students?
- How do your experiences with privilege and oppression, based on your social identities, shape the way you respond to acts of hate and discrimination?
- Do you listen to critical feedback from students, families, and staff with an open mind?
- How open are you to unlearning and relearning to turn knowledge into actions?

Hate/hate incidents are expressions of bias, prejudice and bigotry that are carried out by individuals, groups, organizations, and states, directed against identifiable groups in communities, and intended to affirm and secure existing structures of domination and subordination.⁹

According to the Ontario Human Rights Commission (OHRC), this type of activity can include comments or actions against a person or group motivated by bias, prejudice or hate based on race, ancestry, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability, marital status, family status, sexual orientation, gender identity, or any other similar factor. Examples could be telephone/electronic communications promoting hate, and publicly displaying hate in notices, signs, symbols, and emblems.

Examine and address

- Recognize and address personal biases that may affect your practice.
- Avoid using stereotypes whether positive or negative. Positive stereotypes are generalized beliefs that portray groups in a favourable light, often shaped by media and societal influences, but they can lead to harmful assumptions about individuals' abilities and worth. They may exert undue pressure on individuals to live up to certain expectations, potentially causing stress, self-doubt, and even limiting their self-expression. Both negative and positive stereotypes can lead to social division, reinforce biases, and create feelings of inadequacy for those who may not fit these generalized assumptions.
- Promote positive student outcomes by reflecting on the impacts of biases, leaving personal politics and beliefs out of the learning environment.
- How has your employer, federation and/or professional organization recommended that you address hate and discrimination?
- Seek additional support from your employer, federation or professional association, as applicable.
- Recognize that learning about different types of hate and discrimination can be challenging. As an OCT, you can recognize, identify, and address these complex issues through ongoing learning.
- Be open to learning from your students and colleagues and to recognizing the limitations of your own knowledge to help build more authentic, inclusive relationships.
- Critically examine routines and practices that may create barriers to student learning and inclusion for some students.
- Familiarize yourself with the *Accessibility for Ontarians with Disabilities Act, 2005*.¹¹

Diversity, per the Canadian Centre for Diversity and Inclusion (CCDI), is “the variety of unique dimensions, qualities, and characteristics we all possess, and the mix that occurs in any group of people. Race, ethnicity, age, gender, sexual orientation, religious beliefs, economic status, physical abilities, life experiences, and other perspectives can make up individual diversity.”¹⁰

Ongoing learning

- Be aware of applicable legislation with respect to human rights and discrimination, as well as your employer's policies, resources, training, or protocols for dealing with acts of hate and discrimination.

Practical advice

When addressing hate and discrimination, seek resources, training and support from your supervisor, employer, other system-level staff, federation, or professional association, as appropriate. Depending on the nature and severity of the action, determine if it is you or somebody else who needs to act. Always consult and follow your employer's policies and procedures.

Every situation involving discriminatory behaviour must be treated uniquely, as a one-size-fits-all approach is unlikely to be effective.

Assess the potential impact of the situation and what support might be needed. Explore and apply disciplinary measures that shift from a solely punitive focus to one that is both corrective and supportive.

The following factors should be taken into consideration when addressing inappropriate behaviour:

- the particular student and circumstances,
- the nature and severity of the behaviour,
- the impact on the school climate, including the impact on students or other individuals in the school community.¹²

Equity refers to achieving parity in policy, process, and outcomes for historically, persistently, or systemically marginalized people and groups, while accounting for diversity. It considers power, access, opportunities, treatment, impacts and outcomes, in three main areas:

- Representational equity: the proportional participation at all levels of an institution;
- Resource equity: the distribution of resources in order to close equity gaps; and
- Equity-mindedness: the demonstration of an awareness of, and willingness to, address equity issues.¹³

Nurture safe learning environments

- Reflect on how a student's intersecting identities influence their school experience and affect their mental health and well-being.
- Foster environments where students feel safe, heard, respected, and empowered to share their feelings, thoughts and lived experiences in ways that do not retraumatize them or expose them to harm.
- Do not repeat or share offending words, phrases, or symbols.

- Provide balanced and unbiased resources to address and correct misinformation and stereotypes, fostering critical thinking and a culture of acceptance¹⁴, inclusivity and care.

Address it when it happens

- If safe to do so, interrupt and disrupt hateful and discriminatory behaviours when they occur. Inaction could be interpreted as accepting or even promoting the behaviour.
- Name the type of conduct and be clear this behaviour is not acceptable.
- Be aware of and provide the necessary support for students impacted by the behaviour.
- Conduct disciplinary conversations with sensitivity and a trauma-informed approach. Prioritize student mental health and well-being in any inquiry process, fostering a culture of care rather than one of compliance.
- When addressing incidents of hate or discrimination with students, consider having a trusted adult or support person present during discussions.
- Inform your supervisor, administration, or system leaders immediately, and follow your employer's applicable policies and procedures.

Create or leverage teachable moments

- After addressing the issue, provide the student(s) with the time needed to reflect on the incident to encourage calmer and more thoughtful responses.
- Do not revictimize students or others by repeating or sharing harmful words, phrases, or symbols.
- Explore the reasons and motivations behind an incident as students may not always realize the severity or impact of their actions. Some hateful acts stem from a lack of understanding about the

historical context and the evolving nature of hate and discrimination issues.

- Identify, define, and explain why the behaviour is unacceptable, harmful, and/or discriminatory in a developmentally appropriate manner.
- Depending on the incident's severity, employer policies or legislation may require disciplinary responses. Disciplinary responses are most effective in conjunction with opportunities to discuss and learn from the situation. This approach creates learning environments that reinforce the tangible consequences of unacceptable behaviour.

Inclusive education, according to the Ontario government's *Policy/Program Memorandum 119*, is education based on the principles of acceptance and inclusion of all students. Students see themselves reflected in their curriculum, their physical surroundings, and the broader environment, in which diversity is honoured and all individuals are respected.¹⁵

Learn and restore

- Identify the students or a specific community impacted by the action, either directly or indirectly, and provide the necessary support.
- Utilize progressive discipline strategies that are culturally informed and culturally responsive. Support and communication should be tailored to the unique needs of those impacted.
- Be aware of the important distinction between how messaging is communicated versus how it is received. This may involve a complex balance of addressing the incident while having open conversations with students.
- “Utilize a range of interventions, supports, and consequences that are developmentally and socio-emotionally appropriate, and include learning opportunities for reinforcing positive behaviour while helping students to make better choices.”¹⁶
- Consider approaches, such as restorative practices, that promote understanding and healing. Examples could include:
 - an apology,
 - community/school service (e.g., volunteering at a community event, supporting a school awareness campaign),
 - lessons or discussions on related topics of equity, diversity, and inclusion, and/or
 - if appropriate, an Indigenous healing circle, which is rooted in Indigenous ways of knowing from various communities and should be led by an appropriate facilitator whose identity and expertise centre these Indigenous ways of knowing.¹⁷
- Discuss possible courses of action with your administration, supervisor and employer.
- Familiarize yourself with the Ministry of Education's *Policy and Program Memoranda 145, Progressive discipline and promoting positive student behaviour*.¹⁸
- Review your employer's policy regarding discipline.

Address and learn more as a school community

- Actively involve others to address the issues together, including parents, your colleagues, your vice-principal, principal, your school board, and/or your employer's equity advisor.
 - Nurture home-to-school relationships.
 - Discuss these incidents collectively to develop a common, clear, and consistent understanding and approach to handle acts of hate and discrimination.
- Identifying acts of hate and discrimination can be challenging, especially for unfamiliar issues. Discuss how students and staff could work together to address acts of hate and discrimination.
- Consider inviting employer-approved community organizations to speak with students and staff about:
 - addressing discriminatory behaviour,
 - different identities, abilities, ethnicities, and cultures,
 - their lived experiences.

Be proactive, persistent, and consistent

According to Ontario's curriculum documents¹⁹, it is important to acknowledge students' multiple social and personal identities and the social issues that arise where identities intersect.

- Engage in conversations about acceptance and diverse lived experiences regularly, as per Ontario's curriculum guidelines. Do not wait until there is an incident.

- Engage in ongoing professional learning to develop understanding of issues as they are dynamic and will evolve over time.

Model professionalism

- Always model the College's *Ethical Standards and Standards of Practice*, whether at work or outside of work.
- Create safe, positive, and accepting learning environments that are crucial for student success and well-being.

Tailored solutions are needed

Each act of hate or discrimination should be addressed individually with careful consideration of the specific circumstances and context for an effective and appropriate response. It is important to note that there may be multiple intersecting grounds of hate and discrimination, including, but not limited to race, gender, disability, poverty, religion which creates "overlapping and interdependent systems of discrimination or disadvantage."²⁰

Treat each act of discrimination as unique, with a focus on understanding the specific context to address it effectively.

Other Elements to Consider

Ontario's *Policy/Program Memorandum 144* outlines several key obligations for OCTs and others in the education sector to address bullying and hate in schools:

1. **Bullying Prevention and Intervention:** OCTs are required to actively participate in the development and implementation of bullying prevention and intervention plans. This includes educating students about bullying, promoting healthy relationships, and recognizing and addressing bullying incidents.
2. **Human Rights and Equity:** The memorandum emphasizes the importance of addressing all forms of bullying within a broader framework of human rights and equity. OCTs must ensure that their actions support a safe and inclusive school environment for all students.²¹

Additionally, teachers are obliged to support discipline in the school and to report serious student incidents to school administration.²²

Oppression is the subordination or devaluing of one group by another based on historically rooted social hierarchies and biases. It can be experienced as marginalization, persecution, disenfranchisement, or through other barriers to equity based on a particular social identity (e.g., anti-Black racism, heterosexism).²³

Personal and lived experience

Discrimination is experienced differently by each person. Their perspectives are shaped by their lived experience, which is knowledge based on “perspective, personal identities and history, beyond their professional or education experience.”²⁴

It is not only a reflection of personal identities and histories, but also of the systemic oppression individuals face based on factors including race, gender, sexual orientation, and socioeconomic status. For example, the experience of a racialized newcomer student may be different from the experience of a racialized third-generation student.

As such, it is crucial for OCTs to engage in ongoing self-reflection, examining how their own positionality and unconscious biases may impact their interactions with students and their ability to create truly inclusive learning environments.

Positionality is the professional, social and political context that shapes a person's identity, and how that identity influences an individual's perspective on the world.

Intersectionality

Intersectionality refers to the way “in which people's lives are shaped by their multiple and overlapping identities and social locations, which, together, can produce a unique and distinct experience for that individual or group, for example, creating additional barriers, opportunities, and/or power imbalances.”²⁵

According to Ontario's anti-racism strategic plan, “In the context of race, this means recognizing the ways in which people's experiences of racism or privilege, including within any one racialized group, may differ

and vary depending on the individual's or group's additional overlapping (or "intersecting") social identities, such as ethnicity, Indigenous identification, experiences with colonialism, religion, gender, citizenship, socio-economic status or sexual orientation."²⁶

An example of intersectionality might be a transgender educator who relies on a wheelchair for mobility or a female student who wears faith-based clothing such as a hijab. In each example, both identities co-exist and impact experiences of power and privilege.

Competing rights

Certain situations involve competing human rights. The OHRC defines this as "where parties to a dispute claim that the enjoyment of an individual or group's human rights and freedoms, as protected by law, would interfere with another's rights and freedoms."²⁷

For example, a student would like to bring a ceremonial dagger (a kirpan) to school. The school team states that it goes against school safety policies. However, in 2006, the Supreme Court of Canada ruled in favour of a student's right to wear a kirpan to school, provided it is worn under clothing and secured in a sheath.²⁸

The school will need to balance the student's right to religious expression with adherence to school policies, as a complaint could arise if the policy is perceived as being unfairly enforced or selectively interpreted.

OCTs should seek guidance from their employer and if applicable, federations, to discuss competing rights.

Poisoned environments are created by comments or conduct (including comments or conduct that are condoned or allowed to continue when brought to the attention of management) that create a discriminatory work environment. The comments or conduct need not be directed at a specific person, and may be from any person, regardless of position or status. A single comment or action, if sufficiently serious, may create a poisoned environment.²⁹

Bias and Microaggressions

Discrimination and hate can be verbal or non-verbal and include cyberhate. It is often rooted in bias and reinforced through microaggressions.

What is bias?

According to the OHRC, bias is “a predisposition, prejudice or generalization about a group of persons based on personal characteristics or stereotypes.”³⁰ Bias arises from various factors, such as cultural norms, media, experiences, and socialization. It can profoundly impact students through inequitable treatment and microaggressions. There are two widely recognized types of bias:

- **Conscious bias**, which is intentional and harmful.

Example: When an OCT deliberately gives white, non-disabled students more affirmation and positive attention.

- **Unconscious bias**, which is unintentional but still harmful.

Example: An OCT presumes a student with speech impairment is intellectually unable to follow the curriculum and provides them with easier work.

Example: The assumption that certain racialized students exhibit greater behavioural problems, which results in these students being disproportionately disciplined in school.

What are microaggressions?

“Microaggressions are the everyday verbal, nonverbal, and environmental slights, snubs, or insults, whether intentional or unintentional, which communicate hostile, derogatory, or negative messages to target persons based solely upon their marginalized group membership.”³¹

- Example: An OCT saying to a racialized student, “You don’t have much of an accent. Where are you really from?”
- Example: An OCT exhibiting sexist behaviors. For example, ignoring or undervaluing the contributions of female students, especially in STEM-related subjects or consistently undermining girls in a mechanics/ shop class.

Conclusion

As a profession, we are all responsible, both as individuals and as a collective, to recognize that discrimination and hate must be addressed to safeguard students and support their well-being.

The College's role and the advice provided

The College's mandate is to serve the public interest by regulating the teaching profession to protect students. All educators working in Ontario's publicly funded elementary and secondary school

systems are required to be members of the College. Our role and authority are set out in the *Ontario College of Teachers Act*, 1996.

By providing OCTs with practical advice to help address hate and discrimination, the College aims to help OCTs nurture a sense of belonging and inclusivity within learning environments, thus creating conditions for students to thrive in the classroom and beyond.

The College does not tolerate acts of hate or discrimination of any kind. OCTs are held to high ethical standards and standards of practice. Contravening these standards, including by engaging in hateful or discriminatory behaviour, may be considered professional misconduct.

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About The Ontario College of Teachers

The College is the regulatory body for Ontario's teaching profession.

Self-regulation recognizes the maturity of a profession and acknowledges its members can govern themselves. It means the government has delegated its regulatory authority to those with the specialized knowledge required to do the job.

A self-regulating profession protects the public interest by setting standards of competency and conduct. It has the right and responsibility to license and discipline its professionals, including suspending and revoking those licences.

Our mandate

As the regulator for Ontario's teaching profession, the Ontario College of Teachers protects the public interest by safeguarding students and supporting students' well-being. All educators working in Ontario's publicly funded elementary and secondary school systems are required to be members of the College. Our role and authority are set out in the *Ontario College of Teachers Act, 1996*.

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