



Event	<b>Walking the Talk: Human Rights in Higher Education</b>
Location	<b>Delta Chelsea Hotel Churchill Ballroom 33 Gerrard Street West</b>
Date / Time	<b>May 3, 2012 Arrive: 8:45 Speaking: 9:00 – 9:30</b>
Contact	<b>[REDACTED] [REDACTED] [REDACTED]</b>
Speech length/type	<b>20 minute keynote (kicking off day)</b>
Topic	<b>Human rights in higher education</b>
Event format	<b>4-day conference, covering a wide range of topic relating to anti-discrimination and harassment. Cherie will be speaking on competing rights and the sexual and gender-based harassment policy.</b>
Audience	<b>100profs, administrators and support staff (national)</b>

\*\*\*CHECK AGAINST DELIVERY\*\*\*

Hello. Happy to be here this morning.

- And happy to be a part of this important conversation on the ways in which we can move beyond “talk” of equity and towards substantive change that make human rights a lived reality.
- The education sector plays a pivotal role in the lives of people, and society as a whole.
- When I’m talking to educators at the primary and secondary school levels I always try to underscore their role in seeding young people’s self esteem, confidence, and self-determination.
- The same is true for you.
- But in higher education you are also preparing young people for local and global citizenship in a unique way.
- The work you do supports people to get the knowledge and skills they need to reach their full potential, live their lives, go out into the world – and become tomorrow’s leaders.
- Making sure the language and practice of anti-discrimination and anti-harassment are a part of that learning is vitally important if we want to build strong, healthy communities and society for the future.

**We all know that at higher levels of learning there is a history of excluding some people – of not acknowledging the necessity or benefit of having a range of perspectives, backgrounds and experiences included.**

- We've seen flawed research, or research that reflects only a small segment of the mainstream population. Think about Kohlberg's outrageous notion that women's moral development was lower than men's (Kohlberg).
- We see workers and students becoming disenfranchised because they don't feel they have a voice at the white, male power table. Look at what's happening in Montreal.
- And we still see young people (like racialized, Aboriginal or children from low-income families) growing up with the idea that higher education is "not for them."
- Human rights, anti-discrimination and anti-harassment are fundamental to making sure that everyone feels included in the opportunities a post-secondary education has to offer.
- From pre to active recruitment of staff and students, to supporting students throughout their studies and student life, and staff in their professional trajectories (whether its teaching, research, administration, or other supporting roles)

- Your job is to make sure that everyone flourishes and is given the opportunity to share their individual talents and skills with their communities and the world.

**This year, we're celebrating the 50<sup>th</sup> anniversary of the Ontario Human Rights Code.**

- We were the first province in Canada to introduce a human rights Code.
- At that time, the *Code* was set up to stop racism and end blatant discrimination against Jews.
- Fifty years later, through a lot of hard work and perseverance, other groups have been acknowledged and protected by the *Code*: people with disabilities, gays, lesbians and trans people, and other historically disadvantaged and marginalized groups.
- Rights don't just happen. People fight to be included.
- Many people are still fighting. Trans people want explicit inclusion and protections under the Code. And there's a lot of discussion around human rights and socio-economic status (and how that tends to intersect with other Code grounds).
- The *Code* says no one should be discriminated against or harassed, that everyone should be treated with dignity and respect.

- It also says we have a duty to protect the rights of vulnerable people and actively remove barriers that get in the way of everyone being able to contribute and reach their full potential.
- Not just a duty, but a legal obligation.

**That's where the Ontario Human Rights System comes in. The system has three parts that work together:**

- The Human Rights Tribunal acts like a court. It looks at complaints from individuals and decides where there has been discrimination.
- The Human Rights Legal Support Centre gives legal advice and support; and
- At the Ontario Human Rights Commission we look at the big picture and proactively work towards stopping discrimination and harassment before they take root.
- We used to take individual human rights complaints, but a few years ago our mandate changed. Now we are focussed on addressing systemic issues and raising public awareness.
- Our job is to help groups have tough conversations and look for ways to actively get rid of barriers.
- We keep an eye on laws and rules and if we find that something is contrary to the Code, or causing discrimination, we make sure it gets changed.

- We strategically use our legislated legal powers to intervene in human rights cases at the Tribunal and Supreme Court – sometimes filing complaints against the government.
- For example, we looked at the Safe Schools provision in the Education Act, found it discriminatory, and filed a complaint.
- We are now working with the Ministry of Education and school boards to make changes to how this and the Equity Strategy are being implemented in schools.
- We have also been working with police services and corrections to address some very ingrained systemic discrimination. This work, that started vis-a-vis the complaints process, has developed into really positive partnerships.
- Recently it came to our attention that rental housing bylaws in some municipalities were discriminating against people with disabilities, and students.
- We've launched inquiries in North Bay and Waterloo and are having conversations with other communities about changing the bylaws so they don't create barriers to housing.

**Since human rights were introduced, protections around education were at the fore.**

- We don't see the same kind of overt racism we saw 50 years ago, like segregation in schools and signs refusing service and telling people to go to the back of the bus.
- What we do continue to see is more subtle forms of systemic discrimination, across many of society's institutions – where attitudes and systems are creating barriers and excluding some groups of people.
- Often times it's unintentional. It's just the way we've always done things.
- For example, streaming in public schools still happens; children with disabilities are put in special programs, instead of into classrooms (even though we know outcomes are better when we do)
- Black and Asian children are directed towards athletics or math programs because of stereotypes.
- Workplace policies still aren't flexible for employees with care giving responsibilities for children or elderly parents, who practice different religions, or who have disabilities.
- Another thing we're seeing a lot of is when the rights of one group collide with another ("competing human rights"). This comes up with issues around sexual orientation and religion, or accommodating people with disabilities.
- (My colleague Cherie Robertson will be speaking about our new policy on competing human rights in a few minutes.)

- Because of the efforts made by many post-secondary institutions to institute policies around disability (and, in some cases, disability offices), more people with physical disabilities and mental health issues are pursuing post-secondary education.
- This is great.
- However, we do hear that policies and procedures around accommodation need to be updated and that teaching staff don't always cooperate with the accommodation process.
- Last year the OHRC did a consultation on mental health. The report hasn't come out yet, but what I can tell you is that students with mental health issues are dropping out, or taking a lot longer to complete their degrees.
- The reasons? Prof's not making necessary accommodations, as I've said, gaps in policies and practices, and assumptions around what students with mental health issues can and cannot do.
- For example, we heard that co-op programs often require police records checks, and discourage students who've had mental health issues from applying to co-op and other educational learning programs.
- We've also heard that there are issues around student loans and loan forgiveness programs not recognizing breaks in education and work because of mental health issues.



- Other issues that come up at the post-secondary level include trans people and the use of public washrooms, sexual and gender-based harassment and
- Policies (and attitudes) around maternity and parental leaves posing very real professional challenges for administration and teaching staff
- (Cherie will also be talking about sexual and gender-based discrimination and harassment, at a session this afternoon)
- Many campuses have some beautiful historic buildings and making these accessible, we've heard, is sometimes a contentious issue.
- What I really want to highlight, however, is that we still see unequal access to higher education among marginalized and disadvantaged groups of people.
- Even when kids jump over all the hurdles and through all the hoops, they're still dropping out, because they don't feel a part of the campus community.
- The work each one of you does every day to apply the concepts of human rights, equity and anti-discrimination/harassment goes a long way towards addressing these issues

**We know that many colleges, universities and training programs are building the concepts of human rights into their structures.**

- In Ontario, we don't see a lot of human rights complaints coming out of colleges and universities, and into the human rights system.
- The reason for this is that many of you have internal systems in place to deal with human rights concerns as they come up.
- I've heard anecdotally, however, that both administration and teaching staff fear reprisal if they do raise concerns. I think the expression used was "professional suicide."
- All types of organizations need to have a human rights and accommodations process in place— not just because it's the right thing to do. It's also good for business and saves money and fixes small problems before they get big.
- We also advocate for organizations to apply a human rights lens to all aspects of their work.
- We recently released a human rights organizational change guide for police services, a culmination of three years of work we did with Toronto Police Services that resulted from our work around race policy and racial profiling in Ontario.
- The guide was developed for and with police services, but the change process can be applied to any organization.
- I know that many colleges and universities are already looking at their policies and procedures from a human rights perspective. And providing human rights training and information to staff and students.

- Things like student recruitment, hiring practices, staff and student retention and engagement and making academic research more accessible to the people in society that can most benefit from it.
- I know that there is a push to make sure that staff at all levels, as well as curriculum, represents diversity and diverse opinions and viewpoints.
- And I know that many of you have been taking steps (and sometimes struggling) to implement Accessibility for Ontarians with Disabilities standards.
- Human rights change, especially at the systemic level we're talking about here, really has to be sold and wholly bought into by everyone in the institution.
- From leadership and administration to faculty and students – there has to be a commitment to support the work you do and the change you're trying to make, every day.

**I know it's not easy. Each of your institutions struggles with its own issues.**

- Hopefully you'll be leaving this conference with new tools that can help you do the hard and important work ahead.
- The OHRC is here to help too.
- All our policies and guidelines are available on our website in English and French. Many of them are translated into 13 additional languages.

- We have an e-learning modules “Human Rights 101” and the “Duty to Accommodate” available now and more are in development.
- Our guide on data collection, “Count me In!” can be a huge resource for you, as you implement measures of success and accountability.
- Use them.
- And you can keep in touch. Follow us on Twitter and Facebook, for example, or check out our website.
- And please tell your staff and students about these resources too.

## **Closing Remarks**

- A huge part of the work you do is about engaging the administration, students, campus communities and broader society.
- Not only to get the message of human rights out, so that people know what their rights and responsibilities are...
- But to make sure everyone has equal opportunity to meet their full potential and contribute to the world, and in their communities what it is they have to offer.
- These days we hear a lot of talk about “innovation” and “productivity” – and how important these are to a healthy economy and healthy communities.

- Diversity has a big part to play in this. We need diverse opinions, viewpoints and communities to be part of the workforce, academia and public discussion.
- The role you play in this as human rights practitioners is so important.
- Let us not leave some people behind because they don't fit the preconceived ideas about who is well suited for academe or certain types of work.
- From the arts through to maths and sciences, or technical and skilled trades.
- From recruitment, through to graduation, graduate school and continuing education and training programs, we need to make sure that students reflect diverse opinions and experiences.
- And that discriminatory attitudes and practices, intentional or not, don't get in the way of people being included and able to reach their full potential.
- Thank you.