

Human Rights Policy Examined Through the Lens of Canadian Educators' Policy Intentions

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Abstract: Canada first indicated its intent to support global human rights through global and federal declarations 75 years ago. Following the Universal Declaration of Human Rights (1948), the Canadian Bill of Rights (1960) emerged. Limited research is available to indicate how the federal intent for every Canadian to achieve full personhood has become articulated in Canadian school leaders' vision, mission statements, and policies. This paper addresses this gap by examining Canadian school leaders' and teacher associations' human rights-related policy intentions. Using critical policy analysis, the research examines publications of human rights-related policies in education, specifically examining the inclusions and omissions as revealed through the educational policies' stated intentions. The findings indicate that human rights have remained on the policy agenda in Canada throughout the years, and education in the provinces is moving in that direction. Despite this, the study finds that, overall, local education policies lack consistency and appear more oriented toward rhetoric than action.

Keywords: Equity, Diversity, Inclusion, Policy Analysis, Human Rights, K-12 Education

Canada has demonstrated its commitment to Human Rights legislation through multiple policy pronouncements, beginning with overall human rights legislation and gradually addressing areas where full personhood has not been realized, such as minority sexuality rights. Canadian John Humphrey co-authored the *Universal Declaration of Human Rights* (United Nations, 1948). The *Canadian Bill of Rights* (1960); the *Human Rights Act* (1977); the *Charter of Rights and Freedoms* (1982), and the *Canadian Multiculturalism Act* (1988) have since been published. Federally, the National Anti-Racism Strategy (2019), published by the Canada Heritage Department, promised a society free of racism through federal initiatives, including engagement in provincial/territorial partnerships. Strategies to combat racism are linked to over thirty initiatives addressing a range of subjects, from education to justice to employment.

There have been other significant federal initiatives aimed at supporting Canadians' human rights. These include for example, the calls to action from the *Truth and Reconciliation Commission* (2015), the report from the National Inquiry of Missing and Murdered Indigenous Women (2019), and the *Federal 2SLGBTQI+ Action Plan... Building our future, with pride* (2022). The federal policies generally include a rationale for human rights-related legislation and action items. Figure 1 (below) illustrates the federal areas of policy and action over the past century and how federal policies addressing under-represented groups' rights have emerged.

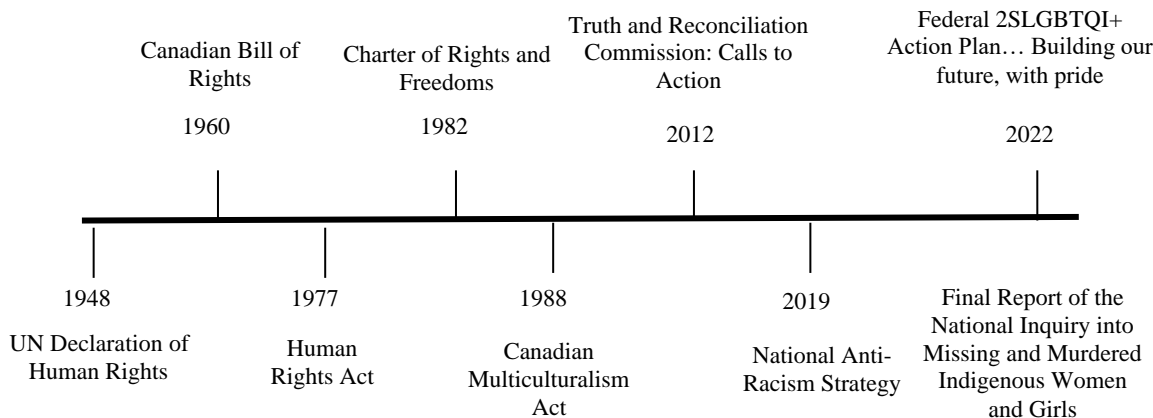


Figure 1: Canadian Policy Initiatives for Equity, Diversity and Inclusion

Provinces and territories may create similar human-rights related policies on provincial timelines. For example, the *Ontario Human Rights Code* (1962) applies more specifically to employment, education, and accessibility in a day-to-day capacity than what is listed in the *Charter* (e.g. federal human rights policies do not address K-12 education specifically). Under the *British North America Act* (1867), sections 91 and 92 establish that Canadian education is the purview of the provinces. For this reason, a policy analyst needs to examine the provincial policies to determine the path to implementation of these federal priorities in education.

Recently, an education-based public policy forum, People for Education (Attygalle & Liu Hopson, 2023) found that “only 40% of Ontario school boards have published anti-racism statements on their websites, and 26% have an equity policy that does not include any mention of race or racism” (p.14). Tateishi (2019) attempted to explain why this (anti-racism) initiative did not take hold, noting that though the initiative acknowledged the problem, it “failed to engage and compel school boards to formulate the necessary textual statements (policy development) to change operational practices (policy implementation)” (p. 224). In 2023, the Canadian Teachers’ Federation issued a statement specifically addressing the regression in education policy towards 2SLGBTQIA+ students and teachers in Alberta, Saskatchewan, Manitoba, Ontario and New Brunswick.

This finding that less than half of school districts have EDI policies suggests that there may be a gap between the intention of federal human rights legislation and the uptake and contextualization of this legislation at the local (district/provincial) policy level in education. A similar gap has been described extensively in American policy; researchers such as Watts Smith and Mayorga-Gallo (2017) identify a principle-policy gap for anti-racism. In essence, they describe the gap as an agreement to the intent of anti-racism without a commitment to making the policy intent happen (Watts-Smith et al., 2017).

The research presented in this paper examines if such a policy gap exists between federal human rights policy directions and more local policies aimed at realizing human rights and EDI in Canadian schools. To explore this possible gap, this research examines policy initiatives from those who are tasked with implementing policy at the local level and analyzes and reports on provincial education policies and the stated commitment of K-12 school-level leadership and educator associations to human rights issues. Educators and administrators are members of unions, associations and councils representing their interests. This research examines how the policies of these associations address the rights of educators and students, including those historically marginalized, to determine the extent of any possible gap between federal legislation on human rights and local education policies.

Review of the Literature

Human rights and EDI as policy directions originated during different time periods. EDI in the United States is considered to have emerged during the 1960s with the Civil Rights Act (1964) (US Department of Labor, 2023). The concepts in both are integrally connected and share a core purpose. Universal human rights focus on the right of each individual to fundamental dignity and rights. EDI generally describes programs in education and training that are aimed to help realize these rights and eliminate discrimination (for example, the protected areas under the Canadian Bill of Rights and Charter are areas frequently addressed in human resources EDI policies). The protected areas in section 15 of the *Canadian Charter of Rights and Freedoms* (1982) are very similar, if not identical, to the topics which you see in EDI action plans designed to create more inclusive work environments (Niagara Region Corporate Strategy and Innovation, 2022). The Canadian equity, diversity, and inclusion terminology database cited below includes definitions and terminology related to the protected areas in the *Charter*, such as race, religion and sexual orientation. Human rights have more of a focus on the rights of the individual, whereas EDI work tends to focus on groups who are under-represented, such as sexual or gender minorities.

Current conversations about EDI are growing to include more understanding of the histories and experiences of marginalized and under-represented persons in the education system. One example is James et al.’s (2017) research

on the educational outcomes of Black students in the Greater Toronto Area. This research was fundamental in identifying the inequities for students of colour: their overrepresentation in disciplinary matters and underrepresentation in receiving the rewards of education.

EDI policies promote fair treatment and full participation in work, school and life for all groups. National consensus on key terminology associated with human rights and EDI has been published. The Government of Canada (2022) website defines equity, diversity and inclusion as follows:

Equity: The principle of considering people's unique experiences and differing situations, and ensuring they have access to the resources and opportunities that are necessary for them to attain just outcomes.

Diversity: The variety of identities found within an organization, group, or society. Diversity is expressed through factors such as culture, ethnicity, religion, sex, gender, sexual orientation, age, language, education, ability, family status or socioeconomic status.

Inclusion: The practice of using proactive measures to create an environment where people feel welcomed, respected, and valued and to foster a sense of belonging and engagement.

EDI is a topic of current interest in society and education. Since 2020, there has been a heightened public awareness of human rights issues due to multiple high-profile incidents, such as the death of George Floyd and others in the United States (Silverstein, 2021) and the finding of unmarked graves of First Nations children at residential schools in Canada (Cooper, 2023). Social inequalities in Canada also became more evident during the pandemic (Blair et al., 2022). These and other incidents have led to national and global wake-up calls to address structural and systemic racism and other forms of oppression (Heidenreich, 2021; CTV News, 2022).

Presently, research on the prevalence of EDI policies in education and indications of policy implementation is at a beginning stage. Shewchuk and Cooper (2018), in a scan of Ontario's school board policies, found that while the 785 policies were wide in the topics they addressed, topics such as antiracism were underrepresented. Pizarro Milian and Wijesingha (2023) noted that much of the research on EDI policies has been at the higher education level, but Tamtik and Balasubramaniam (2024) found that there is very little literature surrounding the implementation of EDI policies at the college level in Canada. Li and Marom (2024) found that globally, there are "multiple inconsistencies and tensions in EDI[sic] policies and statements" (p. 29). Additionally, these authors found that the use of equity-related terms does not necessarily equate with institutional support.

Provincially, teachers and administrators are part of unions, associations, and councils representing their interests and providing resources. One indication of increasing awareness of human rights and addressing oppression is to examine the EDI policies, statements and resources that have emerged in recent years in the provincial K-12 unions and associations. Thus, this research explores and analyzes the policies and resources of the principal/vice principal groups in every province/territory to a) ascertain whether or not they have stated EDI intentions, and b) review the scope of these statements of intent or policies.

In sum, in light of a reported gap in EDI policy uptake provincially in K-12 education, this research looks to determine indicators of the scope and direction of the implementation of federal human rights legislation in education-related policies for school leaders.

Research Methodology: Critical Policy Analysis

Policy analysis is a disciplined approach toward examining policies and policy issues when considering both their complexity and the contexts within which policies are designed (Cardno, 2018). Previously, policy analysis was focused on policy implementation or the effects of the policies. Policy analysis more recently is coming to be recognized in its complexity, acknowledging the different voices and actors in policy development and

implementation (Cardno, 2018; Robertson et al., 2023). This study employs critical policy analysis, a research methodology aligned with social justice inquiry which embraces complexity (Robertson et al., 2023). Diem et al. (2014) identify that critical approaches to policy analysis tend to include:

- 1) Attending to gaps between policy rhetoric and practiced reality.
- 2) Focusing on a policy's roots and development over time;
- 3) Considering the distribution of power, resources and knowledge (who or what gets attended to);
- 4) Looking for the broader effects of a policy on inequality and privilege;
- 5) Considering the potential or the agency of non-dominant groups (Diem et al., 2014).

This present study employed Diem et al.'s (2014) framework as a starting point for the analysis of the policies. The gap between policy rhetoric and practiced reality was interpreted to direct the examination between the national policies and action plans on human rights and equity, diversity and inclusion education policies and resources at the local level. Through the use of a chart (Table 1), the authors provide a picture of the EDI policy development in local (provincial and territorial) contexts over time. Considerations of which aspects of EDI policy are attended to are presented in the table and summarized in the findings.

This study pays specific attention to the policies and resources created to guide the policy actors. Policy actors are the participants of policy, those doing the policy work; yet not all policy actors are equal, for example, school leaders take the role of transactors, entrepreneurs and narrators of policy (Ball et al., 2011). School-based leadership ultimately has the responsibility of implementing formally the policy at the school level (Cardno, 2018). However, policy actors, educators, and students enact policies in schools such as the creation of the ability to create a Gay Straight Alliance (GSA) group which is mandated in Ontario's Accepting Schools Act (2012). Thus, it is important to document whether school leaders' associations support school leaders in interpreting and implementing EDI policy.

The research methodology selected for this study examines how EDI policies are reflected in the provincial and territorial associations' policies for school leaders and educators. It is also important to document whether school leaders themselves are supported in interpreting and implementing EDI policy by their respective associations. For this reason, the research data includes position statements, policies and resources.

A Google web search was conducted for each province or territory, using the terms "principal," "vice principal," "association," "council," and the province or territory's name, without quotation marks or plus symbols. As the web search suggested search terms, these links were followed. The search was designed specifically for associations representing English public schools, omitting Catholic/Separate and French associations as the latter are not present in all provinces and territories. Once an association webpage was found, a link was added to a spreadsheet.

Specifically, the content analysis included searches for specific language. Within the individual association website, the words "equity," "diversity," and "inclusion" were searched through the page's search tool if there was not an immediate menu tab on the main page or from the menu dropdowns. If an EDI statement was found, the page link was copied into the spreadsheet for later analysis. The spreadsheet was organized by territories first, followed by provinces, moving from Western to Eastern Canada, with columns for the name of the association, link to an EDI statement, and thoughts/notes. The linked EDI pages were then coded for key terms such as the search terms used, and themes.

Issues arose when it was unclear whether school-based administrators were separate or part of provincial/territorial teaching/educator associations. When in doubt, an email was sent through the contact page on the website or, where possible, to an individual on the executive board (usually the president). This was also done when an EDI statement was not found on the webpage. In a few cases, responses were given to confirm membership, though they often did not answer whether the association had an EDI statement or policy. At the time of this paper, there was no online information or response from associations in Nunavut, New Brunswick, PEI or Nova Scotia to

include. In the case of Quebec, they are subject to their board policies, and for the English boards, no school leaders' association was found. The next section details the research findings, including a summary table.

Findings

The findings are reported below in three sections: 1) Anti-Racism policies; 2) EDI Education policies; and 3) Summary of Findings.

Findings Part I: Anti-Racism Policies

Canada's *Anti-Racism Strategy* (2019) included education to remove barriers toward building a society free of racism through goals articulated in a six-month cross-Canada consultation process. The consultation found that there are constraints to learning about historical racism and its continued impact, especially regarding the First Nations people (Anti-Racism Strategy, 2019). The National Education and Awareness Campaign is aimed at the general public, not schools. The Anti-Racism Secretariat must liaise with the provinces and territories to be partners in the overall strategy and "work to identify emerging issues, encourage complementary actions and responses and identify areas for further collaboration" (2019, p. 10).

In 2022, in British Columbia (BC) the *Anti-Racism Data Act* [ARDA] (2022) was developed jointly with First Nations. BC added a second act in 2024, the *Anti-Racism Act*.

In 2017, Manitoba Education and Training published the *Creating Racism-Free Schools through Critical/Courageous Conversations on Race* resource. Unlike Ontario and Newfoundland, it is not policy, but a support document intended for the broader school community to read and engage in creating inclusive and equitable classrooms, focusing primarily on First Nations, Métis, and Inuit students.

Ontario was already moving education towards anti-racism as early as 1993 with its *Antiracism and Ethnocultural Equity Initiative* (Program and Policy Memorandum [PPM] 119) and Guidelines, which mandate that school districts create and enact policies to identify and eliminate racism. The intent of PPM 119 was that school administrators learn how to be cognizant of their own bias to best support staff and students in anti-racist and anti-biased teaching. Leaders set the tone for a school's operations (Harris et al., 2022). This was followed by *Realizing the Promise of Diversity: Ontario's Equity and Inclusive Education Strategy* (Ontario Ministry of Education [OMOE], 2009a), which then became a revised PPM 119 (2009) to "help educators identify and remove discriminatory biases and systemic barriers to support the achievement and well-being of all students" (OMOE, 2022). A further revised policy memo emerged in 2013, stating that:

In accordance with the principles of the ministry's Ontario Leadership Strategy, effective board and school leaders promote the development of collaborative environments in which participants share a commitment to equity and inclusive education principles and practices (OMOE, 2013, n.p.).

Ontario also enacted the *Anti-Racism Act* (ARA, 2017), followed by a three-year Strategic Plan to track race-based data related to justice, education, and child welfare through the Anti-Racism Directorate.

The *Dismantling Racism and Hate Act* (2022) in Nova Scotia claims to be the first provincial legislature in Canada to address systemic inequity and racism across the government. It was passed in 2022 to incorporate "equity and anti-racism into the public policy process." It included extensive engagement with the public and compelled all public bodies (such as universities) to develop their own strategies.

In 2009, Newfoundland and Labrador initiated an *Inclusive Schools* policy in phases, with new schools joining each year until 2017. Each phase includes specific training. Their premise is that the move towards inclusive education involves refocusing the learning environment as a diverse setting with a variety of unique students (Newfoundland and Labrador Department of Education, n.d.). While this policy states that it is not focused only on students with special needs, the language of the policy includes special needs-specific language (e.g., pull-out classes, the least restrictive environment), the policy lacks mention of specifics of diversity (racism, sexual orientation, gender expression, etc.).

The findings on provincial and territorial anti-racism policies are presented in Figure 2. Each province and territory has enacted human rights legislation, some as early as 1962 and as recently as 2021. Four of the five provinces with EDI statements also have a higher percentage of racialized population. Three of those provinces, including BC, Ontario and Nova Scotia, have legislation specifically addressing racism, and the legislation is specific to the populations they represent. For example, in BC, the policy includes Indigenous-specific racism as well as racialized peoples. Ontario's Anti-Racism Act explains systemic racism as being different for different racialized populations, giving examples of "anti-Indigenous racism, anti-Black racism, antisemitism and Islamophobia" (sec. 2.4). Nova Scotia has the most robust definition of "systemic hate, inequity and racism...including but not limited to definitions of anti-Black racism, anti-Indigenous racism, Islamophobia, anti-Semitism, anti-Asian racism, ableism, gender-based discrimination and hate based on gender identity, gender expression or sexual orientation" (p. 4-5, 2022). Li and Marom (2024) argue that the recognition of diversity is essential to engaging the involvement of those who have been marginalized. Naming specific types of racism helps to bridge the gap between the recognition that there are differences and engaging all groups in making change.

The findings on provincial anti-racism policies and initiatives indicate that:

- a) Human rights considerations (for example Ontario) were emerging at the same time as federal human rights legislation. Most of the provincial legislation has emerged after the federal declaration on human rights.
- b) Human rights policy has also affected the language of provincial EDI considerations as an entry point. The search of EDI statements would justify this, as noted in Saskatchewan's policy: "Federation commitments and policies are grounded in human rights legislation" (Saskatchewan's Teachers' Federation, 2024). In searching the statements and policies found, specific human rights vocabulary was evident.
- c) Specifically with respect to racism, provinces reporting a higher racialized population may or may not be an indication that the province will have an anti-racism stated commitment. For example, BC, Ontario and Alberta have anti-racism statements and higher percentages of racialized population, whereas Nova Scotia has a low percentage and an anti-racism statement.

Findings Part II: EDI Policies for School Leaders and Teacher Associations

This section deals specifically with the EDI statements and resources for the associations' supporting policy actors. An examination of the EDI policies of school leaders and teacher associations found a range of similarities and differences. Five associations had specific EDI statements on their web pages (BC, Alberta, Saskatchewan, Manitoba and Ontario). Of these five, only BC and Ontario have separate associations for school leaders and teachers. Short statements, such as from Alberta's Teacher Association [ATA], combine aspects of EDI as an umbrella term, with language similar to the protected areas in S15 of the *Charter of Rights and Freedoms*, "regardless of their gender, race, sexual orientation, first language or other identifiers" (ATA, 2024, n.p.). Longer statements, such as in the policy by Saskatchewan's Teachers' Federation (2024), specifically named the intent regarding specific issues such as Social Justice, Queer identity and Indigenous Worldviews.

Table 1 (below) summarizes the EDI-related policies, statements of intent and resources located in this research. A policy carries the weight of a requirement in education, as does legislation. A statement of intent indicates an

association’s values, beliefs and priorities. Curriculum resources in education are provided to support policy actors (for example, educators, administrators, students) in implementing policy or legislation. In this chart, the territories are listed first, followed by the provinces from Western to Eastern Canada. The more detailed findings are presented after the table in the same order.

Table 1: Summary of Findings by Province/Territory

<i>Province/ Territory</i>	<i>% of population racialized (2021 Census)</i>	<i>Anti-racism Legislation</i>	<i>Human Rights Legislation</i>	<i>Assoc. Statement on EDI</i>	<i>Assoc. Policy on EDI</i>	<i>Assoc. Resources</i>	<i>Provincial Curriculum resources</i>
<i>Yukon</i>	12.8		2002				
<i>Northwest Territories</i>	12.2		2021				
<i>Nunavut</i>	3.6		2003				
<i>British Columbia</i>	34.4	2022 Anti- Racism Data Act, 2024 Anti- Racism Act	1996	✓	✓	✓	✓
<i>Alberta</i>	27.8		2000	✓		✓	
<i>Saskatchewa n</i>	14.4		2018	✓	✓	✓	
<i>Manitoba</i>	22.2		1987			✓	2017 Creating Racism-Free Schools
<i>Ontario</i>	34.3	2017 Anti- Racism Act	1962	✓		✓	PPM 119
<i>Quebec</i>	16.1		1975				
<i>New Brunswick</i>	5.8		1967				
<i>Nova Scotia</i>	9.8	2022 Dismantling Racism and Hate Act	1991				✓
<i>PEI</i>	9.5		1968				
<i>NFLD and Labrador</i>	3.4		2010		2009 Inclusive Schools	✓	

Yukon. In the case of the Yukon, there is no mention on their teacher association site (to which principals belong) of the words *equity*, *inclusion*, or *diversity*. The terms appear only in the “Educational Leadership Framework for Yukon Principals and Vice-Principals” (2011). Equity is mentioned twice within its leadership framework in the context of being foundational and as a trait to model. Inclusive is mentioned six times and, in the glossary, is defined as the following: “Inclusive Culture: An inclusive culture embraces the uniqueness and dignity of all individuals and fosters shared beliefs and values. An inclusive culture is characterized by broad community engagement and cooperation.” (2013, p. 49). Diversity is mentioned four times, none of which is in the main text (which is where the policy content is stated). Instead, the word is found in a reference citation and the glossary at other times. The Yukon Leadership Framework was published in the same time frame as the *Ontario Leadership Framework* (2010; 2013) and was intended for principals.

Northwest Territories. The Northwest Territories include principals in their Teachers’ Association, with their page off of the main site. In a conversation with their chairperson, there was no mention of equity on the password-protected member site. Nor was there anything on the public-facing site. He noted that teachers and principals are considered government employees, so they follow the Department of Education, Culture and Employment site policies (personal communication, July 12, 2023). Under the *Mission and Values* page on the site, the government states that they value respect for diversity.

British Columbia. The British Columbia Principal Vice Principal Association represents public education administrators and was initially part of the BC Teachers’ Federation until 1988. A Human Rights Policy is on its About Us page and there is a page devoted to Equity under its Resources tab. The Equity page starts with their statement on EDI, explaining that this is a journey to lead and be an ally. There are links to over a dozen articles from its own publication (Principl(ed)) on equity published between 2020 and 2024.

Alberta. Alberta principals are part of the Alberta Teachers’ Association [ATA]. The ATA Administrative and Educational Policy document (2023) speaks to equity and diversity in section 24.0.0.0 Social Justice and Global Issues, and a 2013 position paper on Diversity, Equity, and Human Rights. The position paper outlines broad goals: 1) creating a safe and inclusive school culture that provides equal opportunities for all students using diverse curriculum and assessment methods; 2) professional development for teachers to encourage reflective practice and research and 3) educational governance should advocate for equitable funding and accountability measures to address poverty, racism, and marginalization. Under its Advocacy tab, the ATA contains a Diversity, Equity, and Human Rights (DEHR) page where members can apply for DEHR grants, find resources, and link to other resource sites within Alberta, such as the Alberta Gay-Straight Alliance (GSA) Network.

Saskatchewan. The Saskatchewan Teachers’ Federation (STF) includes principals in their membership. It has the longest and most detailed page on *Inclusion, Diversity and Human Rights*, referencing goals set by teachers in Saskatchewan in 2020, entitled *Direction 2025*. These include social justice, removing barriers to education and within society, and promoting safe and inclusive learning. The page includes a sidebar with seven sub-topics, including Equitable Leadership for Teachers, Queer Identity, Social Justice, Inclusion, and Equity. The main page gives an overview of each of the subtopics. Each subtopics page includes the policy within the Federation Governance Handbook, linked to resources, learning, and networking opportunities.

Manitoba. As a sub-membership in the Manitoba Teachers’ Society (MTS), the Council of School Leaders (COSL) supports principals. While part of the MTS and an adherent of its constitution, COSL has its own handbook, mandate, and objectives. The MTS published a handbook in 2021, which defines equity, social justice, diversity, and human rights, provides resources, relevant legislation, and a how-to for establishing local committees. The MTS undertook an equity scan in 2022, of which the final report is visible only to members in their members-only area. A summary can be found in the Spring 2023 issue of MB Teach magazine.

Ontario. Becoming a school leader in Ontario means understanding and demonstrating aptitude in the Ontario Leadership Framework concerning provincial priorities (Campbell, 2021). This framework is a model of effective school leadership practices (Leithwood, 2012). However, while the framework outlines keys to school management and system thinking, no specific reference to an EDI statement exists (Campbell, 2021). In a paper written post-publication of the Leadership Framework, Leithwood (2012) states that diversity and equity are to be embedded, reflected, and acknowledged in the diverse needs of school communities.

The Ontario Principals' Council (OPC) was created in 1998 after principals were removed from teacher federation membership in 1997. The main webpage links to their Equity, Diversity, and Inclusion page. While the page contains a statement, it also contains the actions OPC has undertaken to “embed principles of human rights, justice, and anti-oppression into its services,” such as reviewing professional development and hiring a Director of EDI. In 2024, they added a Framework where they acknowledged the lack of a provincial mandate and that school districts must continue to address barriers. Like BC, they have a resource section and a section to connect with the Director of EDI and the EDI Advisory Committee. Both the EDI Director and the Advisory Committee give recommendations to the Executive Council and the Executive Director. The resources listed are not OPC-specific and are continually being updated.

Newfoundland and Labrador. Principals are also part of the Newfoundland and Labrador Teachers' Association (NLTA). No general statement of intent on EDI could be located, such as the ones found for Saskatchewan and Ontario. There are resources located in the publications/resources section of the NLTA that contain resources with links on 2SLGBTQIA+ and Truth and Reconciliation. The association has a standing Equity Issues in Education Committee.

In sum, the language used in all the statements ranges from a process of learning and reflection (BC, Saskatchewan, and Ontario) to a ‘why’ (Alberta) and overall statements of support for their members by all provinces. The language used indicates the importance the associations place on standing up for staff and student human rights and the role that the associations play in upholding stated beliefs. While all the statements demonstrate a commitment to adhering to learning and growing, none indicate how they will pass this on to their members, other than including inclusive language in their resources.

Summary of Findings

This research employed a critical policy analysis framework to examine the anti-racism and EDI statements of education leaders and teacher associations across Canada. The analysis looked for overall alignment and/or gaps between the federal human rights and provincial/territorial EDI-related legislation, finding that human rights as a federal entry point is reflected to some degree in provincial policies. Not all the areas of human rights protection are reflected in the provincial EDI policies. There are also significant gaps between the federal policy rhetoric and practiced reality (provincial uptake). There is no direct correspondence between the federal initiatives and federal action plans for the protected areas under the Charter and the action plans and policies in the provinces and territories. There is some similar wording but overall, the approaches are scattered or absent. Federal policy noted the need to embed anti-racism into policies and legislation at the local level. This can be seen in BC, Ontario and Nova Scotia, which passed anti-racism laws after 2019. It can be seen also in the work of the Ontario Principals' Council 2024 EDI framework, which acknowledges systemic issues specifically for Indigenous peoples and diverse global identities. Specific local legislation is missing for many of the protected areas under S15 of the Charter. These areas have more support in school leader association resources.

Critical policy analysis encourages an examination of the roots of policies and their development over time. Figure 1 (above) demonstrates that there have been continuous efforts at the Federal level to address human rights.

The policy work at this level began as general rights and then became more focused on righting wrongs to specific groups such as First Nations people, sexual minorities and racialized Canadians. This legislation has occurred at a consistent rate from 1948 to 2022. Similarly, as evidenced in Table 1, there has been a concerted effort across the territories and provinces to enact more localized human rights legislation during the time period from 1962-2018. Human rights as a priority are included in three of the five educational leaders' associations' EDI policies. Statements such as 'learning over time' and 'continuous learning', for example, in *Direction 2025 for Saskatchewan*, indicate a long-term commitment to change. Overall, the findings indicate that there have been changes, but the pace of responses with action plans and reportable results for under-represented groups is glacially slow.

The lack of action plans and the gaps speak to both who is in charge of EDI policies and what gets attended to. The gaps in addressing EDI and, particularly, anti-racism are clear in Table 1. There is a significant gap in provincial and territorial policies on anti-racism. Where there is a clear, provincial policy response (for example, in BC and Ontario), there is also a significant number of local policies and supports. There are clear examples of school leaders' associations with pronounced support of EDI directions. Four provinces have specific EDI statements on their association websites.

This analysis also looked at the impact of policy on inequality and privilege in Canada. If the language of EDI and human rights policies are vague, then the policies and supports are more likely to preserve the privileged status quo. When areas of discrimination are named specifically and accompanied by action plans, the inequities are more likely to be addressed. Some examples of specific policies include BC and Ontario's Anti-Racism Acts, Manitoba's teacher resource on Anti-racism, and Saskatchewan's Inclusion, Diversity and Human Rights page which addresses Queer Identity. Ontario also specifically names Indigenous people and marginalized groups as affected by systemic racism.

We find also that there is much more potential to meet the needs of marginalized groups by including their voices in policy. The Canadian Teachers' Federation is one advocacy voice for students and teachers who are members of underrepresented groups. Recently, the Ontario Principals' Council built a leadership framework that includes EDI. They consulted with members with diverse roles and lived experiences to build the framework. BC members share experiences through their publications. Saskatchewan's teachers write their own policy directions. The overall finding is that, when these voices are included, the potential for action is increased. There is much untapped potential for non-dominant groups to have their voices heard in education policy.

Conclusion and Recommendations

Canada does not have a perfect record on human rights - one has only to look at the trail of public apologies in order to acknowledge this. Public apologies to groups who have been exploited or harmed may show a growing recognition of abuses of power but not necessarily the steps toward making sure that the discrimination does not continue. Action plans have been published at the national level for anti-racism and truth and reconciliation for example, but there is no indication that monitoring is taking place to ensure that these action plans are followed. This study also finds that there is significant room for improvement in provincial and territorial policies to address discrimination in its many forms. With less than half of the provinces and territories enacting anti-racism legislation and having association EDI policies, there is a need for the others to acknowledge and work towards erasing the systemic barriers faced by historically marginalized groups.

This study also finds that gaps and lack of coherence in policies are being addressed through the work of school leaders and teachers and their associations. These contributions are vital to supporting school leaders in their interactions with students, staff and their communities.

We argue that EDI policy gaps are not benign. It is essential to continue to build a collective understanding of the rights to full personhood of every student, teacher and school leader. We encourage school leaders to continue to monitor student and educator rights with the same attention as the focus given to monitoring student achievement. This is just one way to include the voices of those persons whose experiences may not be represented by policies authored by those in majority positions.

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