

# ONTARIO BILL 166 COMPLIANCE CHECKLIST

Case IQ

[www.caseiq.com](http://www.caseiq.com)  
1-800-465-6089  
[support@caseiq.com](mailto:support@caseiq.com)

By January 2025, publicly-assisted colleges and universities in Ontario must implement the requirements of Bill 166, formally known as the *Strengthening Accountability and Student Supports Act, 2024*, which aims to improve students' mental health and to reduce racism and hate on campus.

This checklist will help you ensure your plans to meet the Bill's regulatory requirements are on track so your institution can better serve students and avoid non-compliance penalties.

**Important:** This post is for informational and educational purposes only. This post should not be taken as legal advice or used as a substitute for such. You should always speak to your own lawyer.

# STUDENT MENTAL HEALTH

## Step 1: Create a student mental health policy

- Consult industry webinars, documents, toolkits, and workshops to ensure your policy follows best practices (CICMH, Mental Health Commission of Canada).
- Use student-centric language and ideas principles to explain how your institution is committed to promoting student mental well-being.
- Detail how your institution will protect students' privacy and confidentiality when they utilize campus mental health services.
- Plan to provide both proactive mental well-being programs ("e.g., stress reduction, positive coping strategies, mental health literacy and de-stigmatization") and reactive supports (e.g., "mental health intervention and crisis response").
- To write the policy, assess your current programs to identify risk areas and gaps to remedy with the new approaches.
- Consult with stakeholders (including students) to pinpoint priorities for the new policy.
- Build partnerships with community mental health supports so students have options beyond what your institution offers.
- Create your policy with the end goal of building mental health support into policies and programs institution-wide.
- Keep DEI in mind when creating your new policy and programs.

## Step 2: Set up a centralized platform containing information about your mental health policies & procedures

- Keep "all the necessary information in alignment with the legislative and directive requirements" of the bill in one place that's easily accessible to students.
- Include your new mental health policy, mental health links and resources, and contact information for campus and community mental health providers and programs.

## ANTI-RACISM & ANTI-HATE

### Step 1: Create policies that combat racism and hate on campus

- Ensure your policies apply to students, faculty, staff, management, and all campus visitors, including guest speakers.
- Explain how your institution will fight against forms of hate including anti-Indigenous racism, anti-Black racism, antisemitism, Islamophobia, and more.
- Address how you will handle the delicate balance between anti-racism and anti-hate and freedoms (e.g., academic, speech, expression).
- Include proactive measures for combatting racism and hate (e.g., programs that promote “dialogue, early intervention, and de-escalation”).
- Detail how to use your complaints mechanism from start to finish (see step 2).
- To write the policies, assess your current programs to identify risk areas and gaps to remedy with the new approaches.
- Use consultations or historic data to help you develop your new policies and rules.
- Consult with stakeholders from a variety backgrounds (including those who are often the target of hate) to pinpoint priorities for the new policies. Make sure your selection process for this group is transparent and equitable.
- Consult industry webinars, documents, toolkits, and workshops to ensure your policy follows best practices (OHRC resources, Ontario’s Anti-Hate Strategy).
- Set up an easy-to-access centralized platform containing information about your anti-racism and anti-hate policies & procedures. If other your anti-racism and anti-hate rules are part of other policies, include the relevant portions of those within the platform.

# ANTI-RACISM & ANTI-HATE CONT'D

## Step 2: Implement a Complaints Mechanism

- Create a reporting mechanism that is accessible to students, faculty, staff, and all other members of the campus community.
- If you already have a reporting mechanism in place, you can use it to comply with this law, as long as it:
  - Complies with Ontario Human Rights Code guidance
  - Reflects and supports the needs of your campus community equitably
  - Protects reporters' privacy and confidentiality
  - Promotes a safe, inclusive campus culture by avoiding retaliation against reporters
- Create procedures for each of the following stages of complaint handling (including timelines and examples), and add those to your new policies (see step 1):
  - Intake
  - Institutional assessment
  - Complaint review
  - Interim measures
  - Decision & outcome
  - Appeals
- You must provide an anonymous reporting option.
- **Note:** if you do not address a report through your institutional processes, it can then be handed off to the Ontario Ombudsman.

## Step 3: Follow the Ontario Human Rights Code

- When creating your anti-racism and anti-hate policies and programs, make sure they also follow the requirements of the Ontario Human Rights Code.
- These requirements include:
  - Proactively managing risks and signs of systemic discrimination within your institution
  - Investigating and resolving complaints of harassment and discrimination in a timely and effective manner, and in a way that is proportionate to the severity of the report.

# ANNUAL REPORTING

## Step 1: Compose and Submit an Annual Complaints Report

- Each year, you must submit an annual report to your board of governors containing data on how and how effectively you've implemented your new anti-racism and anti-hate policies and programs.
- On January 31st of each year (beginning 2026), you must publish this report publicly on a dedicated page of your institution's website, as well as submit it to the Minister of Colleges and Universities via email.
- Annual reports must include, at a minimum:
  - Number and type/description of complaints received (including those that weren't reviewed)
  - Each complaint's "Code group (e.g., ethnicity, race, religion, sexual orientation) and the sub-category (e.g., anti-Black racism, anti-Indigenous racism, antisemitism and Islamophobia)."
  - Outcomes of each complaint, including timelines, findings, disciplinary actions, and involvement of external law enforcement.
- DO NOT include complainants' personal information (or any information that could compromise their privacy and confidentiality) in the reports.