

**SCHOOL DISTRICT NO. 8 (Kootenay Lake)**

TO: Policy and Governance Committee

FROM: Dr. Christine Perkins, Superintendent

DATE: June 26<sup>th</sup>, 2018

SUBJECT: Policy Manual Revisions – Section 300



A further review of all Board policies in section 200 - 400 has now been completed, with the objective of compiling all policies that relate to students in one section. As the majority of the policies were previously in section 300, renaming of section 300 to Students is recommended.

Policies within this section have had minor housekeeping changes, and Regulations have been embedded within the policy statements or included as Guidelines.

As the review of the complete policy manual is nearing completion, of all the remaining policies in sections 200 – 400, that are focused on administrative processes, have been recommended for abandonment in favour of the creation of an Administrative Procedure, within this package of materials. Two remaining policies that are no longer current, and are redundant, have been recommended for abandonment at this time. One further package, summarizing Section 400 will be prepared with policies to be revised and renumbered.

Suggestions have also been made with respect to the groupings and order of policies within this section, with new numbering in place, summarized as follows:

- Policy 310 Code of Conduct
- Policy 311 Use of Illegal Drugs and Alcohol
- Policy 320 Student Attendance
- Policy 330 Sexual Orientation/Gender Identity
- Policy 340 Discrimination and Harassment

**A. Policies to be Revised and Renumbered**

Section 300, currently summarized as Pupils, would be organized as Section 300 Students. Within current sections 200, 300 and 400, the following policies have undergone revisions, with drafts appended to this memo.

Proposed #	Policy Name	New Policy Name, if revised	Current #	Comment
310	Code of Conduct		300	Was updated in February 2018 reformatting only
311	Use of Illegal Drugs and Alcohol		300.1	Reformatting only
320	Student Attendance		301	Made second paragraph, opening paragraph, no other changes

330	Sexual Orientation/Gender Identity		215	Policy and regulations are current, reformatting only, using current conventions for use of the term Board
340	Discrimination and Harassment		203	

Recommendation: That the Polices 300, 300.1, 301, 203, and 215 be amended, as outlined in the drafts provided.

**B. Policies to be abandoned and incorporated within Administrative Procedures**

The policies listed below, provide administrative directions, and will be moved to an administrative procedures manual. As a result, these policies will need to be formally abandoned at a Board meeting.

Policy #	Policy Name	Date	Comment
201	Liability Coverage	March 10, 1998	Update and publish as an Administrative Procedure
212	Outside Organizations	September 26, 2000	Update and publish as an Administrative Procedure
220	District Computer Network/Internet User Agreement	October 9 2012	Update and publish as an Administrative Procedure
240	Volunteers	June 29, 2010	Publish as an Administrative Procedure
241	Community Coaches	December 7, 2004	Publish as an Administrative Procedure
303	Student Registration Requirements	June 28, 2016	Update and publish as an Administrative Procedure
304	Student Records	November 12, 2002	Update and publish as an Administrative Procedure
306	International Students	February 17, 2004	Update and publish as an Administrative Procedure
320	Scholarships and Bursaries	May 12, 2008	Update and publish as an Administrative Procedure
411	Health and Career Education K-9 and Planning 10	June 11, 2007	Update and publish as an Administrative Procedure
412	Locally Developed Courses	September 22, 1998	Significantly update based on current district practices and publish as an Administrative Protocol
420	Equivalency Credit	March 27, 1998	Update and publish as an Administrative Procedure
421	Challenge for Course Credit	March 27, 1998	Update and publish as an Administrative Procedure
451	Student Assessment and Promotion	April 22, 2003	Significantly update and publish as an Administrative Procedure

Recommendation: That Policies 201, 212, 220, 240, 241, 303, 304, 306, 320, 411, 412, 420, 421, and 451 be abandoned.

### C. Policies to be abandoned

The policies listed below, are no longer current and as a result, they can be abandoned outright.

Policy #	Policy Name	Date	Comment
214	Gender Equity	February 26, 2002	No longer current, superseded by more current policies
400	Learning Resources - Selection	September 22, 1998	No longer current with BCED plan

Recommendation: That Policies 214 and 400 be abandoned.



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### **POLICY 310: Code of Conduct**

#### **Overview**

School District No. 8 (Kootenay Lake) Code of Conduct has been established to maintain a safe, caring and healthy learning environment

It is the shared responsibility of students, staff, parents/guardians and the broader community (school community), to demonstrate positive conduct while attending any school or District related activity, at any location.

All members of the school community have an obligation to:

- Support learning
- Promote Safety
- Respect property, environment, personal space and privacy
- Model courtesy, compassion and respect.

All members of the school community must refrain from engaging in any in-person or digital communication or behavior that is considered to be:

- Interfering with the learning and working of others
- Bullying, harassing, intimidating, retaliating, discriminating or violent
- Unsafe or illegal including the possession, use or distribution of illegal or restricted substances, or the possession of weapons or replicas.

All members of the school community are expected to comply with the purpose and spirit of the BC Human Rights Code, including not engaging in discriminatory conduct on the basis of race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, or age.

Every effort will be made to support individuals and to determine the root causes of behavior. If the safety or educational program of others is compromised, or if there is an ongoing failure to meet the expectations of the Code of Conduct, a range of consequences will follow. Whenever possible, incidents will be resolved by discussion, mediation and restitution.

#### **Policy**

The Board of Education, School District No. 8 (Kootenay Lake), expects students to treat others with respect and courtesy and to conduct themselves in a manner which contributes to and promotes a safe, caring and orderly learning environment in schools and at school activities.

The Board considers the conduct of any member of the school community that adversely affects the school environment to be a breach of the District Code of Conduct and to warrant appropriate forms of intervention. Special consideration may apply to students with special needs if these students are unable to comply with a code of conduct due to having a disability of an intellectual, physical, sensory, emotional or behavioural nature.

The Board of Education believes all individuals in the school district have the right to an environment free from discrimination and acknowledges that certain kinds of discrimination as prohibited by the BC Human Rights Code must be a part of a district and schools code of conduct.

The Board of Education therefore expects students to not, without a bonafide and reasonable justification, publish, issue or display, or cause to be published, issued or displayed, any statement, publication, notice, sign, symbol, emblem or other representation that:

1. indicates discrimination or an intention to discriminate against a person or class of persons;
2. expose a person or group or class of persons to hatred or contempt because of race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, or age.

The prohibited grounds for discrimination are to be addressed by schools in their code of conduct.

## **District Code of Conduct**

### **Expected Behavior**

1. **Respect**  
Students are expected to show respect for people, property, and the school's code of conduct. They are expected to act in a responsible manner and be respectful of the rights of others at school and school activities wherever held.
2. **Responsibility**  
Students are expected to gradually assume more responsibility for themselves, as individuals and members of society. They are expected to become more responsible for undertaking, organizing and completing their school work and for contributing to and promoting a safe, caring and positive school environment.
3. **Commitment**  
Students are expected to strive for excellence in all their school endeavors and comply with school expectations and rules for student work, attendance, behaviour, and deportment.
4. **Attitude**  
Students are expected to participate willingly and diligently in their assigned work and to undertake school activities with a spirit of cooperation and fair play.

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Related Legislation: School Act [RSBC 1996, Part 6, Division 2, Section 85,1.1; Part 9, Division & 168 2, (s.1)]  
Human Rights Code [RSBC 1996, Chapter 210, Sections 7 & 8]

Related Contract Article: Nil  
Adopted: July 14, 1998  
Amended: Oct. 26, 2004  
Amended: April 8, 2008  
Amended: April 1, 2014  
Amended: XXX, 2018

**Compliance with the District Code of Conduct**

It is expected that students will abide by the District and School Code of Conduct going to and from school, on school buses, at school, and at school activities wherever held.

**Retaliation Concerns**

Schools and the district will take necessary measures to prevent retaliation by an individual against a student who has made a complaint of a breach of code of conduct.

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Related Legislation: School Act [RSBC 1996, Part 6, Division 2, Section 85,1.1; Part 9, Division & 168 2, (s.1)]  
Human Rights Code [RSBC 1996, Chapter 210, Sections 7 & 8]

Related Contract Article: Nil

Adopted: July 14, 1998

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**POLICY 311: Use of Illegal Drugs and Alcohol**

The Board of Education for School District No. 8 (Kootenay Lake) does not condone student use of illegal drugs or alcohol. The Board recognizes that drug and alcohol abuse by students while in attendance at school or a school sponsored function requires discipline as well as support and guidance.

The Board believes that every effort must be made to assist students in maintaining their connection with the school while ensuring that appropriate steps are taken to assist the student.

In applying this policy, the Principal has discretion to take into account the age of the student and the factors and issues that may be affecting the student who is under the influence, or appears to be under the influence, or in the possession of drugs and/or alcohol while in attendance or on route to school or at any school sponsored activity.

Guidelines

1. The following steps will apply to students who are under the influence, or appear to be under the influence, or in the possession of drugs and/or alcohol while in attendance or on route to school or at any school sponsored activity.
  - 1.1. First Offense:
    - 1.1.1. The principal or designate will meet with the student and determine to the best of his or her ability whether or not the student is under the influence of an illegal substance or alcohol.
    - 1.1.2. The principal or designate must inform the parents/guardians as soon as practicable that the student appears to be under the influence or in possession of an illegal substance and must be picked up at school. If the parents cannot be reached or are unable to pick up the student, the student will be isolated pending a decision by the parents as to transportation home.
    - 1.1.3. The parents/guardians will be asked to meet as soon as practicable at a time determined by the Principal or designate, to develop a plan of action to assist the student and to return the student to school as soon as possible.
    - 1.1.4. The student may be suspended from school until such time as the meeting can be arranged with parents/guardians to develop a plan of action. The plan of action may include some form of restitution, involvement with an outside agency, or some plan other than suspension. If the student is suspended, an educational program must be provided to the student..
    - 1.1.5. If the student is in possession of what appears to be an illegal substance, the RCMP or Nelson City Police will be notified.
    - 1.1.6. The student will return to school when the plan is agreed to.

- 1.2. Subsequent offenses:
  - 1.2.1. The principal or designate will meet with the student and determine to the best of his or her ability whether or not the student is under the influence of an illegal substance or alcohol.
  - 1.2.2. The principal or designate must inform the parents/guardians as soon as practicable that the student appears to be under the influence or in possession of an illegal substance, and must be picked up at school. If the parents cannot be reached or are unable to pick up the student, the student will be isolated pending a decision by the parents as to transportation home.
  - 1.2.3. The student will be suspended;
    - 1.2.3.1. Until such a time a meeting can be arranged with the parents/guardians and student to develop some form of drug and alcohol intervention, or
    - 1.2.3.2. Until the student attends a meeting with the Discipline Committee. The Committee will meet as soon as possible to determine the appropriate actions which may include some form of drug and alcohol intervention.
  - 1.2.4. If the suspension is longer than three days an educational program must be provided to the student.
2. Trafficking or Selling Drugs or Alcohol - The following steps will apply to students who are trafficking or selling drugs and/or alcohol at any time during school hours, including traveling to and from school, or in attendance or participation at any school function.
  - 2.1. The RCMP or Nelson City Police, as appropriate, will be consulted.
  - 2.2. The principal or designate must inform the parents/guardians that the student has been caught trafficking in drugs or alcohol and parents/guardians will be requested to pick up the student at school. If the parents cannot be reached or are unable to pick up the student, the student will be isolated pending a decision as to transportation home.
  - 2.3. The student *will* be suspended indefinitely and will be referred to the Discipline Committee.
  - 2.4. During the period of suspension a program will be provided. If the student is 19 years of age or older, no program will be provided by the Board.
  - 2.5. The Discipline Committee will review the circumstances of the infraction and apply the consequences which may include further suspension up to and including a recommendation to the Board for expulsion.
3. At any time when a student is suspended under this Policy, the parents/guardians must be informed in writing giving the details of the incident, the steps in the process and the possible consequences for the student's action.
4. A copy of the Appeal By-Law will be attached to the written decision by the Discipline Committee.





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**POLICY 320: Student Attendance**

The Board of Education for School District No. 8 (Kootenay Lake) believes that students' knowledge, skills and attitudes are enhanced through regular school attendance.

The *School Act* of British Columbia and its accompanying Regulations are explicit about each school-age student's compulsory attendance at school, except when excused under those exemptions permitted by legislation. Under legislation, parents or guardians are responsible for ensuring that school attendance requirements are fulfilled as prescribed.

There is an expectation that the schools in the district establish, communicate and enforce fair and consistent attendance procedures.

Parents/guardians of students be informed of absenteeism in a timely fashion in order to support learning and also student safety.



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### **POLICY 330: Sexual Orientation / Gender Identity**

The Board of Education for School District No. 8 (Kootenay Lake) is committed to providing a safe, positive, and inclusive learning and working environment for all students and employees regardless of their sexual orientation or gender identity. In accordance with the *Canadian Charter of Rights and Freedoms* (CCRF) and the *B.C. Human Rights Act*, the Board values all of its students and employees “...without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.” (section 15(1) CCRF).

The Board recognizes that some students and employees may identify as: Lesbian, Gay, Bisexual, Transgender, Transsexual, Two-Spirit, Queer (LGBTQ+), or who are questioning their sexual orientation or gender identity. Therefore, it is expected that the District will:

- Ensure inclusion of all students and employees in all aspects of school life regardless of their sexual orientation, including the right for students to participate in extracurricular activities;
- Define appropriate terms (definitions), behaviours, and actions in order to prevent discrimination, harassment, and exclusion through greater awareness of, and responsiveness to, their harmful effects;
- Ensure that complaints about homophobia are taken seriously and dealt with effectively and in a timely fashion through consistently applied policy and administrative regulations; and
- Raise awareness and improve understanding of the lives of individuals who are discriminated against, harassed, excluded, or feel unsafe based on their sexual orientation.

#### Guidelines

##### 1. Definitions

**Asexual:** A person who is not sexually attracted to any gender or sex. Asexual people may still be romantically attracted to people of a variety of genders and sexualities and have romantic, non- sexual relationships.

**Bisexual:** A person who is attracted to both women and men.

**Gay:** A person who is attracted to someone of the same sex and/or gender as themselves. This word can be applied to all genders of relationships, but has primarily been used in reference to men.

**Gender:** A socially constructed concept of identity based on roles, behaviours, activities, and appearance such as masculine, feminine, androgynous, etc.

**Gender expression:** The ways a person presents their sense of gender to others (for example, through clothes, hairstyle, mannerisms, etc.).

**Gender identity:** A person's internal sense of being a man, a woman, genderqueer etc. This is not the same thing as a person's biological sex, and may not be consistent with how they are perceived by others.

**Gender nonconforming:** A term that often refers to children who express gender in ways that differs from societal expectations of the sex and gender assigned to them at birth. For the purposes of this policy and accompanying regulations gender nonconforming children are included under the term trans\*.

**Homophobia:** The fear, ignorance and mistreatment of people who are, or are perceived to be, lesbian, gay or bisexual. This often leads to bias, discrimination, hatred, harassment and violation of the human rights of lesbian, gay or bisexual people. Homophobic bullying can also be targeted against any individual, regardless of perceived sexual orientation.

**Intersex:** Refers to people whose reproductive or sexual anatomy is not easily defined as male or female. There are a variety of ways someone can be intersex, ranging from having ambiguous genitalia to having mixture of XX and XY chromosomes. Intersex individuals have historically been mistreated in North American society (i.e. being forced to have "corrective" genital surgeries as infants). The term Disorders of Sexual Development is being used increasingly amongst medical professionals in reference to intersex conditions, however, this term has not been fully adopted by intersex communities at the time this policy is being written. The word hermaphrodite was historically used to describe intersex individuals, however, this term is considered highly offensive.

**Lesbian:** A woman who is attracted to other women.

**LGBTQTQ+:** An acronym that in this case stands for lesbian, gay, bisexual, trans\*, Two-Spirit, and queer/questioning. There is a wide range of other terms often included in this acronym (often referred to by queer communities as "the alphabet soup") such as asexual, and this acronym tends to vary depending on the source. The plus sign (+) indicates the inclusion of all sexual and gender identities.

**Perceived as LGBTQTQ+:** Refers to someone who is treated as if they are LGBTQTQ+ even if they do not identify as such.

**Pronouns:** The words one uses to refer to themselves (e.g. he/him/his; she/her/hers; they/them/theirs; xe, xem, xyr, etc.)

**Sex:** A biological classification based on physical attributes such as sex chromosomes, hormones, internal reproductive structures, and external genitalia. At birth, it is used to identify individuals as male or female. For those whose sex is not easily categorized as male or female see Intersex.

**Sexual Orientation:** Refers to a person's attraction towards a particular gender or sex. Someone may identify as lesbian, gay, bisexual, queer, pansexual, etc. It is important to remember that sexual identity and gender identity are separate.

**SOGI:** Sexual Orientation and Gender Identity

**Trans\*:** (also Trans, Transgender, Transsexual) An umbrella term that can be used to describe people whose gender identity and/or gender expression differs from what they were assigned at birth. Some trans\* people may choose to medically transition by taking hormones, having surgery. Some trans\* people may choose to socially transition by changing their name, clothing, hair, etc.

**Transphobia:** Fear, ignorance and mistreatment of people who are, or are perceived to be, trans\* or gender nonconforming. This often leads to bias, discrimination, hatred, harassment and violation of the human rights of transgender or gender nonconforming people. Transphobic bullying can also be targeted against any individual, regardless of perceived gender expression.

**Transition:** A term most commonly used to refer to someone transitioning from one gender to another. Transition often consists of a change in style of dress, selection of a new name, and a request that people use the correct pronoun when describing them. Transition may, but does not always, include medical care like hormone therapy, counseling, and/or surgery.

**Two-Spirit:** An Aboriginal term describing the embodiment of both masculine and feminine spirits. This identity is not limited to gender expression or sexuality, but encompasses them both while incorporating a spiritual element. It is a standalone identity, not an Aboriginal term for gay or lesbian.

## 2. Safety/Anti-Harassment

- 2.1. Any language or behaviour that deliberately degrades, denigrates, labels, stereotypes, incites hatred, prejudice, discrimination, harassment towards students or employees on the basis of their real or perceived sexual orientation or gender identification will not be tolerated and will be addressed as outlined in Policy 203 – Discrimination and Harassment and the related Administrative Regulations.
- 2.2. Schools will be required to specifically include the prohibition of such language and behaviour in their student Codes of Conduct.

3. Counselling and Student Support
  - 3.1. All counsellors in the district shall be educated in the knowledge and skills required to understand LGBTQ+ issues concerning students, staff and families.
  - 3.2. Counsellors will be informed and familiar with all policies with respect to human rights, homophobia, heterosexism, hate literature, discrimination and harassment.
  - 3.3. Counsellors will be sensitive to LGBTQ+ students as well as students from LGBTQ+ headed families.
  - 3.4. Elementary and secondary schools will appoint a staff person to be a safe contact for students who identify themselves as LGBTQ+ and those who are questioning. School administrators will inform students and other staff about the location and availability of this contact person.
  - 3.5. Schools are encouraged to provide identified “safe places” for LGBTQ+ students as well as students from LGBTQ+ headed families and where students who identify as straight may seek support and find answers to questions they may have.
  - 3.6. Where students request and staff are willing to volunteer their time, gay/straight alliance clubs (GSAs) will be encouraged at secondary schools in the district and clubs which respect and celebrate all forms of diversity will be encouraged for intermediate elementary school students.
4. Counselling and Staff Support
  - 4.1. All staff in the District will be made aware of the Employee & Family Assistance Program, where they may access support in understanding LGBTQ+ for themselves, to provide understanding regarding a family member, or to gain understanding about how to support LGBTQ+ students.
5. Staff and Professional Development
  - 5.1. The district shall provide and promote opportunities for staff to increase their awareness and understanding of the scope and impact of discrimination against LGBTQ+ people.
  - 5.2. The district shall provide and promote opportunities for staff to increase their knowledge and skills in promoting respect for human rights, supporting diversity, and addressing discrimination in schools.
6. Washroom and Change Room Accessibility
  - 6.1. The use of washrooms and change rooms by transgender students and staff shall be assessed on a case-by-case basis, ensuring the staff member or student’s safety and comfort, minimizing stigmatization and providing equal opportunity to participate in physical education classes and sports.
  - 6.2. Students and Staff shall have access to the washroom and change room that corresponds to their gender identity. Those who desire increased privacy will be provided with a reasonable alternative washroom and/or changing area. Any alternative arrangement will be provided in a way that protects the individual’s ability to keep their gender identity status confidential.
  - 6.3. The decision with regard to washroom and change room use shall be made in consultation with the individual.
  - 6.4. The Board will strive to make available single stall universal washrooms at all school locations and worksites during renovations or rebuilds.

7. Access to Academic, Physical Education and Sports
  - 7.1. Schools will reduce or eliminate the practice of segregating students or staff by sex. In situations where students or staff are segregated by sex, trans students and staff will have the option to be included in the group that corresponds to their gender identity.
  - 7.2. Where possible, students and staff will be permitted to participate in any sex-segregated recreational and competitive athletic activities, in accordance with their gender identity. Due to issues of disclosure and safety, some individuals may wish to participate in a sex-segregated activity that is not aligned with their gender identity.
  - 7.3. Trans students and staff shall be provided the same opportunities to participate in physical education as all other students and staff, shall not be asked or required to have physical education outside of the assigned class time, and shall be permitted to participate in any sex-segregated activities in accordance with their gender identity if they so choose.
  
8. Dress
  - 8.1. Students and staff have the right to dress in a manner consistent with their gender identity or gender expression. This includes students who may dress in a manner that is not consistent with societal expectations of masculinity/femininity.
  
9. Confidentiality and Privacy
  - 9.1. A student or staff member's trans\* status, legal name, or gender assigned at birth may constitute confidential personal information that will be kept confidential unless its disclosure is legally required or unless the individual, or in the case of a student, the student's parent(s)/guardian have given authorization.
  - 9.2. In situations where school staff or administrators are required by law to use or to report an individual's legal name or sex, such as for purposes of data collection, school staff and administrators will adopt practices to avoid the inadvertent disclosure of such information.
  - 9.3. Students' and staff member's rights to discuss and express their gender identity and/or gender expression openly and to decide when, with whom, and how much private information to share will be respected.
  
10. Names and Pronouns

Trans\* students and staff will be addressed by the names and pronouns prefer to use.
  
11. Official Records and Student Information
  - 11.1. Whenever possible and permitted by law, requests made by a student, or the parent/guardian, to change the student's official record to reflect their preferred name and/or gender identity will be accommodated.
  - 11.2. Whenever possible, at the request of a student or of a students' parent(s)/guardian, the student's preferred name and/or gender identity will be included on class lists, timetables, student files, identification cards, etc.
  - 11.3. Unless the student or the student's parent/guardian has specified otherwise, communications between school and home shall use a student's legal name and the pronoun corresponding to the student's gender assigned at birth.



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### **POLICY 340: Discrimination and Harassment**

The Board of Education for School District No. 8 (Kootenay Lake) recognizes the right of all members of the school community, including employees, students, parents and volunteers, to learn, work, consult and otherwise associate in an environment free from harassment and discrimination.

The Board recognizes their role in actively supporting employees work to prevent discrimination and harassment of students and their families. Teachers should be encouraged to embed anti-bullying lessons into their existing curricula at all grade levels. Specifically, this includes, but is not limited to, teaching all students about the harmful effects of racism, sexism, homophobia, transphobia and ableism (abilities and disabilities). This also includes teaching students strategies to help protect themselves from these forms of harassment and discrimination.

To accomplish these goals, the Board will endeavor to promote Professional Development opportunities for teachers to learn more about social justice issues and different forms of oppression. We will encourage teachers to build upon their knowledge and to increase their teaching strategies in these areas.

The Board will also work with education and community partners to endeavor to ensure that classroom and library resources reflect the diversity of society and are free from cultural, racial and gender bias. The Board believes that our students can learn best when they see themselves and the lives of their families accurately reflected within the curriculum.

To this extent, the Board will not tolerate any conduct that could be classified as harassment, sexual harassment, discrimination or bullying and will make every reasonable effort to ensure that no employee, student, or parent is subjected to such behaviours. The Board complies with the B.C. Human Rights Code and is committed to providing healthful environments in which fairness and respect are both taught and modeled.

#### Guidelines

##### **1. Definitions**

1.1. Harassment: For the purpose of this policy, harassment shall be defined as including:

1.1.1. any improper behaviour that is directed at or is offensive to any person and is unwelcome and which the person knows or ought reasonably to know would be unwelcome.



- 1.1.2. objectionable conduct, comment, materials or displays made on either a one (1)-time or continuous basis that demeans, belittles, intimidates or humiliates another person.
  - 1.1.3. the exercise of power or authority in a manner which serves no legitimate work purpose and which a person ought reasonably to know is inappropriate.
  - 1.1.4. such misuses of power or authority as intimidation, threats, coercion and/or blackmail.
- 1.2. Discrimination: Unfair treatment of a person or group on the basis of prejudice.
- 1.3. Sexual Harassment:
- 1.3.1. any comment, look, suggestions, physical contact or real or implied action of a sexual nature which creates an uncomfortable working environment for the recipient, made by a person who knows or ought reasonably to know such behaviour is unwelcome.
  - 1.3.2. any circulation or display of written or visual material of a sexual nature that has the effect of creating an uncomfortable learning or working environment.
  - 1.3.3. an implied promise of reward for complying with a request of a sexual nature.
  - 1.3.4. a sexual advance made by a person that includes or implies a threat or an expressed or implied denial of an opportunity which would otherwise be granted or available and may include reprisal or a threat of reprisal made after a sexual advance is rejected.
- 1.4. Bullying:
- 1.4.1. Bullying is verbal or physical behaviour by one (1) or more people who appear to be more powerful in some way than their victim. Bullying makes the victim feel uncomfortable, embarrassed and unsafe and can interfere with the victim's success at school or work.
2. Specific examples of harassment, sexual harassment, bullying: Sexual or personal harassment may include, but is not limited to behaviours, whether intentional or unintentional, which are perceived by the recipient as unwelcome. Examples of such behaviours:
- 2.1 remarks or correspondence with sexual overtones
  - 2.3 jokes that cause awkwardness or embarrassment (dirty, ethnic or religious jokes)
  - 2.3 innuendoes, taunting or intimidation, based on one's real or perceived identity
  - 2.4 gender-based, gender identity or sexual orientation-based remarks of a derogatory or sexual nature, or general insulting remarks
  - 2.5 proposal of intimacy of a sexual nature
  - 2.6 repeated unwelcome invitations, request for dates or sexual favours
  - 2.7 leering, patting, pinching, touching, hugging, brushing against
  - 2.8 displays of materials, pictures, cartoons or sayings of a derogatory, sexist, homophobic or transphobic, racist, pornographic or otherwise demeaning nature
  - 2.9 calling someone names
  - 2.10 spreading rumours
  - 2.11 stealing or extorting someone's lunch or other property
  - 2.12 exclusion from groups



3. What does not constitute harassment?
  - 3.1. an occasional compliment
  - 3.2. flirtation or banter when it is mutually acceptable between/among peers or friends
  - 3.3. normal exercise of supervisory responsibilities, including disciplining, when warranted.
4. Coverage of the policy
  - 4.1 All persons while on Board premises or while working for the Board or in Board-sponsored programs or activities are covered by this policy. This includes, but is not limited to, such categories as students, employees, parents, volunteers, school nurses, permit holders and contractors.
  - 4.2 Everyone is vulnerable to harassment or discrimination, which could occur between members of the same sex, as well as between members of the opposite sex or members of a sexual minority including but not limited to lesbian, gay, bisexual, transgender, and transsexuals.
  - 4.3 A harasser can be a superior (supervisor or teacher) or a peer (fellow student or co-worker) or a subordinate, or anyone coming into contact with another person, regardless of the relationship.

#### **5. Procedure for informal resolution of a complaint**

Complainants are encouraged, but not required, to immediately tell the other person when his/her behaviour is considered inappropriate and unwanted and ask that the unwanted conduct stop. Persons should comply immediately with the request without retaliation. If the complaint is not resolved the following procedures should be followed:

- 5.1 Procedures for teachers -  
Complaints involving teachers will be subject to the provisions of the Collective Agreement with the employer.
- 5.2 Procedures for C.U.P.E. Employees -  
Complaints involving C.U.P.E. members will be subject to the provisions of the Collective Agreement with the employer.
- 5.3 Procedures for Students -  
A student may choose to speak to a teacher or another adult that they are comfortable in approaching with a complaint. When the complaint is reported to a teacher or another adult, the information will be brought to the attention of the Principal or Vice-Principal who is required to investigate the matter and strive to bring about a resolution. Alleged harasser(s) will be informed, after consideration of the safety of the complainant, that a complaint has been filed against them. The student will be informed of the progress made toward resolving the complaint. Acts of retaliation will be disciplined appropriately.

5.4 Procedures for Parents/Volunteers/Others -

A parent or volunteer should report the incident to the Principal, Vice-Principal or a Supervisor who is required to investigate the matter. Alleged harasser(s) will be informed, after consideration of the safety of the complainant, that a complaint has been filed against them. The appropriate person will report back in writing to the complainant.

6. Independent Investigation Report

Employees, students, parents and volunteers may choose to present the complaint to the police or Human Rights commissioner under the terms of the Human Rights Act.

7. District staff at each site shall review this policy on a yearly basis at the first regular staff meeting to ensure that all employees are informed of the content of the Discrimination and Harassment policy.