

PERSONAL, DISCRIMINATORY, AND SEXUAL HARASSMENT

Re: Students

Background

The District recognizes the right of all students and staff members to learn and work in an environment free from personal, discriminatory or sexual harassment.

The District, all staff members, students and people within school communities have a responsibility to promote, monitor and maintain learning environments and workplaces that are free from harassment, fear and discrimination. The District will engage in activities and proactive strategies to ensure all students are equally welcomed and included in all aspects of school life and treated with respect and dignity.

Staff has an obligation to intervene in any interaction involving the use of harassing, discriminatory or homophobic statements, comments and behaviours, regardless of the speaker's intentions and to convey that such comments are against policy and will not be tolerated. Education about the harmful impact of such language and behavior will be emphasized and encouraged, alongside any discipline deemed necessary.

Any communication or behaviour (which may include but is not limited to assault, bullying or harassment) that deliberately degrades, denigrates, labels, stereotypes, incites hatred, prejudice and discrimination towards students on the basis of one's real or perceived sexual or gender orientation, appearance, capacity, disability, ethnicity or religion, or for any other reason, will not be tolerated. This also includes making gestures, publishing or displaying anything that would indicate an intention to discriminate against an individual or group, or expose them to contempt or ridicule.

The Board recognizes that students who are facing gender and sexual diversity issues (Lesbian, Gay, Bi-Sexual, Transgender, and Questioning) face a unique set of challenges within our schools and communities. Individuals who are dealing with, or those perceived to be dealing with, issues of gender identity, gender expression, inter-sexuality or sexual orientation, as well as their families, are frequently the targets of homophobic, trans-phobic and/or heterosexist behaviours. This may have profound social consequences including discrimination, harassment, physical and sexual violence, social and emotional isolation, substance abuse, homelessness, school truancy and drop-out, self-harm and suicide.

The Board also recognizes that children of aboriginal descent and children with special needs also can be subject to personal harassment and discrimination that could have serious social, emotional and academic consequences. The board is committed to protecting the rights and of the dignity of all vulnerable students in the school setting, and upon educating our staff and students to be respectful, compassionate citizens

Definitions

1. Personal harassment is defined as repeated, objectionable conduct or comment, directed towards a specific person, or persons and has the effect of creating an intimidating, humiliating, hostile or offensive working or learning environment. Personal harassment does not include conduct or comments made in good faith in the exercise of an adult's supervisory rights and responsibilities.
2. Discriminatory harassment is defined as discrimination contrary to the Human Rights Act and includes:
 - 2.1 discriminatory acts against a student with respect to the learning environment or any educational program or service provided to the student because of race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, gender identity or sexual orientation; and
 - 2.2 discriminatory acts against a staff member with respect to the work environment or any term or condition of employment because of race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or age.
3. Sexual harassment is defined as unwelcome sexual advances, comments, looks, suggestions, electronic, audio and visual material of a sexual nature, sexting, requests for sexual favours and other verbal or physical conduct emphasizing sexuality, gender identity or sexual orientation when such conduct:
 - 3.1 Interferes with an individual's school or work performance or creates an intimidating, hostile, offensive or uncomfortable learning environment.
4. Bullying is defined as a pattern of unwelcome or aggressive behaviour that often involves an imbalance of power, and/or the intention to harm or humiliate someone. Not all acts of harassment, in all its forms, are Bullying, but are serious nonetheless.

Procedures

1. Personal, Discriminatory and Sexual Harassment

Education

- 1.1 All administrators, teachers, counselors, and staff and student leaders will work together to support the Board's position in the school community. This will include leaders in schools ensuring that activities are undertaken at the beginning of each school year to make all members of the school community aware of the expectations and provisions of this policy, including the expectation that every member of our school communities will work purposefully to eliminate harmful behaviours and ensure safety and support for all students and staff.

- 1.2 Any language or behaviour that deliberately degrades, denigrates, labels, stereotypes or incites hatred, prejudice, discrimination or harassment towards students or employees on the basis of their real or perceived sexual orientation or gender identity will not be tolerated. Schools will be expected to specifically include the prohibition of such language and behaviour in their student and school codes of conduct. Such behavior may be subject to disciplinary action, or other forms of intervention or resolution.
- 1.3 Recommended and prescribed resources should be available in every school and be chosen or updated in order to promote critical thinking and include materials that support the tenets of this policy. Schools should have developmentally appropriate anti-harassment, anti-discrimination, anti-homophobia, anti-transphobia and anti-heterosexist resource materials that provide knowledge, skills, and strategies for educators to recognize, understand and challenge such discrimination. Keeping in mind the multicultural aspect of the district, many of the above resources should reflect the local First Nations' communities and the specific characteristics and issues of people of two spirits.
- 1.4 The school district will be committed to ongoing in-service and professional development in the matters covered in this policy, including anti-homophobia, anti-transphobia and anti-heterosexist education.
- 1.5 Schools are expected to ensure that students are educated in the areas of understanding, diversity, harassment, discrimination, anti-homophobia, anti-transphobia, and anti-heterosexism through the BC provincial curriculum in ways that are curricular relevant and age appropriate.
- 1.6 Under the direction of a willing staff member, schools will support formal and/or informal GSA (Gay Straight Alliances), Diversity Clubs, or other clubs intended to promote and support civility and respect for all students.

2. Responding to Personal, Discriminatory and Sexual Harassment

The district will take action when there is evidence of, or a complaint of bullying, discrimination or harassment. Schools will inform students on how and when to report incidents of bullying, harassment and/or discrimination.

Complaint Process

- 2.1 Complainants are encouraged but not required to immediately tell the harasser when conduct is considered inappropriate and unwanted and ask that the inappropriate or unwanted conduct stop.
- 2.2 A student who feels they are being harassed, bullied or discriminated against, and who does not know how, or is unable to confront the alleged perpetrator, shall approach a teacher, counsellor, administrator, parent or trusted adult to obtain advice, support and skills or strategies to halt the harassment.

- 2.3 Students should record pertinent facts which detail alleged incidents. When? Where? Who? What?
- 2.4 Student complaints can be referred to the Principal, Vice-Principal or the zone Assistant Superintendent for help in resolution.
- 2.5 Students and may be accompanied by a person(s) of their choice for moral support during any proceedings relating to the investigation of a complaint, providing no costs are incurred by School District No. 43 (Coquitlam).
- 2.6 No student shall be subject to reprisal, threat of reprisal or discipline as a result of filing a bona fide complaint of bullying, personal, discriminatory, or sexual harassment.
- 2.7 It is recognized that false or malicious complaints may damage the reputation of, or be unjust to, students or staff members and therefore disciplinary action will apply to any individual making a malicious claim.

3 Investigating a Complaint

- 3.1 A confidential investigation in accordance with due process will be undertaken, expeditiously, under the direction of the Superintendent, the Principal or designate to substantiate and/or resolve the complaint.
- 3.2 Appropriate intervention, resolution or disciplinary action will be taken as quickly as possible and no longer than one month of concluding the investigation. Action may include counselling and/or sessions that develop an awareness of harassment, a verbal warning, a written warning, mediation, other restorative practices, suspension and/or expulsion. Appropriate remedies toward the complainant may be cited in a written report.
- 3.3 Harassers who take retaliatory action against students or staff members who have filed complaints will be subject to additional discipline, intervention, or resolution.
- 3.4 All unsubstantiated complaints will be reviewed with both parties and documentation provided to the individual falsely accused if they require it.

4 Supervisory Responsibility

All staff members within School District No. 43 (Coquitlam) are responsible for promoting and maintaining a working/learning environment free from bullying, personal, discriminatory or sexual harassment. Those staff members with supervisory roles are required to exercise supervisory rights and responsibilities either in the learning of students and/or the work of staff. This administrative procedure does not take away the right to supervise, which may include verbal reminders, verbal warnings, written warnings, mediation, other restorative practices student suspensions, or expulsions, and other interventions and resolutions.

Reference: Section 65, 85, School Act
Human Rights Act
Worker's Compensation Board

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