



St. John's Academy

Shawnigan Lake Campus

STUDENT AND STAFF BULLYING PREVENTION AND HARASSMENT POLICY

(for the 2022-23 Academic year)

OVERVIEW

St John's Academy Shawnigan Lake (the School) cares about how a dynamic, diverse learning environment requires the respect of the rights and dignity of all students. Committed to providing an environment that promotes mutual respect and understanding, bullying and harassment in any form is not acceptable and will not be tolerated. The policy applies to the entire community while at school, at a school-related activity or in other circumstances where engaging in the activity will have an impact on the school environment.

This policy includes the five elements of Harassment and Bullying Prevention Order. The school will take all reasonable steps to prevent retaliation by a person against a student who has made a complaint of a breach of the policy.

Every reasonable effort will be made by the School to foster acceptable conduct and to support all staff and students to have a school free of bullying and harassment. When circumstances arise, the School will take preventative measures, corrective action or disciplinary measures, to ensure a bullying and harassment-free learning environment.

St John's Academy Shawnigan Lake believes that a safe and respectful environment is conducive to learning and supports an environment that is free from bullying and intimidation. To affirm, the School's commitment is to provide a place free of bullying and harassment, and to comply with the *Human Rights Code* as amended from time to time.

Statement of purpose

The purpose of this policy is to:

- Foster a place of respectful behaviour and promote awareness of human rights.
- Educate school employees as to all forms of bullying, harassment, and discrimination.
- Educate students as to all forms of personal bullying, harassment, and disrespectful behaviour.
- Provide education, early identification, and corrective discipline, where appropriate.
- Meet the School's ethical and legal obligations to establish, promote, and maintain a place free from bullying, harassment, discrimination, and disrespectful behaviour.
- Provide procedures for investigating and resolving complaints of bullying and harassment, as well as remedying situations when instances of bullying, harassment and discrimination occur.
- Establish a monitoring and review process to determine the effectiveness of the policy and procedures.
- Ensuring we provide a safe, caring, and orderly school environment.

Building a School Community

The school will ensure the protection of students' physical safety, social connectedness, inclusiveness, and protection from all forms of bullying, regardless of their gender, race, culture, religion, sexual orientation or gender identity.

There are many strategies and activities that can be employed within a school to enable students to feel safe, accepted and respected. As a community that is committed to Positive Discipline, we do not tolerate bullying in or out of the classroom. Within the classroom, we work hard to plan engaging lessons in a safe environment where everybody feels safe to share their views and opinions in a respectful manner. The following suggestions are provided to facilitate a conversation on strengthening the learning environment for children.

- Engage students in the decision-making process of policies and activities that build community
- Engage parents in the educational program and school life of their children
- Encourage parents to share their culture and expectations
- Promote open communication among administrators, teachers, staff, students, families, and communities
- Be proactive in connecting with students that are experiencing academic or social issues
- Communicate expectations, values and norms that support positive health and academic behaviour in the school community
- Be visible within the school during class transitions, breaks, before/after school
- Find ways to acknowledge students for their contributions in the school community, including those where improvement comes only in small increments.

Consequences

There will be consequences for unacceptable behaviour, which will take account of the student's age, maturity, and special needs (if any). Each case will be considered on a case-by-case basis. It should be noted that bullying could lead to expulsion from the school.

DEFINITIONS

Allegation – Allegation is an unproven assertion or statement based on a person's perception.

Bullying and harassment – Bullying and harassment includes any inappropriate conduct or comment by a person towards another student that the person knew or reasonably ought to have known would cause that individual to be humiliated or intimidated, targeted with the intention of causing harm whether real or perceived. It is often a behaviour that is repeated and creates a power imbalance.

Acceptable behaviour: As a caring community, we need to consider our own behaviour and the impact that this can have on others.

- Work co-operatively with others to achieve objectives
- Manage performance in an appropriate and fair manner
- Give and receive constructive feedback as part of normal day-to-day work. Such feedback should be evidence-based and delivered in an appropriate manner
- Consider other people's perspectives to help reach agreement
- Establish good working relationships.

Unacceptable behaviour: The following items are not acceptable behaviour for any members of our community: bullying, cyberbullying, harassment, intimidation, threatening or violent behaviours. Please read below for specific examples.

Bullying and harassment is considered discriminatory under the BC Human Rights Code, if the conduct or comment was in respect of any of the following prohibited grounds:

- race
- conviction for an offence
- skin colour
- ancestry
- physical disability
- place of origin (birthplace)
- mental disability
- political beliefs
- gender
- religion
- age
- marital status
- sexual orientation
- family status

Other forms of mistreatment that has the purpose or effect of intimidating or isolating a student include:

- Verbal and non-verbal aggression or insults
- Calling someone derogatory names
- Harmful hazing or initiation practices
- Vandalizing personal belongings
- Spreading malicious rumours

Bullying intervention – This is a comprehensive and effective response to the bullying incident that takes into consideration all parties involved in the bullying incident. It should provide specific supports for the student who has been bullied, intervention for the one who was bullying, and strategies for responding to those who were directly observing the bullying incident.

Bullying prevention - Prevention is a whole school endeavour while building school community and with creating an inclusive school environment. It includes a shared understanding of the cause of bullying and its effects on the lives of students and within the school community.

Complainant – Complainant is the student alleging that a bullying or harassment occurred. There can be more than one Complainant within a complaint.

Cyber bullying – When using information and communication technologies such as e-mail, cell phone and text messages, instant messaging, personal websites and online personal polling websites, cyber bullying is seen as deliberate, repeated, and hostile behaviour by an individual or group that is intended to or perceived to harm others.

Discrimination – Discrimination includes unequal treatment based upon any of the prohibited grounds outlined in the previously noted legislation.

School authority – School authority includes the Head of School, their designate and the Board of Directors.

School employee – School employee includes management and staff employed by the School.

Sexual harassment – This is any verbal, written, or physical conduct, comment, gesture or contact of a sexual nature that may cause offence or humiliation.

Examples of sexual harassment include but are not limited to:

- Unwelcome remarks, questions, jokes, innuendo or taunting, about a person's body or gender, including gender-specific comments or sexual invitations.
- Verbal abuse and threats of a sexual nature.
- Leering, staring or making gender-specific gestures.
- Display of pornographic or other sexual materials in the form of degrading pictures, graffiti, cartoons or sayings.
- Unwanted physical contact such as touching, patting, pinching, hugging and kissing.
- Expressions of gender bias, which may include remarks that are discriminatory, degrading or derogatory and create or contribute to a poisoned school environment.
- Intimidation, threat or actual physical assault of a sexual nature.
- Sexual advances with actual or implied consequences.
- Sending suggestive letters, notes, or e-mails.

Note: While it may not be a harasser's intention for bullying or harassment to occur, the intent of a harasser may be an irrelevant factor in a consideration of whether harassment has or has not occurred.

Mediation – Mediation includes a voluntary process where parties in dispute consent to meet with a mediator to determine whether the dispute can be resolved in a mutually satisfactory manner. Mediation discussions between parties are treated as private and confidential to the full extent permitted by law; however, any agreed outcomes will be shared with the Human Resources department and the Head of School to oversee the file.

Respondent – Respondent is the person who is alleged to be responsible for the harassment or discrimination. There can be more than one Respondent within a complaint.

Volunteer – Volunteer means a person serving the School who is an employee and includes a person serving on any board or committee established by the School.

Workplace – Workplace includes, but is not limited to, school sites such as the locations and buildings, or sites, school related social functions, school functions away from the campus, school related conferences and training sessions, school related travel, telephone conversations, voice mail and electronic messaging.

Harassment under this policy does not include conduct that a reasonable person would find welcome or neutral. This Policy is not intended to curtail welcome, appropriate interactions.

ROLES, RIGHTS AND RESPONSIBILITIES

Management

The Head of School is responsible for the implementation and administration of this policy. The Head of School shall assess the complaint for appropriate action and exercise his/her discretion as to who in the school is advised of the complaint and its findings.

The Head of School shall:

- Investigate or appoint an investigator(s) as soon as possible.
- Consult with the investigator(s) to set a reasonable period for the completion of the investigation.
- Review the findings and recommendations.

- Determine the outcome and the appropriate action to be taken, which may include disciplinary action, suspension, expulsion, or mediation, dependent upon the results.
- Ensure the Complainant and Respondent are informed of the outcome, in writing, in a timely fashion and that appropriate remediation and such other proactive measures are undertaken for an environment that is free from bullying, harassment and discrimination.
- Maintain confidentiality.

Department Heads are obligated to:

- Ensure mechanisms are in place and supported within their department and/or area of responsibility to provide an environment free from bullying and harassment.
- Acknowledge all incidents of bullying and harassment in their area of responsibility that they become aware of, even if a formal complaint has not been filed or is not in written format.
- If a verbal or written complaint is filed, immediately acknowledge the complaint and advise the Human Resources (HR).
- Within ten (10) business days of receipt of an informal complaint, the Head of School and HR will attempt to resolve the complaint, unless the situation warrants immediate referral for formal investigation.
- Participate in all aspects of the complaint process including, but not limited to investigation proceedings.
- Maintain confidentiality and sign a Bullying and Harassment Confidentiality Agreement.

Complainants

Complainants have a right to:

- Make a complaint and receive a copy of the complaint.
- Be accompanied by an advocate during the complaint process.
- Be informed regarding the status and progress of the investigation.
- Be informed of the results of the investigation in writing including validation of any corrective action that has been taken or will be taken as a result of the investigation.
- Not be subject to retaliation for the reason of having made a complaint under this policy.
- Prepare a list of allegations if required.
- Withdraw a complaint at any time during the procedure; however, depending on the nature of the issue, the Human Resources department or the Head of School or the designate may determine that an investigation is required, and the process will continue notwithstanding the withdrawal.

It is the responsibility of the Complainant to:

- Maintain confidentiality during complaint process and in respect to the outcome.
- Sign a Bullying and Harassment Confidentiality Agreement.

Respondents

Respondents have a right to:

- Seek advice from Human Resources (staff), School counselor (students)
- Retain a record of what occurred.
- Be informed that a complaint has been filed.
- Information regarding the status and progress of the investigation.
- Have the allegations provided to the Investigator.
- Respond to the allegations.
- Upon request, be accompanied by a school or parent representative, where applicable, during the complaint process.

- Be informed of the results of the investigation in writing and validation of corrective action that has been taken or will be taken as a result of the investigation.

It is the responsibility of the Respondent to:

- Follow all procedures under this policy
- Cooperate with all those responsible for dealing with the investigation of the complaint.
- Maintain confidentiality and sign a Bullying and Harassment Confidentiality Agreement.

Witnesses

Witnesses have the right to:

- Not be subject to retaliation because they participated as a witness.

It is the responsibility of the Witness to:

- Meet with the investigator and to cooperate with all those responsible for the investigation of the complaint.
- Maintain confidentiality with respect to the investigation (subject to their right to consult a representative where applicable).
- Sign a Bullying and Harassment Confidentiality Agreement.

Investigators

The investigator shall:

- Ensure the Respondent is informed of the allegations.
- Ensure all parties involved have been informed of their rights and responsibilities.
- Interview the parties concerned and any witnesses.
- Collect all pertinent information.
- Recommend a mediation process where appropriate.
- Prepare a report.
- Ensure the investigation is completed in a timely fashion taking into account particular circumstances.
- Maintain confidentiality.

REPORTING

At the end of each academic year, the Head of School will issue a report to the Board of Directors indicating if any complaints were filed under this procedure during the academic year. The report will record the number of complaints filed, and the number of complaints resolved during the academic year, but will not identify the complainants, or the details of the complaints, which will remain confidential.