

RACIAL, ETHNO-CULTURAL AND/OR RELIGIOUS HARASSMENT

Background

The District recognizes that every individual is to be treated with respect and dignity and, accordingly, has the right to be free from harassment in our schools and workplaces. A positive, welcoming work and learning environment protects and promotes the self-esteem worth and human rights of every person; it further supports mutual respect and co-operation among individuals. Racial, ethno-cultural or religious harassment or acts of hate in any form are unacceptable. The District is committed to supporting an environment free from racial, ethno-cultural or religious harassment for all students, staff and other members of the school community.

Definition

Racial, ethno-cultural and religious harassment is defined as any behaviour, conduct or material that a reasonable person ought to know is demeaning, offensive or disrespectful towards a person's racial, ethno-cultural or religious background. Such behaviour has a negative effect on the learning environment and workplace. The Board is committed to creating and maintaining workplaces and schools free from harassment.

Some examples of racial, ethno-cultural and religious harassment may include but are not limited to:

- Behaviour, remarks, comments or physical contact that are unwelcome and offensive;
- Jokes and humour that are demeaning or disrespectful;
- Racist, ethnic or religious name calling;
- Discriminatory or differential treatment due to one's race, ethno-cultural background or religion that may have adverse impact on that individual;
- Display of materials, posters, photographs, electronic media and other paraphernalia that is derogatory or is offensive towards a group because of their race, religion or ethno-cultural background.

Procedures for Dealing with Racial, Ethno-Cultural and Religious Harassment

1. These procedures take into consideration the following principles:
 - 1.1. Harassment is a sensitive issue; therefore, the complainant may find it difficult to tell someone about their concerns;
 - 1.2. Everyone involved in a harassment investigation is to feel they are being treated in a fair and impartial manner;
 - 1.3. A complaint made in a malicious and/or vexatious manner is considered to be unacceptable under this procedure on harassment;
 - 1.4. Harassment may constitute criminal activity;
 - 1.5. The ultimate goal of these procedures is resolution.

2. Staff who feel that they may have been or are being, subject to harassment are encouraged to make their concerns known to someone they trust or with whom they feel most comfortable. The following procedures are open to employees who feel they have been harassed. The District's process does not preclude employees from taking their complaint to their union or association. One can also make a complaint to the B.C. Human Rights Commission.

2.1. Staff concerns and complaints are guided by AP 172 *District Respectful Workplace*.

3. Students and Other Members of the School Community
The school administration will take appropriate action when there is evidence of, or a complaint of racial, ethno-cultural and religious harassment or acts of hate involving students and/or members of the school community. Through the *School Code of Conduct*, students and their families will be informed as to how and when to report such incidents.

3.1 Complaint Process

Complaints of alleged harassment/discrimination should be reported to the school administration and will be addressed through the appropriate school policy or procedure (e.g., School and District Code of Conduct, Parent Concern Protocol). Complaints against the administration should be forwarded to the Director of Instruction.

- 3.1.1 When possible, 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.
- 3.1.2 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 both halt the harassment and report the harassment.
- 3.1.3 Students should record or relay to a trusted adult for recording pertinent facts which detail alleged incidents. When? Where? Who? What?
- 3.1.4 Student complaints should be referred to the Principal or Vice-Principal. If the complaint is not resolved or addressed satisfactorily, the complaint can be referred to the Director of Instruction for help in resolution.
- 3.1.5 Students may be accompanied by a parent or guardian during any proceedings relating to the investigation of a complaint. If they are unaccompanied when making the complaint, the school administration will inform the parents and/or caregivers of all involved parties of the incident, unless there are compelling reasons not to do so, and ensure the student is safely connected to parents/and or caregivers where situations warrant such duty of care.
- 3.1.6 No student shall be subject to reprisal, threat of reprisal or discipline as a result of filing a bona fide complaint of racial, ethno-cultural and religious harassment.

- 3.1.7 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 be considered for any individual making a malicious claim.

3.2 Investigating a Complaint

- 3.2.1 An investigation under the direction of the school Principal, Vice-Principal or Director of Instruction will be undertaken without unreasonable delay in order to substantiate and/or resolve the complaint. The alleged victim and perpetrator will both be interviewed, as well as other witnesses who may provide additional information. All information will be kept confidential while the investigation is ongoing.
- 3.2.2 Once the investigation has been completed, the school administration will inform both parties, as well as their parents and/or caregivers of its outcome, unless there are compelling reasons not to do so.
- 3.2.3 Where appropriate, and subject to the District's obligations under the Freedom of Information and Protection of Privacy Act, details of the incident, the investigation and its outcome may be shared with the broader school community.
- 3.2.4 Appropriate intervention, resolution or disciplinary action will be taken as quickly as possible. Action may include counselling and/or sessions that develop an awareness of harassment, a verbal warning, a written warning, mediation, other restorative practices, suspension/school transfer, and/or expulsion. A suspension is determined by the Principal, Vice Principal in alignment with Administrative Procedure 350, District Student Code of Conduct.
- 3.2.5 The school administration, in conjunction with district staff, will collaborate with the affected student(s) and their parent regarding any additional support needs to be provided to affected students, and/or the broader school community as a result of this incident.
- 3.2.6 The Principal will report on each incident involving racial, ethno-cultural and religious harassment or acts of hate involving students in the VSB MyEducation Student Conduct Module. The report will include a description of the incident, the procedures followed in handling the incident, and the outcome. Incidents involving members of the school community will be reported to the Director of Instruction.
- 3.2.7 Harassers who take retaliatory action against students or staff members who have filed complaints will be subject to additional discipline and intervention.

- 4 The District believes that the best environment for working and learning is an environment that welcomes people of diverse backgrounds. These procedures are designed to ensure that our schools and workplaces are free from harassment and are places where people are treated with respect and dignity. Accordingly, the District will make every reasonable

effort to ensure that Administrative Procedure 171 - Racial, Ethno-cultural and Religious *Harassment* is communicated to all staff, students and members of the school community.

Reference: Sections 6, 8, 8.5, 20, 22, 65, 85, 177 School Act
Human Rights Code
Multiculturalism Act
Canadian Charter of Rights and Freedoms
Criminal Code of Canada
Collective Agreements

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