

# SAFE, CARING, WELCOMING AND RESPECTFUL LEARNING ENVIRONMENTS FOR STUDENTS, EMPLOYEES AND VOLUNTEERS

## Background

Nothing in this policy is to be interpreted so as to limit or be a waiver of St. Thomas Aquinas Roman Catholic School's rights and powers pursuant the Constitution Act, 1867 and the Canadian Charter of Rights and Freedoms to maintain the denominational character of Catholic schools. If any of the provisions in this policy conflict with the St. Thomas Aquinas Roman Catholic School's rights and powers pursuant to the Constitution Act, 1867 and the Canadian Charter of Rights and Freedoms to maintain the denominational character of Catholic schools, the St. Thomas Aquinas Roman Catholic School's rights and powers pursuant the Constitution Act, 1867 and the Canadian Charter of Rights and Freedoms to maintain the denominational character of Catholic schools will govern.

The Division has a responsibility to provide welcoming, caring, respectful and safe learning environments that respect diversity and fosters a sense of belonging.

Catholic schools exist to serve the needs of God's children. Accordingly, the interests and well-being of students must always remain at the forefront of our operations. Further outlined in Board Policy 1 is the proclamation that, "We believe that every member of our community has the right to a safe, secure environment where everyone is consistently treated with dignity and respect." Most importantly, our passion in this regard is motivated by our core value that, "we are dedicated to dignity, love of God and each other." For this reason, the Division will ensure that each student, employee or volunteer is provided with a welcoming, caring, respectful, safe and Catholic environment that promotes the well-being of all and fosters community support for achieving this goal. All efforts to further the safe and caring environment must be in accordance with the teaching of the Catholic Church.

## Definitions

1. *Bullying* - is hereby defined to respond to the Board's responsibility in Section 33 (2) of the *Education Act*, which stipulates that it must provide a safe and caring environment for all students. For behaviour to be classified as bullying it must involve repetition and intention. Bullying means repeated and hostile or demeaning behaviour by a student where the behaviour is intended by the student to cause harm, fear or distress to another individual in the school community. It can take a variety of forms: verbal (e.g. name-calling), social (e.g. spreading rumours), physical (e.g. shoving), and cyber (e.g. intimidating others via social networking sites). Bullying often occurs in circumstances where one student endeavors to maintain power and control over another based upon systemic inequalities within a social setting. Parameters for addressing bullying are outlined within this administrative procedure.

## 2. *Personal Harassment*

- 2.1 Related to students, personal harassment refers to unwelcome and vexatious conduct or comment which is known or ought reasonably to be known to cause offense to the student at whom it is directed. It is not a relationship of mutual consent.
- 2.2 Related to staff, personal harassment is any behaviour by any person in the workplace that is directed at, and is offensive to any employee or volunteer and undermines the performance of that person.
- 2.3 Related to employees, personal harassment occurs when an individual uses his/her authority or position with its implicit power to undermine, sabotage or otherwise interfere with or influence the career of another employee.
- 2.4 Personal harassment also includes repeated, intentional, offensive comments and/or actions deliberately designed to demean and belittle an individual and/or cause personal humiliation.

## 3. *Sexual Harassment*

- 3.1 Sexual harassment is any unwelcome behaviour that is sexual in nature. Sexual advances, requests for sexual acts, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when:
  - 3.1.1 Such conduct undermines another individual's personal dignity by causing embarrassment, discomfort, humiliation or offence; or
  - 3.1.2 Such conduct interferes with an individual's performance by creating an intimidating or hostile environment;
  - 3.1.3 Related to employees, submission to such is made either explicitly or implicitly a term or condition of employment; or
  - 3.1.4 Related to employees, submission to or rejection of such conduct affects decisions regarding that individual's employment or educational advancement including matters such as promotion, salary, benefits, job security, grades, or employment references.
  - 3.1.5 Sexual harassment includes unwanted touching, leering, sexist jokes, the display of sexually suggestive material, derogatory or degrading comments, sexually suggestive gestures, and unwelcome propositions, innuendos, demands or inquiries of a sexual nature.

4. *Sanctity of Human Life* – A foundational principle of all Catholic social teaching is the sanctity of human life. Recognizing each human person as the image and likeness of God, the Catholic Church believes that the inherent dignity of the human person starts with conception and extends until natural death. The value of human life is valued above all material possessions in the world. This is the lens through which the Division advocates for the safety and well-being of all persons within our schools (1).

5. *Respect for the Human Person* - Social justice can be obtained only in respecting the transcendent dignity of humankind. The person represents the ultimate end of society, which is ordered to man and woman. What is always at stake is the dignity of the human person, "whose defense and promotion have been entrusted to us by the Creator, and to

whom men and women at every moment of history are strictly and responsibly in debt”(2).

6. *Catholic teaching on social relationships* recognizes all those called to a life with Christ as, simply and completely, children of God. Christians afford no other title to that giftedness other than to be called by name to a life of love and to be compelled, through discipleship, to share it abundantly with others. As St. Paul reminds us, “For in Christ Jesus, you are all children of God, through faith. There is neither Jew nor Greek, neither slave nor free, there is neither male nor female; for you are all one in Christ (Galatians 3: 27-28).”

All persons must respect the unique differences of every person, extending understanding and compassion to others. We do not limit or narrow our understanding of each other to specific traits that make us different. This would be a reductionist view of the human person. Rather, each of us is recognized for the entirety of our gifts and is called forth to contribute these gifts for the betterment of creation and the building of God’s kingdom. This understanding of the human person and God’s plan for each of us defines all of our social relationships. Our relationships, therefore, are characterized by generosity of self, mutual respect, and a desire for the good of the other.

## **Procedures**

1. The Division shall:
  - 1.1 Ensure that interests of students are the paramount consideration in the exercise of their authority;
  - 1.2 Ensure that all schools are safe and caring;
  - 1.3 Develop, implement and continually evaluate policy, programs and practices to prevent and respond to incidents that disrupt teaching and learning;
  - 1.4 Act in a manner that is legally, professionally, educationally sound and consistent with the Gospel values;
  - 1.5 Model beliefs, principles, values and intellectual characteristics consistent with our Catholic philosophy and encourage students to do the same;
  - 1.6 Promote the use of inclusive and respectful language and behaviour throughout the Division;
  - 1.7 Promote the development of a Divisional culture that is welcoming and supports parents and families as valued and active members of the educational community;
  - 1.9 Uphold staff and student rights under the *Alberta Human Rights Act* and the Canadian Charter of Rights and Freedoms.
  - 1.10 Not discriminate against staff or students as provided for in the *Alberta Human Rights Act* or the Canadian Charter of Rights and Freedoms

## **Procedures Specific to Students**

2. The principal shall:

- 2.1 Develop an action plan in consultation with students, staff, School Council and other stakeholders that clarifies roles and responsibilities of students, school staff, parents and community agencies to support safe and caring schools;
  - 2.2 Model beliefs, principles, values and intellectual characteristics consistent with our Catholic philosophy and encourage students to do the same
  - 2.3 Work collegially with parents/guardians to ensure students are safe and cared for and involve key advisors as needed, on a case-by-case basis, to program for students who need special considerations. Such special considerations will be provided for students in a manner that is caring and pastoral and upholds the student's sacredness and dignity as taught by the Catholic Church.
3. Teachers shall:
- 3.1 Create and maintain environments that are conducive to student learning;
  - 3.2 Establish learning environments wherein students feel safe, welcomed, cared for and respected
  - 3.3 Uphold the student's sacredness and dignity as taught by the Catholic Church.
  - 3.4 As circumstances allow, avail themselves of opportunities to access appropriate professional learning opportunities that build capacity in understanding of diverse students who may feel vulnerable or marginalized for reasons related, but not limited to, belonging to racial, ethnic, religious, socio-economic or sexual minorities.
4. Students shall:
- 4.1 Demonstrate desirable personal characteristics such as respect, responsibility, fairness, honesty, caring, loyalty and commitment to democratic ideals; and
  - 4.2 Comply with the Code of Conduct in order to promote and ensure a welcoming, caring, respectful and safe learning environment as outlined in Administrative Procedure 350, which outlines acceptable and unacceptable behaviours whether or not they occur within the school building, during the school day or by electronic means, as well as supports for students impacted by inappropriate behaviour and for students who engage in inappropriate behaviour.
5. Student Organizations
- 5.1 If one or more students attending a school operated by a Board request a staff member employed by the Board for support to establish a voluntary student organization, or to lead an activity intended to promote a welcoming, caring, respectful and safe learning environment that respects diversity and fosters a sense of belonging, the principal of the school shall:
    - (a) Grant permission for the establishment of the student organization or the holding of the activity at the school, and
    - (b) Within a reasonable time from the date that the principal receives the request, designate a staff member to serve as the staff liaison to facilitate the establishment, and the ongoing operation, of the student organization or to assist in organizing the activity.

- 5.2 The principal shall immediately inform the Board and the Minister if no staff member is available to serve as a staff liaison referred to in 5.1(b), and if so informed, the Minister shall appoint a responsible adult to work with the requesting students in organizing the activity or to facilitate the establishment, and the ongoing operation, of the student organization at the school.
- 5.3 The students may select a respectful and inclusive name for the organization or activity, including the name “gay-straight alliance” or “queer-straight alliance”, after consulting with the principal.
- 5.4 For greater certainty, the principal shall not prohibit or discourage students from choosing a name that includes “gay-straight alliance” or “queer-straight alliance”.
- 5.5 The principal is responsible for ensuring that notification, if any, respecting a voluntary student organization or an activity referred to in *An Act to Support Gay-Straight Alliances*.
  - (a) is limited to the fact of the establishment of the organization or the holding of the activity;
  - (b) is otherwise consistent with the usual practices relating to notifications of other student organizations and activities; and
  - (c) FOIP and the *Education Act* shall govern the disclosure of personal information by the Board.

## **Procedures Specific to Employees**

6. Confidentiality
  - 6.1 The Division recognizes the difficulty of reporting harassing behaviour, and understands that confidentiality is important.
  - 6.2 Confidentiality will be maintained throughout the complaint procedure. Information relating to the complaint will only be disclosed to the extent necessary to investigate the complaint.
7. Reporting of Complaints
  - 7.1 Those who have experienced sexual harassment are encouraged to:
    - 7.1.1 Keep a written record of date(s), time(s), the nature of the behaviour, the name(s) of people who may have witnessed the incident(s), and the action(s) taken to stop the harassment;
    - 7.1.2 If practicable, advise the offender, either verbally or in writing, that his/her behaviour is unacceptable and unwelcome and ask him/her to stop; and
    - 7.1.3 Promptly report the incident(s) to one’s supervisor.
  - 7.2 Any employee or volunteer who believes that a colleague has experienced or is experiencing harassment or retaliation, is encouraged to notify the principal or the Superintendent. In the case of a student being the alleged harasser,

employees must always be aware that they stand “in loco parentis” to all students.

7.3 This administrative procedure does not preclude the complainant from reporting sexual harassment complaints to the Alberta Human Rights Commission, or if the matter is perceived to be a criminal nature, to the police.

7.4 In the case of personal harassment, first tell the harasser that you do not welcome the actions, remarks or suggestions. If the unaccepted behaviour does not cease, follow the steps as outlined above for sexual harassment.

## 8. Resolution of Complaints

8.1 Where harassment is reported to another school employee, he/she will report the complaint to the principal except where the principal is the alleged harasser and in that case, the complaint shall be reported to the Superintendent.

8.2 All complaints will be dealt with in a manner as outlined in these procedures.

## 9. Informal or Verbal Complaints

9.1 Employees or volunteers who believe they have been subjected to harassment may discuss the situation with the principal, or the Superintendent and can expect to be provided with support and guidance in choosing from among the alternatives that are available.

9.2 Alternatives to be considered include the following:

9.2.1 Keeping a written record and advising the offender that his or her behaviour is unwelcome and asking him/her to stop.

9.2.2 Informal resolution by mediation with both parties.

9.2.3 Filing of a formal written complaint.

9.2.4 Reporting to the Alberta Human Rights Commission.

## 10. Formal or Written Complaints

10.1 Those who believe they have been harassed may submit a written complaint to a principal or supervisor. A letter of complaint is to contain the following information: who the alleged harasser was/is, where the alleged harassment took place, when the alleged harassment took place, the nature of the alleged harassment, and witnesses (if any).

10.2 In the case where the principal is the alleged harasser the Assistant Superintendent or designate shall be notified. In other cases, the principal, in consultation with the reporting employee or volunteer, will determine the severity of the charge and will, depending on the severity of the case, either attempt to resolve the complaint or refer it to the Assistant Superintendent or designate.

10.3 The Assistant Superintendent or designate will investigate the details of the complaint, hear evidence from the parties involved, and recommend solutions to identified problems. The Assistant Superintendent or designate may take whatever appropriate action he/she deems necessary.

- 10.3.1 All documents and evidence submitted by the complainant shall be made available to the alleged harasser. All documents and evidence submitted by the respondent shall be made available to the complainant;
    - 10.3.2 The Assistant Superintendent or designate may wish to secure additional information from files, records, etc;
    - 10.3.3 Significant information secured from files will be provided to both parties and both parties will have the opportunity to respond to such additional information, and;
    - 10.3.4 The time period between the initial contact by the complainant and a resolution/decision by the Assistant Superintendent or designate is not to exceed two months.
  - 10.4 Should the complainant so request, the investigation will be stopped at any point except where the alleged harasser requests that the investigation continue. (This might arise where an investigation had involved obtaining records, etc., and where the person(s) against whom the complaint had been made wished to "clear their names"). In such circumstances the request will be considered by the Assistant Superintendent or designate.
  - 10.5 At any time, the Assistant Superintendent or designate may choose to continue with the investigation or close it. Such a decision may be appealed to the Superintendent.
11. Decision of the Assistant Superintendent or designate
- 11.1 At the conclusion of the Assistant Superintendent or designate's investigation the Assistant Superintendent or designate will make a full report including:
    - 11.1.1 Whether the alleged harasser is guilty or not guilty of harassment;
    - 11.1.2 The discipline or other action to be taken if the alleged harasser is judged guilty;
    - 11.1.3 Whether the matter has been referred to an appropriate outside agency (e.g., the Alberta Human Rights Commission);
    - 11.1.4 What administrative or other changes will be made in order to avoid re-occurrence of a similar case;
    - 11.1.5 The specific sanctions to be imposed on the complainant if the complainant is judged to have deliberately and knowingly made false allegations in an attempt to cause harm to the alleged harasser.
  - 11.2 The Assistant Superintendent or designate will communicate the decision to the complainant and respondent. Any sanctions imposed by the Assistant Superintendent or designate will be set out in the written notification.
12. Complaints against the Superintendent or a Trustee
- 12.1 If the alleged harasser is the Superintendent or a Trustee and if an informal solution is not possible or acceptable the complainant is asked to file a complaint with the Alberta Human Rights Commission, or their Union, or the police or take other action that seems appropriate relative to the severity of the alleged harassment.

13. Complaints of Sexual Abuse Involving Children
  - 13.1 Complaints of sexual abuse to a child shall be handled as outlined in Administrative Procedure 325 – Child Abuse or Neglect.
14. Complaint to Human Rights Commission
  - 14.1 The foregoing does not prohibit a person being harassed from making a complaint directly to the Alberta Human Rights Commission: 780.427.7661
  - 14.2 Any complaint filed under the *Alberta Human Rights Act* must be lodged with the Alberta Human Rights Commission within six months of the alleged incident.

References:

<sup>1</sup> CCCB (1994). *Catechism of the Catholic Church*, Ottawa, Ontario: CCCB Publishing, 2273, p. 465.

<sup>2</sup> Ibid. 1929, p. 401.

<sup>3</sup> Concacan Inc., p. 3.

<sup>4</sup> Episcopal Commission for Doctrine (2011). *Pastoral Ministry to Young People with Same-Sex Attraction*, Ottawa, Ontario: Concacan Inc., p. 2.

LIFE Framework

Section 33,52,53,196,197,222 Education Act

Board Policy Handbook

Alberta Education Policy: Teacher Growth, Supervision, and Evaluation

Teaching Quality Standard

A.T.A. Code of Professional Conduct