

## POLICY 200.9

### RESPECTFUL WORKPLACE: BULLYING AND HARASSMENT

#### Background

The School SD73BC No.73 Business Company recognizes that students, SD73BC staff, parents, home school administration and teacher assistants are entitled to a positive, inclusive, safe and secure environment free from bullying and harassment, cyberbullying, intimidation and discrimination. SD73BC is committed to creating and maintaining a learning and working environment where people treat each other professionally and respectfully in all their interactions. The SD73BC, therefore, recognizes its duty to promote acceptance and respect for everyone in its programs and partnering schools.

#### Definitions

In this policy, bullying and harassment is an overarching term that includes cyberbullying, intimidation and discrimination, terms that are often used interchangeably.

Bullying and harassment is any inappropriate conduct or comment by an individual toward another person that the individual knew or reasonably ought to have known would cause that person to be humiliated and/or intimidated. Examples include verbal aggression or insults, calling someone derogatory names, engaging in harmful hazing or initiation practices, vandalizing personal belongings and spreading malicious rumours about someone.

**bullying:** means aggressive behaviour that usually involves repeated incidents or a pattern of behaviours with negative intent, directed from one person to another, where there is a power imbalance; incidents or behaviour intended to intimidate, offend, degrade or humiliate a particulate person; can also occur as an isolated incident.

**complainant:** means any person who believes that they have experienced any behaviour prohibited by this policy and who seeks recourse, pursuant to this policy.

**complaint:** means a statement of facts alleged by a complainant seeking recourse pursuant to this policy.

**cyberbullying:** means bullying that involves the use of a digital platform.

**discrimination:** is when an individual (or a group of individuals) has been singled out and treated adversely or differently than others due to characteristics such as sex, race, colour, ancestry, place of origin, political belief, religious belief, marital status, family status, physical or mental disability, sexual orientation, gender identity or expression, age, and/or criminal conviction unrelated to a person's employment.

**intimidation:** means the act of instilling fear in another person as a means of controlling that person  
**respondent:** means a person against whom an allegation of behaviour contrary to this policy has been made pursuant to this policy  
**sexual harassment:** another form of discrimination; means conduct or comments of a sexual nature that is/are unwelcome and that detrimentally affect(s) the working or learning environment.

**workplace bullying and harassment:** includes inappropriate conduct or an employee taking an action that they knew or reasonably ought to have known would humiliate or intimidate another employee; does not include when an employer or supervisor takes reasonable action to manage and direct staff.

## Procedures

### 1. Responsibilities

#### 1.1. All SD73BC staff bear the responsibility to:

1.1.1. Not engage in bullying and harassment or any other behaviour prohibited by this policy;

1.1.2. Report when they observe or experience bullying and harassment or any other behaviour prohibited by this policy; and,

1.1.3. Comply with and apply with SD73BC policies

#### 1.2. All administrators and supervisors bear the responsibility to:

1.2.1. Not engage in bullying and harassment or any other behaviour prohibited by this policy;

1.2.2. Report when they observe or experience bullying and harassment any other behaviour prohibited by this policy;

1.2.3. Treat all reports and allegations of bullying and harassment seriously, and investigate them promptly and confidentially;

1.2.4. Apply and comply with SD73BC policies regarding a respectful workplace and learning environment;

1.2.5. Educate staff regarding what is considered bullying and harassment and any other behaviour prohibited by this policy, and their options for reporting a complaint.

### 2. Reporting

2.1. All incidents or reports involving students shall be recorded and reported to the student's home school.

2.2. Students who engage in acts of bullying and harassment while registered in a distributed learning course, are subject to disciplinary actions.

2.3. Vice-President or the Director shall ensure that any allegation regarding bullying or harassment is properly investigated and, where the allegation is substantiated, appropriate action taken.

2.4. All such allegations shall be investigated fairly, promptly and in accordance with the principles of fundamental justice.

- 2.5. No person shall be subject to reprisal, threat of reprisal or discipline as a result of filling a bonafide complaint or participating in an investigation of a complaint pursuant to this policy.
- 2.6. The respondent shall be given full details of the complaint and will be provided with a reasonable opportunity to respond.
- 2.7. Where a complaint is substantiated, appropriate remedial or disciplinary action will be taken.
- 2.8. Reports must be made, verbally or in writing, as soon as possible following an incident. Writing is the preferable method of reporting to ensure that all required information is included.
- 2.9. Allegations or complaints should be reported to the Director. However, if an employee's supervisor is the source of the complaint, a report can be made to:
  - 2.10.1. Vice-President;
  - 2.10.2. President

### 3. Investigations

- 3.1. There may be times that a complaint may be easily resolved and/or where a complaint may be rejected on the grounds that it is frivolous or vexatious. Informal resolution is not mandatory, and a complainant may proceed with a formal complaint at any time.
- 3.2. If the complaint is within the jurisdiction of this policy and cannot be resolved at a by informal resolution, or if the complexity or seriousness of the allegations are significant, a formal investigation will be initiated by the Vice-President and/or President.
- 3.3. Formal investigations will be conducted internally (whenever possible) by the Vice-President or designate or externally by the assignment of an independent investigator.

#### 3.4. Investigations will:

- 3.4.1. Be undertaken whenever possible, and completed, within ten (10) days of receiving the complaint. The type of investigation will be dependent on the matter being investigated. This will be determined on a case-by case basis;
- 3.4.2. Be fair and impartial, providing both the complainant and respondent equal treatment and opportunity to participate;
- 3.4.3. Be sensitive to the interests of all parties involved, and maintain confidentiality to the greatest extent possible;
- 3.4.4. Be focused on fact finding and evidence, including interviews of the complainant, respondent and any witnesses with first-hand knowledge of the allegations; and,

3.4.5. Incorporate, where appropriate, any need or request from the complainant or respondent for support or assistance during the investigation process.

3.4.6. Include interviews with the complainant, the respondent and any witness.

3.4.7. If the complaint is found to be frivolous or vexatious, the complainant may be subject to discipline. Any report of the investigator may be used for that purpose.

3.4.8. All confidential investigation reports will be submitted to the Vice-President.