

SCHOOL DISTRICT No. 69 (QUALICUM)

ADMINISTRATIVE PROCEDURE

SAFE, CARING AND INCLUSIVE SCHOOL COMMUNITIES

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Purpose

The Board of Education recognizes its responsibility to provide safe, caring and inclusive learning environments in our schools. Bullying, intimidation, discrimination, harassment and violence are behaviours that can disrupt a student's ability to learn and interfere with the school's ability to maintain an appropriate learning environment. Therefore, bullying, intimidation, discrimination, harassment, or violence constitute serious misconduct that warrants appropriate intervention should it occur and the implementation of educational programs and administrative measures that are designed to prevent it from occurring.

This administrative procedure is explicitly directed toward the conduct of students in their interaction with other students. Also included in this administrative procedure is the bullying, intimidation, discrimination, harassment, or violence toward adults by students.

Bullying, intimidation, discrimination, harassment, or violence by adults toward students or of adults by other adults are similarly prohibited but are governed by procedural guidelines in other school district administrative procedures - Collective Agreements, Human Rights and Workers Compensation Legislation and in *the Criminal Code of Canada*.

School Codes of Conduct

The Board of Education believes that a Code of Conduct with broad support of the students, parents, teachers, staff and administrative personnel greatly contributes to a safe and effective learning environment. The Board of Education also believes that there should be ongoing communication and consultation regarding behavioral expectations of students within the school community.

The Board of Education supports the values expressed in the *BC Human Rights Code* respecting the rights of all individuals in accordance with the law – prohibiting discrimination based on race, colour, ancestry, place of origin, religion, marital status, family status, physical and mental disability, sex, sexual orientation, gender identity or expression, and age.

Principals and Vice-Principals shall establish, with the involvement of students, parents, and staff a Code of Conduct for the school. This Code of Conduct shall be in compliance with the *Provincial Standards for Codes of Conduct Order [Ministerial Order 276/07(M341/16)]*.

1. This code shall establish expectations for student conduct:
 - a. within the school facility in all school programs and activities
 - b. outside the school facility in all school programs and activities
 - c. going to and from school, when the school deems it to be appropriate
2. Principals and Vice-Principals have the overall responsibility to see that Codes of Conduct are enforced and have paramount authority for the discipline of students.
3. All adults in the school are expected to be vigilant and to act thoughtfully and responsibly in ensuring the safety and security of the students and the building.

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4. Strategies are to be in place for active teaching and promotion of the behavioural expectations outlined in the Code of Conduct.
5. Significant breaches of the Code of Conduct and related disciplinary/restorative responses will be noted in the district student information system.
6. The Code of Conduct will clearly state a range of consequences for inappropriate behavior.
7. The school's Code of Conduct will be informally reviewed annually with input from students, staff, parents, and administration. Confirmation of the review will be filed with the Superintendent of Schools or designate by April 15th of each school year (*attached form*).
8. Each school's Code of Conduct shall be filed with the Superintendent of Schools or designate by July 15th, annually and submitted for approval by the Board of Education at its September Regular Board Meeting.
9. The school's Code of Conduct shall be posted publically.
10. All reasonable steps will be taken to prevent retaliation against a student who has made a complaint of a breach of a Code of Conduct.

Student Dress Code

1. Each school is required to develop, in consultation with students, parents, teachers, staff and administrative personnel, a school dress code.
2. The school's dress code may be incorporated into the school's student Code of Conduct.
3. The school's dress code should guide and support students and parents to making appropriate individual choices around attire suitable for a learning environment.
4. The school's dress code may be reviewed annually by students, parents, teachers, staff and administrative personnel as part of the Code of Conduct.

Education for Prevention of Bullying, Intimidation, Discrimination, Harassment and Violence

The Board expects that each school in the district will ensure:

- a. that communication with parents, at least annually, includes emphasis of the seriousness with which the district regards bullying, intimidation, discrimination, harassment, or violence and the provisions of this administrative procedure.
- b. that students are informed on an annual basis, in language appropriate to their age level about the following:
 - the definition of bullying, intimidation, discrimination, harassment, and violence
 - the expectations of the district for student conduct with regard to bullying, intimidation, discrimination, harassment, and violence - including the obligation of students to report to adults incidents of bullying, intimidation, discrimination, harassment, or violence
 - the interventions listed in this administrative procedure

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The Goals for SOGI Inclusive Education in School District No. 69 (Qualicum) are as follows:

Visibility

The diversity of sexual orientations, gender identities and expressions are recognized and valued.

Protection

The dignity of all people across the sexual orientation and gender identity (SOGI) spectra is preserved and protected from harm.

Inclusion

Equitable treatment and inclusion are a reality for people of all sexual orientations, gender identities and gender expressions.

How We Are Committing Ourselves to Achieving These Goals:

Developing Common Language and Understandings

Staff and learners will be well-informed and equipped with appropriate and respectful language. We acknowledge that language is ever evolving and that the individual is always the expert on how they may identify and when it comes to the language or terms they consider respectful and inclusive.

Glossary of SOGI Terms for Staff and Learners to Support and Inform our Work:

Agender - Describes a person who identifies as having no gender.

Ally - A person who supports and stands up for the rights of LGBT people.

Asexual - Describes a person who experiences little or no sexual attraction to others. Asexuality is not the same as celibacy.

Assigned sex at birth - The sex (male or female) assigned to a child at birth, most often based on the child's external anatomy. Also referred to as birth sex, natal sex, biological sex, or sex.

Bisexual - A sexual orientation that describes a person who is emotionally and sexually attracted to people of their own gender and people of other genders.

Cisgender - A person whose gender identity and assigned sex at birth correspond (i.e., a person who is not transgender).

Gay - A sexual orientation that describes a person who is emotionally and sexually attracted to people of their own gender. It can be used regardless of gender identity, but is more commonly used to describe men.

Gender binary structure - The idea that there are only two genders, boy/man/male and girl/woman/female, and that a person must strictly fit into one category or the other.

Gender dysphoria - Distress experienced by some individuals whose gender identity does not correspond with their assigned sex at birth.

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Gender expression - This term describes the ways (e.g., feminine, masculine, androgynous) in which a person communicates their gender to the world through their clothing, speech, behavior, etc. Gender expression is fluid and is separate from assigned sex at birth or gender identity.

Gender fluid - Describes a person whose gender identity is not fixed. A person who is gender fluid may always feel like a mix of the two traditional genders, but may feel more one gender some of the time, and another gender at other times.

Gender identity - A person's inner sense of being a boy/man/male, girl/woman/female, another gender, or no gender.

Gender non-conforming - Describes a gender expression that differs from a given society's norms for males and females.

Gender role - A set of societal norms dictating what types of behaviors are generally considered acceptable, appropriate, or desirable for a person based on their actual or perceived sex.

Heterosexual (straight) - A sexual orientation that describes women who are emotionally and sexually attracted to men, and men who are emotionally and sexually attracted to women.

Lesbian - A sexual orientation that describes a woman who is emotionally and sexually attracted to other women.

Non-binary - Describes a person whose gender identity falls outside of the traditional gender binary structure.

Pansexual - A sexual orientation that describes a person who is emotionally and sexually attracted to people of all gender identities.

Queer - An umbrella term used by some to describe people who think of their sexual orientation or gender identity as outside of societal norms. Some people view the term queer as more fluid and inclusive than traditional categories for sexual orientation and gender identity. Due to its history as a derogatory term, the term queer is not embraced or used by all members of the LGBT community.

Questioning - Describes an individual who is unsure about or is exploring their own sexual orientation and/or gender identity.

Sexual orientation - How a person characterizes their emotional and sexual attraction to others.

Transgender - Describes a person whose gender identity and assigned sex at birth do not correspond. Also used as an umbrella term to include gender identities outside of male and female. Sometimes abbreviated as trans.

Two-Spirit - Describes a person who embodies both a masculine and a feminine spirit. This is a culture-specific term used among some Native American, American Indian, and First Nations people.

(Credit: National LGBT Health Education Centre)

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Providing Safe and Inclusive Learning Environments

Staff will commit to both proactive measures and responsive actions in order to ensure that sexual orientation and gender identity are not barriers to learner participation in all aspects of school life or a factor in their safety/wellbeing while in our care.

Recognizing the Right to Self-Identification

Learners will have the right to self-identification, which includes the name by which they wish to be addressed and the preferred pronouns that correspond to their gender identity.

Protecting Confidentiality

Learners will have the right to the confidentiality of their official and/or preferred sex, gender, and name.

Broadening Dress Guidelines

Learners are entitled to gender expression through what they wear to school. Dress codes are to support and guide appropriate learner choice in this regard.

Offering Integrated and Inclusive Activities

We will strive to offer integrated and inclusive activities which enable learners to participate in teams and groups that they feel correspond with their gender identity. Students will be included and accommodated in activities regardless of their sexual orientation or gender identity, including support to set up a Gender-Sexuality Alliance/Gay-Straight Alliance or similar clubs.

Providing Training to Staff

All staff will be provided with knowledge, strategies and tools to develop a broad understanding of SOGI issues and to inform their practices in working with learners.

Promoting Inclusive Learning Experiences

Staff will ensure that classroom materials and activities will contain positive images and accurate information about sexual orientation, gender identity and gender expression.

Providing Safe, Respectful and Inclusive Facilities

Learners may choose to use washrooms and change rooms that match their gender identity. Staff will endeavor to provide washroom and change room options that support and honour learner choice.

Complaints of Bullying, Intimidation, Discrimination, Harassment, or Violence

An allegation of bullying, intimidation, discrimination, harassment, or violence shall be made informally through a verbal report to a staff member or, more formally, in writing to the Principal or Vice-Principal of the school or a district administrator. A trusted adult may accompany students making complaints.

Complaints may be made anonymously but those making such complaints should understand that an anonymous complaint might not be resolved satisfactorily due to the limitations placed on an investigation by anonymity.

Persons lodging complaints may request that their identity be kept confidential for fear of reprisal. Staff should endeavour to honour such requests but any person lodging a complaint must be informed that due process may, at some stage of the investigation and intervention process or of a subsequent legal process, require the District to release all information.

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All staff are responsible for receiving complaints of bullying, intimidation, discrimination, harassment, or violence and for ensuring that the most appropriate staff member is informed of the complaint.

Falsely Reporting Bullying, Intimidation, Discrimination, Harassment, or Violence

It is a violation of this district administrative procedure to knowingly report false allegations of bullying, intimidation, discrimination, harassment, or violence. Persons found knowingly to have filed a false report will be subject to appropriate discipline and/or the filing of a complaint with other appropriate authorities.

Retaliation

No student, school employee, parent or volunteer may engage in reprisal or retaliation against a victim, witness, or other person who brings forward information about an act of bullying, intimidation, discrimination, harassment, or violence. Reprisal/retaliation or shunning/isolation is prohibited and will result, where appropriate, in discipline and/or in the filing of a complaint with other appropriate authorities.

Possession or Use of Weapons

The District considers the possession or use of any weapon or simulated weapon by anyone on or near school premises to be a serious threat to the school environment and to the safety of students and staff. Staff are to take appropriate action to ensure the safety and well-being of students and staff.

Violent incidences must be documented as indicated and reported to the student's parents and a Violence, Threat-Making and Rapid Assessment (VTRA) completed.

Where a Principal/Vice-Principal reasonably believes that a person on or near school premises is in possession or has used a weapon, that person shall:

- a. invoke the appropriate All Hazards Emergency Procedure in order to minimize the risk of injury to any person
- b. immediately notify the police and the Superintendent of Schools or designate
- c. ensure the weapon is removed from school premises (confiscated)
- d. contact parent/guardian

Resultant consequences will range from school disciplinary action to charges being laid by the police depending on specific circumstances.

Investigation

All complaints of bullying, intimidation, discrimination, harassment, or violence will be taken seriously and will be followed up in a timely manner. In cases a criminal offence has occurred, the school or district administration will notify the RCMP. Similarly, in all cases where child abuse is suspected, a report will be made to the appropriate ministry. An investigation of bullying, intimidation, discrimination, harassment, or violence shall include obtaining input from the person(s) alleged to have been harmed by the behaviour, from the alleged perpetrator and from one witness, (if one exists) to the alleged behaviour.

More intensive interviewing of those involved and/or of witnesses may be required at the discretion of the investigator, depending on the nature of the behaviour or incident.

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Intervention

When there is a finding that misconduct has occurred, intervention will be:

- appropriate to the degree of misconduct
- educative, preventive and/or restorative
- implemented in a timely manner
- appropriate intervention may include, for example, one or more of the following actions:
- an opportunity for those harmed by the behaviour to explain to the perpetrator that his/her conduct is unwelcome, offensive or inappropriate either in writing or face-to-face
- a statement from the Principal/designate to an individual that such behaviour is not appropriate and could lead to discipline
- a general public statement from the Principal/designate to the school as a whole which outlines this administrative procedure without identifying those involved or revealing details of previous behaviour or incidents
- arranging measures which are designed to provide those harmed with restitution of status or sense of self-worth
- counselling or educative measures designed to support any students involved with bullying, intimidation, discrimination, harassment, or violence – including both those who may have been harmed and those who are responsible
- disciplinary measures up to and including suspension or expulsion from a regular educational program
- notification of other agencies as deemed by the Principal/designate to be appropriate or legally required

Student Locker Searches

A student locker search may be undertaken if there are reasonable grounds to believe that a school rule has been or is being violated and that evidence of the violation will be found in the student's locker.

1. All requests/questions regarding student locker searches will be referred to the Principal of the school.
2. Students shall be advised at the time they are assigned a locker of the following Rules and Conditions of Use under which the locker is assigned:

The locker is assigned to a student for use during the school year based on the following rules and conditions of use:

- a. Students are responsible for the locker which is assigned to them and the locker is not to be used by any other person.
- b. Only approved locks may be used on student lockers and the combination of the lock must be registered at the office.
- c. No illegal substances, weapons or other prohibited or offensive material are to be placed in school lockers.
- d. School officials may search student lockers at any time and without prior notice in order to ensure compliance with the conditions of use and other school policies and rules. It is recommended that an additional staff member be present when a locker is searched, except in an emergency situation.
- e. Permission to use the locker may be terminated where a student does not comply with the conditions of use or school policies or rules.

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- f. If any student has reason to believe that any locker contains anything which would threaten the safety of other students, staff or any other person, that student is expected to immediately report the information to a teacher, Vice Principal or Principal. The name of the student making the report will be kept confidential.

Questioning of Students by Law Enforcement Authorities

School and District administration should be aware of the current provisions and requirements of the *Youth Criminal Justice Act* and other pertinent legislation.

Issues of particular importance to school and District administration in current legislation are:

- a. the 'ban on publication' provisions which seek to protect the identity of young offenders or those accused or suspected of committing an offence
- b. the potential admissibility of all statements made by students to school authorities

The RCMP School Liaison Officer is authorized to discuss police matters directly with students at the school and, where appropriate or required by law, make contact with the parent or guardian of a student being questioned. This does not preclude the questioning of students by other RCMP officers who have the legal right to do so.

Where practicable, the designated RCMP School Liaison Officer should be involved when students are to be questioned by police.

Should the parent or guardian not be available, the Principal or designate may, with the agreement of the student, act in loco parentis with his/her primary concern being the protection of the rights of the student.

No school district employee shall act or be required to act as a representative of the police.

Routine cooperation with the police, where such cooperation is a legal or reasonable expectation of school and district personnel such as providing student contact information or arranging meeting space, does not constitute acting as a representative of the police.

The Principal or designate acting in loco parentis in a police investigation shall not assume the lead role in subsequent school investigations or outcomes related to the matter(s) originally under investigation.

Unless otherwise instructed by the RCMP, the Principal or designate (as soon as practicable) shall inform the parent and/or guardian of any case where a student is accused of an alleged offence or is apprehended.

The Principal or designate shall proceed with any school-level investigation and/or other discipline-related steps as necessary pursuant to school and district policy.

The Principal or designate shall make it clear to students and parents that school-related consequences may be determined separately from the police investigation and outcomes, and that information gained from statements by students to police may result in school and/or school district level consequences.

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Violence, Threat, Risk Assessment (VTRA)

Trained multidisciplinary teams at both the school and district level will be guided by the *Assessing Violence Potentials: Protocol for Dealing with High-Risk Student Behaviours* when responding to threats.

Each school is to review this threat assessment policy with all staff and students at the beginning of each school year as well as with the school PAC, and with parents/guardians through the school newsletter and/or website in order to provide "Fair Notice" that each threat will be taken seriously.

Students and staff who become aware of a threat have a duty to inform the school Principal/Vice Principal immediately.

The Principal or Vice Principal is expected to secure the school environment by detaining students involved in a threatening or violent situation, notifying parents/guardians, implementing the school Code of Conduct as appropriate to the situation or by taking any other immediate action deemed necessary to ensure student and staff safety.

The School Threat Assessment Team is to be notified of all threats or violent situations and will coordinate the school's Threat Assessment Procedures.

The suspension of students for engaging in threatening or violent acts is not to be a substitute for a thorough threat assessment and intervention plan; however, suspension may be used as an interim intervention as the threat assessment is conducted and within the guidelines of the suspension policy until such time as an adequate intervention plan can be implemented as appropriate.

School Threat Assessment Teams may be formed to assess intervention needs, based on the level of the threat (low, medium, high), consult with outside experts, and provide intervention recommendations to the school coordinator and to the school Principal as per the District VTRA intervention planning document.

When the threat assessment protocol is activated, a designated Threat Assessment Team member will notify parents/guardians when it is deemed appropriate. Whenever possible, parents should be an integral part of the VTRA process.

For serious threats requiring significant interventions and protection of students and/or staff, a District Threat Assessment Team will be convened by the Safe Schools Coordinator or Superintendent.

The District Threat Assessment Team will meet with the School Threat Assessment Team coordinator to review the incident, assess the threat intervention needs, and make recommendations for intervention planning to the school Principal for action and the Superintendent of schools for information.

The resulting VTRA report and recommendations represent the collective opinion of the whole team rather than any one individual member of the team.

If students are suspended for threat containment purposes for up to and including 5 school days as per Board Policy 7001: *Student Discipline and its attendant Administrative Procedure* until the threat assessment is completed, then interim counselling and support services are to be provided as appropriate when students are suspended for up to and including 5 days to ensure student safety and

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well-being. Any recommended suspensions over 5 school days will be referred to the District Discipline Committee as per Board Policy 7001: *Student Discipline*.

Schools are to report all threats involving threat assessment procedures to the Superintendent's office outlining the incident, the assessed threat level, actions and interventions taken and planned.

Any communication with the media regarding incidents of violence, risk or threat will be done through the Superintendent's office.

Appeal

All decisions of the Board or district staff are subject to appeal pursuant to Section 11 of the *School Act* and Board Bylaw 5: *Parent/Student Appeals to the Board of Education* and its attendant Administrative Procedure.

Other Laws

Nothing in this administrative procedure precludes any person harmed by alleged bullying, harassment, intimidation or violence from exercising his/her rights under procedures outlined in other laws; for example, *the Criminal Code of Canada* or civil action.

Other District Policies and Procedures

Nothing in this administrative procedure is intended to prohibit discipline or remedial action for inappropriate student conduct that falls outside of the definition of bullying, intimidation, discrimination, harassment, or violence as defined in Board Policy 7000: *Safe, Caring and Inclusive School Communities*, but which is or may be prohibited by other district policies or by school codes of conduct.

References:

- *Board Policy 7000: Safe, Caring and Inclusive School Communities*
- *Board Policy 7001: Student Discipline and its attendant Administrative Procedure*
- *Violence, Threat-Making, Risk and Threat Assessment Community Protocol*
- *Provincial Standards for Codes of Conduct Order [Ministerial Order 276/07(M341/16)]*
- *Youth Criminal Justice Act*
- *Guidelines: School Support for Trans and Gender Non-Conforming Students (Vancouver School Board)*
- *SOGI 1-2-3*
- *National LGBT Health Education Centre*

Policy No. 7000 with Administrative Procedure:
Safe, Caring and Inclusive School Communities

Code of Conduct (Student) – Review Form

This form is to be completed by the school's administration on completion of the Code of Conduct review. It is to be filed with the Superintendent of Schools by April 15th of each school year.

School _____ Review Date _____

Review Committee:	
Student(s)	_____
Parent(s)	_____
Teacher Rep(s)	_____
Support Staff	_____
Administrator	_____

Review Committee Recommendations:	

Review Committee Conclusions:	

Principal's Signature