



POLICY COMMITTEE OF THE WHOLE - AGENDA

MONDAY, OCTOBER 18, 2021

1:00 P.M.

via Zoom

Join Zoom Meeting

<https://sd69-bc-ca.zoom.us/j/65234531319?pwd=Y1MyemRERVIRdmxCOUdjZmowdnZJQT09>

Meeting ID: 652 3453 1319

Passcode: 596789

Mandate: To Discuss and make Recommendations to the Board on all matters related to Policy and By-laws.

Acknowledgment: We live, play and work on the unceded lands of the Coast Salish Peoples. We thank the Snaw-Naw-As and Qualicum Bands for sharing their territory with us.

1. Introductions of those present at the meeting:
2. Items potentially going to First Reading (Intent and philosophy and edits)
 - 700 Safe, Compassionate and Inclusive School Communities (previously numbered 7000)
 - 701 Student Discipline (previously numbered 7001)
 - 702 Substance Use (Students) – To Rescind
 - AP Physical and Health Education Curriculum: Provision for Alternate Delivery of Instruction – Not Needed?
3. Items potentially going to Second Reading (Line by Line content and edits)
 - 603 Attendance Support
 - 601 Employee Conflict of Interest
 - 604 Workplace Bullying and Harassment
 - 710 Resolution of Complaints (Previously numbered 6240)
4. Items potentially going to Third Reading (Final review)
 - 303 Enhancing Student Learning
 - 305 Public Interest Disclosure Policy
5. Future Topics – November Meeting
 - 703 Student Fees and Band Instruments (Previously numbered 7010)
 - 704 Student Catchment Areas Cross Boundary (Previously numbered 7015)
 - 705 Transportation of Students by District Buses (Previously numbered 7054)
 - 706 Corporate Community Sponsorship (Previously numbered 7059)
6. Next meeting:
 - Monday, November 15, 2021 at 1:30 p.m. via Zoom until further notice



SAFE, CARING COMPASSIONATE, AND INCLUSIVE SCHOOL COMMUNITIES

CONTEXT:

In accordance with international, federal, and provincial laws and protocols, schools must be safe, compassionate and inclusive communities of learning. The B.C. Curriculum Core Competencies, and Ministerial Order 276/07 (M341/16) mandate the need for specific school and district-based systems that maintain and enhance positive and respectful climates within all schools. The Board strongly upholds the “recognition of the inherent dignity and the equal and inalienable rights of all members of the human family is the foundation of freedom, peace and justice in the world.” (Preamble UN Universal Declaration of Human Rights.)

POLICY STATEMENT:

The Board supports all and any actions that contribute to the establishment and maintenance of a safe, compassionate and inclusive school community as outlined in international, federal and provincial rights legislation. Active and persistent work to teach, model and encourage positive social behaviour is expected at all levels of our organization.

GUIDING PRINCIPLES:

The Board believes that:

1. All schools must provide a positive, responsive, safe, compassionate, and inclusive environment for all learners.
2. Educational equity is paramount and we must recognize and celebrate diversity in our schools and community.
3. School Districts must work with all community partners to actively develop and collaboratively maintain protocols that support safety and inclusion while protecting against any violence or safety concerns.

The Board expects that:

1. Each school will establish procedures, protocols and practices that create and enhance safe, compassionate and inclusive environments. These will be evident in each school's code of conduct.
2. Incidents compromising the safety of students will be responded to in a timely, fair and reasonable manner.
3. Wherever possible, responses and interventions to incidents that compromise safety will be restorative; meaning they will repair harm, strengthen relationships and enhance a sense of belonging to school and community.
4. District wide professional learning for educators will continuously provide best practices.
5. All staff shall have a clear understanding of the impacts of trauma, including intergenerational trauma, and actively practice trauma informed teaching and intervention.
6. The right of individuals to be different, and to consider themselves different will be respected as long as their individual expression does not compromise a safe, compassionate and inclusive environment.



SAFE, CARING COMPASSIONATE, AND INCLUSIVE SCHOOL COMMUNITIES

REFERENCES:

- *Administrative Procedure: Safe, Caring, Compassionate and Inclusive School Communities*
- *Board Policy 7004 701: Student Discipline and its attendant Administrative Procedure*
- *B.C. Human Rights Code as of July 2021*
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/00_96210_01
- *Violence, Threat-making, Risk and Threat Assessment Community Protocol*
https://www2.gov.bc.ca/assets/gov/erase/documents/vtra_protocolguide.pdf
- *Provincial Standards for Codes of Conduct Order [Ministerial Order 276/07(M341/16)]*
https://www2.gov.bc.ca/assets/gov/education/administration/legislation-policy/legislation/schoollaw/e/m276_07.pdf
- *SOGI 1 2 3* <https://www.sogieducation.org/>
- *Universal Declaration of Human Rights (United Nations)*
<https://www.un.org/en/about-us/universal-declaration-of-human-rights>
- *Canadian Charter of Rights and Freedoms*
<https://www.canada.ca/content/dam/pch/documents/services/download-order-charter-bill/canadian-charter-rights-freedoms-eng.pdf>
- *Ministry of Education Province of B.C. Core Competencies*
<https://curriculum.gov.bc.ca/competencies>



Purpose

The Board of Education recognizes its responsibility to provide safe, caring compassionate 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

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.

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)

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.

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



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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.



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.
- 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 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 Compassionate and Inclusive School Communities*, but which is or may be prohibited by other district policies or by school codes of conduct.

References:

- Board Policy 700: *Safe, Caring Compassionate and Inclusive School Communities*
- Board Policy 701: *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*



The Board of Education believes that a positive discipline program at all times is intended:

- a. ~~to develop and maintain an environment in which all students are able to learn.~~
- b. ~~to protect the rights of all students to learn.~~
- c. ~~to encourage all students to reach their full potential.~~

~~The Board of Education expects that students shall comply with Rules, Policies and/or Codes of Conduct as sanctioned by the Board of Education in order to maintain an environment conducive to learning. All students need to be provided with the greatest possible assistance and support from within and outside the system. Out-of-school suspension should be used judiciously in the context of a progressive discipline model.~~

~~The Board of Education will ensure that all students who have been suspended for more than five (5) days and who appear before a District Discipline Committee, shall receive a fair and just hearing under the protection of the *Charter of Rights and Freedoms*.~~

CONTEXT:

In order for learning to occur students must feel and be safe at school. The Board works actively and persistently to create and maintain safe, compassionate and inclusive school communities as per Board Policy 700. Realistically though, infractions to students' feeling and being safe at school will occur and require intervention and action on the part of the school and/or the district.

POLICY STATEMENT:

The Board will maintain an environment that supports learning through ensuring schools are safe, compassionate and inclusive. Should incidents occur that compromise this environment, efforts at the classroom, school and district level may be used to restore the environment.

GUIDING PRINCIPLES:

The Board believes in modelling and using a positive discipline program that will:

1. **Preserve and support a safe and effective learning environment that allows students to reach their full potential.**
2. **Model and educate students to practice positive social behaviors, healthy life skills and habits.**

The Board expects:

1. **All students will always comply with the codes of conduct while on school grounds or attending school (or district) sanctioned events.**
2. **Incidents compromising the safety of students will be responded to in a timely, fair and reasonable manner.**
3. **Wherever possible, responses and interventions to incidents that compromise safety will be restorative; meaning they will repair harm, strengthen relationships and enhance a sense of belonging to school and community.**
4. **Discipline will be progressive, and individualized.**
5. **All students need to be provided with the greatest possible assistance and support from school and community resources.**



6. **Interventions may happen at the classroom, school or district level and will typically progress through these levels; however, serious infractions may result in escalation to school or district.**
7. **Out-of-school suspension should be used judiciously in the context of a progressive discipline model and reserved for cases that impact the safety of those in the learning environment. Examples may include bullying, violence, weapons, and use of illegal substances.**
8. **That all students who have been suspended for more than five (5) days and who appear before a District Discipline Committee, shall receive a fair and just hearing under the protection of the *Charter of Rights and Freedoms*.**

References:

- *Administrative Procedure: Student Discipline*
- *The School Act: Sections 26, 85(2)(c)(ii), 85(2)(d)*
- *Charter of Rights and Freedoms*



ADMINISTRATIVE PROCEDURES to BOARD POLICY 7004 701

STUDENT DISCIPLINE

1. The Board delegates the right and responsibility to teachers and school-based principals/vice-principals to require students to apply themselves to their studies and to abide by the Code of Conduct established in a school. Paramount authority in this regard rests with the administrative officers with a school.
2. The Board requires that teachers and principals/vice-principals take appropriate progressive disciplinary action when:
 - a. students fail to abide by the Code of Conduct established in a school to the extent that their behaviour is wilfully disobedient or has a harmful effect on other students; or,
 - b. students fail to apply themselves to their studies.
3. School personnel shall be guided by Section 85 of the *School Act* in all of their dealings with students.
4. Students failing to comply with the Rules, Policies and/or Codes of Conduct as sanctioned by the Board of Education may be suspended according to Section 85(2) (d) of the *School Act*. Principals or Vice Principals, when suspending a student, must ensure that an educational program is available for the student during the period of suspension. Parent/guardian(s) shall be notified that the school will provide an educational program and the nature and expectation of that program.
5. Principals and Vice Principals may suspend students for up to five (5) school days as a disciplinary measure. When a student is suspended from school, the student shall remain at the school under the Principal's or Vice Principal's supervision and control until contact has been established with the student's parent/guardian(s) or the designated adult family alternative and a plan has been put in place for the student to be returned to the authority of the parent/guardian(s). The Principal or Vice Principal shall notify the student and parent/guardian(s) verbally followed by a letter to the parent/guardian(s) with a copy being forwarded to the Superintendent of Schools and/or designate.
6. The Principal or Vice Principal, where appropriate, shall arrange a meeting with the student and his/her parent/guardian(s) to resolve the suspension and to establish conditions and expectations which will govern the student's return to school.
7. Any recommended suspension of longer than five (5) school days must be in accordance with Section 85(2)(d) of the *School Act* and shall be immediately reported to the parent/guardian(s) verbally and confirmed in writing by mail or be delivered by hand. The Superintendent of Schools and/or designate must be notified and shall arrange a District Discipline Committee hearing.
8. All written reports, including pertinent student records and information, from teachers and the school administration shall be submitted to the Superintendent of Schools and/or designate within three (3) school days of the student's suspension from school. Copies of pertinent written reports shall be made available to the parent/guardian(s) and the student at least twenty-four (24) hours prior to the hearing.



9. When students have been suspended for more than five days the Superintendent of Schools and/or designate shall convene the District Discipline Committee made up of the Superintendent of Schools or designate and up to three non-involved Principals/Vice Principals and/or community professionals.

This District Discipline Committee shall meet with the student, the parent/guardian(s), and the referring Principal/Vice Principal to understand the circumstances leading to the suspension and to make recommendations regarding resolution of the suspension.

After the student, the parent/guardian(s) and the referring Principal/Vice Principal have left, the District Discipline Committee shall consider the educational and support options and/or program offerings available for the student and decide the most appropriate action to take.

10. The decision of the District Discipline Committee will, in most cases, be communicated by telephone, through the Superintendent of Schools and/or designate, to the parent/guardian(s) and the student and the Principal/Vice Principal within twenty-four (24) hours of the hearing.
11. Written confirmation shall be directed to the parent/guardian(s) and the student and the referring Principal/Vice Principal by the Superintendent of Schools and/or designate. A copy of Bylaw No. 5 (Appeals) shall be attached to the letter.
12. To protect the student's right to privacy, all copies of written reports originally distributed to District Discipline Committee members shall be collected and destroyed immediately after the committee's decision. The original documentation will be held in a confidential file under the jurisdiction of the Superintendent of Schools.

References:

- *Board Policy 7004 701: Student Discipline*
- *The School Act: Sections 26, 85(2)(c)(ii), 85(2)(d)*
- *Charter of Rights and Freedoms*

Dates of Adoption/Amendments:

Adopted: 1998.02.24

Amended: 2000.08.29: 2016.12.13: REVIEWED OCTOBER 2017



The Board of Education recognizes that in order to provide the greatest opportunity for healthy student growth and development the school environment must be free of mood altering substances.*

The Board of Education shares responsibility with the community for addressing problems associated with the use of such substances.

***For the purposes of this Policy and accompanying Administrative Procedure, "mood-altering substances" refer to alcohol and drugs prohibited or restricted under the *Food and Drugs Act* and the *Controlled Drugs and Substances Act* but exclude drugs which have been prescribed for the student by a physician and which are being used in the manner prescribed.**

References:

- *Board Bylaw 5: Parent/Student Appeals to the Board of Education*
- *Board Policy 701: Student Discipline*
- *Administrative Procedure: Substance Use (Student)*
- *Canada's Food and Drugs Act*
- *Canada's Controlled Drugs and Substances Act*

SCHOOL DISTRICT No. 69 (QUALICUM)

ADMINISTRATIVE PROCEDURE

SUBSTANCE USE (Student)

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1. FIRST INCIDENT

- i. Any student of an ELEMENTARY SCHOOL (K-7) engaging in any of the following while under the jurisdiction of the school shall have a meeting with the principal, the school counselor and his/her parents/guardians at the earliest opportunity:
- consumes alcohol or illicit drug(s)
 - is under the influence of alcohol or illicit drug(s)
 - is in possession of alcohol or illicit drug(s) or drug paraphernalia

Taking into account the advice of this meeting, the principal will make a decision regarding the outcome of the incident or incidents. Outcomes may include disciplinary consequences for the student, recommendation for support from school staff, and/or referral to the District Drug and Alcohol Review Committee.

If referred to the District Drug and Alcohol Review Committee, the committee may recommend further disciplinary consequences, support or RCMP involvement.

- ii. Any student of a SECONDARY SCHOOL (8-12) engaging in any of the following while under the jurisdiction of the school shall immediately be placed on an "In-School Suspension" for a period of no more than four (4) days and the student shall be referred to the District Drug and Alcohol Review Committee:
- consumes alcohol or illicit drug(s)
 - is under the influence of alcohol or illicit drug(s)
 - is in possession of alcohol or illicit drug(s) or drug paraphernalia

The incident(s) shall be reported to parents/guardians verbally and confirmed immediately in writing. A copy of Board Bylaw 5: *Parent/Student Appeals to the Board of Education* will be enclosed.

The Superintendent or designate shall be notified in writing and the RCMP may be contacted. The decision as to whether criminal charges will be laid rests with the RCMP.

The District Drug and Alcohol Review Committee may make recommendations for further disciplinary consequences or support.

2. REPEAT INCIDENTS

A student of any age who is involved in a repeat incident of consumption, under the influence or possession of alcohol or drug(s) or paraphernalia while under school jurisdiction shall be immediately placed on suspension and referred to the Superintendent and/or designate for a decision as to which committee the student will be referred to: the District Drug and Alcohol Review Committee or the District Discipline Committee.

SCHOOL DISTRICT No. 69 (QUALICUM)

ADMINISTRATIVE PROCEDURE

SUBSTANCE USE (Student)

Page 2 of 2

3. DISTRIBUTION/TRAFFICKING OF ALCOHOL OR ILLICIT DRUG(S)

Any student of any age who engages in the distribution, sale or proliferation of alcohol or drug(s) shall be immediately placed on "Out of School/At Home" suspension and referred to the District Discipline Committee.

In addition, the RCMP will be notified and will determine if criminal charges are warranted.

4. DISTRICT DRUG AND ALCOHOL REVIEW COMMITTEE

In most cases the District Drug and Alcohol Review Committee will consist of a minimum of:

- the Superintendent or designate
- two school administrators

Any student referred to this committee will present himself/herself with their parent/guardian at the time appointed. A representative of the student's school will also be present.

The committee will make recommendations regarding the level of support and/or intervention which might be required to assist the student to successfully continue with his/her educational program and support the student in making healthy choices.

Some of the following specific courses of action may also be recommended by the committee but it is intended that the committee would not be limited in its thinking or mandate by such a list:

- drug or alcohol counseling
- referral for family support
- school suspension in accordance with Board Policy 7030: *Suspension of Students*
- change of educational program
- suspension from all School District 69 schools while being provided with an educational program pursuant to Section 85 of the *School Act*

References:

- *Board Bylaw 5: Parent/Student Appeals to the Board of Education*
- *Board Policy 7001: Student Discipline*
- *Board Policy 7002: Substance Use (Student)*
- *Canada's Food and Drugs Act*
- *Canada's Controlled Drugs and Substances Act*

SCHOOL DISTRICT No. 69 (QUALICUM)

ADMINISTRATIVE PROCEDURE 5103

PHYSICAL AND HEALTH EDUCATION CURRICULUM PROVISION FOR ALTERNATE DELIVERY OF INSTRUCTION

Page 1 of 7

Purpose

The Board of Education recognizes the parent's role as primary educators in the development of their children's attitudes and values.

The Board accepts that the Physical and Health Education (PHE) curriculum includes certain topics related to reproductive and sexual health that some students and the student's parents/guardians may consider sensitive and feel more comfortable addressing through means other than instruction by a teacher in a classroom setting.

The purpose of this administrative procedure is to explain how students and the student's parents/guardians may, in consultation with the student's school, arrange for alternative delivery of instruction related to Physical and Health Education curriculum content relating to reproductive and sexual health.

In such instances, students, with the student's parents' or guardians' consent, may arrange, on an annual basis to address topics related to reproduction and sexual health by an alternative means. This alternate approach must be arranged in consultation with the school and be agreed upon by the student, parents/guardians, and the school.

This administrative procedure does not allow students to "opt-out" of learning about these topics. It is expected that students will, in consultation with the school, demonstrate understanding of the identified learning outcomes that the student's parents/guardians have arranged to address by alternate means.

This alternate delivery provision does not apply to any other learning outcomes in the Physical and Health Education curriculum, nor does it apply to any other British Columbia provincial curriculum.

At the beginning of each school year, or the beginning of a PHE course, the teacher will provide parents/guardians a list of the content students will be expected to know in the health component so that parents can determine which topic(s), if any, they wish to have addressed either by an alternate approach in the classroom or by assuming responsibility for providing the alternate learning activities relating to these topic(s) outside of the classroom.

It is expected that parents who arrange for alternate delivery will address the identified curricular content with their children. When opting for an alternative delivery, parents are to be guided by the following procedures:

- a. The parent and students will discuss the identified curricular content with the classroom teacher in order to determine whether an alternate approach may be used in the classroom.
- b. A request to the principal or designate may be made for the student to complete human reproduction and sexual health curriculum content outside regular classroom instruction under the guidance and support of the parents/guardians if accommodation is deemed to be inappropriate during the classroom period. An ***Alternate Delivery of PHE***

SCHOOL DISTRICT No. 69 (QUALICUM)

ADMINISTRATIVE PROCEDURE 5103

PHYSICAL AND HEALTH EDUCATION CURRICULUM PROVISION FOR ALTERNATE DELIVERY OF INSTRUCTION

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Curriculum form will be completed by the parents in consultation with the Principal or designate.

- c. The parents will then assume responsibility for completion of the reproductive and sexual health curricular content outside of regular classroom instruction and provide verification that the student has demonstrated the student's understanding of the curricular content that they assumed responsibility for by completing **Verification Section** of the **Alternate Delivery of PHE Curriculum** form and returning a completed copy to the Principal or designate prior to the end of the school year in order to ensure that final credit may be granted for this course.

Provincial SOGI Policy, Initiative and Resources

As of December 31, 2016, all B.C. school districts and independent schools are required to include specific references to sexual orientation and gender identity (SOGI) in the district's anti-bullying policies.

This requirement followed the July 2016 addition of gender identity and expression as a prohibited ground of discrimination under the B.C. Human Rights Code (sexual orientation was already protected).

SOGI is an inclusive term that represents all individuals regardless of sexual orientation or gender identity. It includes lesbian, gay, bisexual, transgender, queer, two-spirit, heterosexual and cisgender.

Approximately 20% of B.C. high school students identify as gay, lesbian, bisexual or not exclusively heterosexual.

Provincially-set curriculum includes a focus on valuing diversity and respecting differences, and the topics of human rights and responses to discrimination. Teachers and schools have been given the opportunity to explore the B.C. Human Rights Code within those themes including, but not necessarily limited to, sexual orientation and gender identity. Topics related to gender and self-identity are included in the curriculum to broaden student knowledge and to help students understand and respect diversity.

SOGI 1 2 3 is a resource that has been made available to schools and teachers with ready to use, grade-level appropriate lesson plans, online learning modules, and customizable templates and tools that align with redesigned provincial curriculum.

The SOGI 1 2 3 resource was developed by the ARC Foundation in collaboration with the B.C. Ministry of Education, B.C. Teachers' Federation, The University of British Columbia's Faculty of Education, and Out in Schools.

SCHOOL DISTRICT No. 69 (QUALICUM)

ADMINISTRATIVE PROCEDURE 5103

PHYSICAL AND HEALTH EDUCATION CURRICULUM PROVISION FOR ALTERNATE DELIVERY OF INSTRUCTION

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The SOGI initiative is designed to support understanding and inclusion. To that end, SD69 – Qualicum supports its teachers in the teachers' efforts to:

- Use gender-free phrasing
- Use language that is inclusive of all families
- Use respectful language for talking about sexual orientation and gender identity
- Create safe and welcoming environments for all students, staff, parents, and community members where questions can be asked openly and people are accepted for who they are
- Make it easier for students to learn and talk about SOGI issues in age-appropriate ways
- Speak-up when less-than-inclusive comments are being made

This administrative procedure is to be reviewed annually with professional staff and parents.

References:

- *Physical and Health Education Curriculum K-9 (2016) BC Ministry of Education*
- *Ministerial Order M307/16: Sec. 2(e) Required Areas of Study in an Educational Program*

SCHOOL DISTRICT No. 69 (QUALICUM)

APPENDIX I

**REQUEST FOR ALTERNATE DELIVERY OF INSTRUCTION OF
PHYSICAL AND HEALTH EDUCATION CURRICULUM**

Student Name: _____

Grade: _____

Teacher: _____

- I am interested in seeking an alternate means of delivery for topics related to reproductive and sexual health identified in the Physical and Health Education (PHE) curriculum
- I have met with the classroom teacher to discuss alternate means of addressing these topics within the classroom setting and we were not able to identify a mutually agreed upon approach

Curriculum topics: _____

- I am requesting that I/we be given responsibility for providing learning activities related to these topics and to have my child demonstrate the required understandings.

Name(s) of Parent(s)/Guardian(s): _____

Signature(s) of Parent(s)/Guardian(s): _____

Date: _____

SCHOOL DISTRICT No. 69 (QUALICUM)

APPENDIX I

**REQUEST FOR ALTERNATE DELIVERY OF INSTRUCTION OF
PHYSICAL AND HEALTH EDUCATION CURRICULUM**

Plan for alternate delivery of PHE reproductive and sexual health learning outcomes:

Means of demonstrating student knowledge and understanding:

Plan Approval

Principal Name: _____

Principal Signature: _____

Date: _____

Plan Completion:

Please submit to the Principal the required verification of student knowledge and understanding as outlined in PHE curriculum for areas identified in this plan.

Assigning of Credit for PHE:

The student has demonstrated the required knowledge and understanding for the areas identified for an alternate means of delivery.

Principal Signature: _____

Date: _____

The Principal is to notify the classroom teacher of the successful completion of the plan or the failure to do so.

SCHOOL DISTRICT No. 69 (QUALICUM)

APPENDIX II

K-7 ALTERNATE DELIVERY OF INSTRUCTION OF PHYSICAL AND HEALTH EDUCATION CURRICULUM

Following are the topics related to reproductive and sexual health by grade level. Please identify any topic listed below that you would like to consider requesting an alternate means of delivery.

Kindergarten

Knowing about our bodies and making healthy choices helps us look after ourselves.

- Names for parts of the body, including male and female private parts
- Appropriate and inappropriate ways of being touched

Grade 1

- Names for parts of the body, including male and female private parts
- Appropriate and inappropriate ways of being touched

Grade 2

- Strategies and skills to use in potentially hazardous, unsafe or abusive situations
- Factors that influence self-identity – may include sexual orientation and gender identity

Grade 3

- Strategies and skills to use in potentially hazardous, unsafe or abusive situations
- Factors that influence self-identity – may include sexual orientation and gender identity

Grade 4

- Communicable and non-communicable illnesses
- Physical, emotional, and social changes that occur during puberty, including those involving sexuality and sexual identity.

Grade 5

- Practices to promote health and well-being, including those that prevent communicable and non-communicable illnesses
- Physical, emotional, and social changes that occur during puberty, including those involving sexuality and sexual identity.

Grade 6

- Practices that reduce the risk of contacting sexually transmitted infections and life-threatening communicable diseases
- Influences on individual identify, including sexual identify, gender, values and beliefs

Grade 7

- Practices that reduce the risk of contacting sexually transmitted infections and life-threatening communicable diseases
- Influences of physical, emotional, and social changes on identities and relationships

SCHOOL DISTRICT No. 69 (QUALICUM)

APPENDIX III

GRADES 8-10 ALTERNATE DELIVERY OF INSTRUCTION OF PHYSICAL AND HEALTH EDUCATION CURRICULUM

Following are the topics related to reproductive and sexual health by grade level. Please identify any topic listed below that you would like to consider requesting an alternate means of delivery.

Grade 8

- Healthy sexual decision-making
- Potential short-term and long-term consequences of health decisions, including those involving nutrition, protection from sexually transmitted infections, and sleep routines

Grade 9

- Healthy sexual decision-making
- Potential short-term and long-term consequences of health decisions, including those involving nutrition, protection from sexually transmitted infections, and sleep routines
- Strategies to protect themselves and others from potential abuse, exploitation, and harm in a variety of settings

Grade 10

- Healthy sexual decision-making
- Potential short-term and long-term consequences of health decisions, including those involving nutrition, protection from sexually transmitted infections, and sleep routines
- Strategies to protect themselves and others from potential abuse, exploitation, and harm in a variety of settings



EMPLOYEE HEALTH, WELLNESS, AND ATTENDANCE SUPPORT

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Context:

The Board of Education's primary role is to support and educate students and it depends on the contributions of employees to fulfill this role. This policy stems from the Board's sincere desire to help all employees achieve and feel their best in the workplace, and it links with the Board's strategic priority for social-emotional learning, which includes a commitment to health and well-being for all. Employee health, wellness and attendance has a direct impact on a positive working and learning environment, contributes to the optimum functioning of our organization, and creates the conditions for employees, students and families to succeed.

Policy Statement:

The Board is committed to ensuring that there are systems and processes in place to:

1. support workplace wellness, including psychological health and safety in the workplace;
2. give employees the relevant tools, resources, and services they need to be successful and engaged at work;
3. support optimal employee attendance; and,
4. support effective return to work / stay at work plans, including workplace accommodation as reasonably possible.

Guiding Principles:

The Board believes that:

1. supporting and promoting the health and wellness of employees is an integral component in developing compassionate learning communities;
2. developing positive and healthy relationships across the school community helps everyone feel connected, supported and valued;
3. an inclusive workplace that offers equal opportunities and is free from discrimination creates an environment of dignity and respect for human rights; and,
4. regular and consistent attendance ensures that employees can apply the valuable skills and knowledge for which they were hired. ~~and also ensures continuity for students.~~

References:

- [Ministry of Education Mental Health in Schools Strategy](#)
- Canada Human Rights Act, RSC 1985, C. H-6

Dates of Adoption/Amendments:

Adopted: 81.02.18:

Amended: 84.04.04: 87.10.18: 89.06.28: 91.04.23: 91.09.10: Board Review – October 2000: 01.04.03: 08.02.26: **17.10.24**



EMPLOYEE HEALTH, WELLNESS AND ATTENDANCE SUPPORT

PURPOSE

1. The purpose of this procedure is to:
 - a. set out how we support health and wellness, as well as psychological health and safety;
 - b. set out the process for managing short and long term medical absences, as well as the District's attendance support program and its accommodation program;
 - c. clarify roles and responsibilities;
 - d. provide a set of guidelines that the School District uses to work with employees to identify issues and provide support as needed;
 - e. ensure that the School District identifies and addresses any potential disability and/or accommodation obligations;

SCOPE

2. This procedure applies to all regular and casual employees of School District, including those who work off site or virtually.

RESPONSIBILITIES

Employees

3. Implicit to the employment relationship is the obligation for all employees to perform their work on a regular and dependable basis. Employees are expected to be punctual, present at their designated worksite, and actively engaged in work activities associated with their jobs during designated work hours.
4. Employees are responsible for:
 - a. attending work regularly and consistently according to their work schedule;
 - b. ~~taking reasonable measures to maintain good health and to seek assessment, treatment, or seeking support when needed to ensure they are healthy and able to attend work;~~
 - c. actively communicating needs for support and providing relevant information to the School District to facilitate an accommodation process;
 - d. attending personal issues and non-urgent medical treatments/appointments at dates and times that do not conflict with their work schedule wherever possible;
 - e. reporting all absences, even if a replacement is not required by logging their absence in Power School (or calling the Dispatch Clerk if a spare employee);
 - f. **to the extent possible,** maintaining contact with the District for the duration of their absence, keeping their supervisor and Human Resource informed of their recovery progress, the date of their anticipated return to work, and any issues that may impede on their ability to return to work;
 - g. logging their absences ~~each day~~ **for the duration of their absence**, unless they provide medical certificate confirming that their absence will be for a longer period of time.



Supervisors

5. Supervisors play an important role in supporting employee attendance at work. Through regular contact with their employees, supervisors are in the best position to respond to attendance problems as they arise. They also have a significant impact on establishing a working climate that favours regular attendance.
6. Supervisors are responsible for:
 - a. supporting employees in accordance with the attendance procedures;
 - b. consistently and regularly communicating the School District's expectations for employee attendance and the impact that absenteeism **can cause** (including ~~disrupted work schedules, increased costs and potential increased workload for fellow employees, disruption of student learning~~);
 - c. in conjunction with Human Resources, monitoring and reviewing employee attendance levels and ensuring the accuracy of attendance reports;
 - d. actively addressing conditions in the workplace that may contribute to absenteeism and try to develop solutions; and,
 - e. using pro-active and sensitive conversations to support employees who are identified as having higher than average absences or patterns of absences, **with union representation**;
 - f. ensuring that attendance issues are addressed confidentially with consistency, fairness and respect.
 - g. acknowledging an employee's achievements if they showing improved or exemplary attendance.

Human Resources

7. The Director of Human Resources or designate will be responsible for:
 - a. guiding and acting as a resource for employees and supervisors regarding wellness initiatives, accommodation and attendance support;
 - b. providing assurance that the workplace is safe and compliant with health and safety laws and policies;
 - c. information employees about the resources and programs available to them;
 - d. ensuring that employees are aware of the attendance procedures;
 - e. maintaining with contact employees during periods of absence;
 - f. requesting and handling medical information from employees in accordance with the BC Human Rights Code and the Freedom of Information and Privacy Protection Act;
 - g. supporting supervisors with their responsibilities and ensuring that the attendance support program is applied in consistent, fair and respectful ways that respond to the unique needs and circumstances of individual employees;
 - h. facilitating and leading formal wellness review meetings and participating in the development of employee action plans to address specific issues as they arise;



EMPLOYEE HEALTH, WELLNESS AND ATTENDANCE SUPPORT

- i. monitoring the effectiveness of the Attendance Procedures, including the Attendance Support Program, with reports to the Senior Leadership Team.

Trade Union

8. Unions are an important resources and support for employees, ~~and unions are encouraged to~~ **It is understood that unions** provide support to employees who are identified by the Attendance Support Program by:
 - a. ensuring employees are treated fairly, consistently, and with respect at all stages of the program;
 - b. providing advice and support to members; and,
 - c. collaborating with the Human Resources and the employee's Supervisor to seek support for employees when needed and/or on efforts to improve employees' health, wellness and attendance.

HEALTH AND WELLNESS PROGRAM

9. The purpose of this program is to ensure that employees have the resources, tools and support that they need to feel successful and engaged at work.
10. The program includes the following components:
 - a. health promotion and education;
 - b. an employee and family assistance program;
 - c. on-line self-assessment tools;
 - d. health and wellness steering group to guide the gathering of information to define the scope of the health and wellness program, as well as its monitoring the implementation and effectiveness of the program.

ATTENDANCE PROCEDURES

Short-term sick leave

11. If an employee is log their short term sick leave in Power School. Casual employees must notify the relevant Dispatch Clerk in accordance with the Dispatch Procedure where required.
12. If an employees is absent for 6 consecutive days or more, the Director of Human Resources or designate will contact the employee to make them aware of the requirement to provide a medical certificate for absences exceeding ~~11 consecutive working days (pro-~~



rated for part-time employees), **two (2) weeks** as well as the District's attendance support program.

Extended medical leave

13. If an employee knows that they will be absent from work for more than 6 consecutive work days as a result of injury or illness, they must provide the Director of Human Resources or designate with a completed medical certificate from their physician.
14. The medical certificate must be submitted to the Director of Human Resources or designate within a week of it being issued by the employee's physician. The School District does not require details of a medical diagnosis, only information about the nature of the employee's condition, whether a treatment has been prescribed, whether you'd be able to return to work with adjustments and adaptations and when the employee is anticipated to return to work.
15. Employees must continue to log their absences in Power School (and notify Dispatch where relevant) until they receive correspondence from the District confirming receipt of medical documentation.
16. Any subsequent correspondence from the employee beyond the submission of their initial medical certificate from their physician can be in the form of a letter or note, rather than the Board's medical certificate.
17. Medical leave requests with an unspecified return to work date will be granted for a maximum of 20 working days. Employees must request an extension to your medical leave, if necessary, at least 10 days prior to the completion of the 20 working day period.
18. If an employee is requesting full or part time medical leave in excess of 20 continuous working days, they may be requested to ~~meet~~ **discuss the matter** with the Director of Human Resources or designate to discuss their request.
19. The Director of Human Resources or designate will liaise with WorkSafe BC and other organizations involved with supporting the employee's recovery to determine an employee's readiness to return to work. Requests for additional medical information will be at the discretion of the Director of Human Resources.

Getting sick during approved vacation leave

20. Employees cannot use the self-certification process in respect of any vacation leave they wish to have reinstated due to sickness.



EMPLOYEE HEALTH, WELLNESS AND ATTENDANCE SUPPORT

- 21. If an employee is sick during a period of authorized vacation leave, they can apply to have your vacation days reinstated. In order to do this, the employee must provide a note from their physician within the first 5 days following their return to work. Pending approval of your request, vacation days will then be re-instated from the date of the doctor's note.

Costs associated with obtaining medical information

- 22. Employees will be responsible for any costs associated with having their physician complete provide medical documentation requested by the District.

WorkSafe BC Claims

- 23. If an employee is injured at work, they immediately report to a designated first aider for assessment at the worksite and complete an illness/injury report form.
- 24. If an employee misses time from work as a result of your injury, they must log their absence as sick time in Power School, seek medical treatment and provide medical documentation to the District to either confirm their absence and any requirements needed to support their return to work and/or recovery at work. Please refer to the District's Recover at Work Program below.
- 25. Employees will be required to follow the procedures for extended medical leave if their absence is for 6 or more consecutive working days.

MAINTAINING CONTACT

- 26. During an employee's absence, they will be expected to keep the Director of Human Resources or designate informed of any change in their condition that may shorten or prolong their absence or affect their anticipated return to work date.
- 27. The Director of Human Resources or designate will also contact an employee periodically in order to maintain contact during a period of absence. Employee may also be expected to attend periodic meetings with Human Resources and their supervisor if medically able to do so.
- 28. The Director of Human Resources or designated will an employee if they've been asked to provide medical information by a specific date and the medical information has not been received in Human Resources by that date.
- 29. The Director of Human Resources or designate may request an employee to submit updated medical information from their physician to confirm that their medical condition is unchanged and they are not able to resume work. **This would normally be on an annual basis unless the medical condition has changed.**



RETURNING TO WORK

Recover at Work/Stay at Work Program

30. The School District is committed to providing assistance and support to employees if they have sustained a workplace injury/illness and temporarily may not be able to carry out their normal work duties.
31. Depending on the nature of their injury or illness, a supervisor may request that employee visits their doctor to obtain medical information about their ability to work, as well as their restrictions and limitations. The information gathered will help Human Resources assess the job duties that an employee is able to perform, so that return to work/recovery at work plan can be developed.
32. Alternatively, if Human Resources already has sufficient information about an employee's injury, they may automatically offer a return to work plan to an employee. In this case, the employee will be asked to review and discuss the plan with their physician and confirm in writing whether they are able to return to work in accordance with the proposed plan.
33. The goal of the return to work plan is to ensure that the employee is engaged in meaningful and productive work while recovering. The Director of Human Resources or designate will work with the employee, their supervisor and their union to gather feedback and ensure that the plan is customized to minimize the risk of re-injury by providing a reasonable accommodation that is specific to an employee's capabilities.
34. The return to work / recover at work plan may involve modified or transitional duties or a gradual return-to-work progression for a fixed period of time which allows for an employee to return to their worksite for partial days, leading up to full time hours and full duties. The duration of the plan will not generally exceed 4 weeks, unless specifically recommended by WorkSafe BC. The plan will also set out specific work activities that an employee is able to undertake, as well as those that the employee must limit or avoid.

Notification of returning to work

35. Where an employee has for a short term absence and their injury or illness impairs their ability to do their job safely, they must provide Human Resources with a medical clearance certificate from their physician confirming that they are fit to resume work.
36. If an employee is on extended medical leave, they are required to submit a medical clearance certificate to confirm their ability to return to work not less than 10 days prior to their intended date of return.



37. If an employee is returning to work and requires temporary or permanent accommodations, please contact the Director of Human Resources or designate for information on how to request an accommodation. Requests for accommodation may time longer than 10 days to process.

Return to work meetings

38. When an employee's physician has identified medical needs requiring accommodation in order to support their return to work, the Director of Human Resources or designate will invite the employee to attend a return to work meeting with a Trade Union Representative, and in some cases, their supervisor.
39. The purpose of the meeting is to support the employee in making a smooth transition back to work. Areas of discussion will include the following:
- the employee's work schedule if the physician or WorkSafe has recommended a gradual return to work plan;
 - the work activities that the employee will be undertaking, as well as tasks that the employee must limit or avoid;
 - any additional equipment recommended by a physician or ergonomist;
 - any risks associated with the employee's work activities that may need to be managed.
40. Until the employee has resumed your full duties and hours, they will be contacted periodically by their Supervisor and/or the Director of Human Resources or designate in order to determine whether the return to work arrangements are effective and progressing well or if any changes need to be made.

ATTENDANCE SUPPORT PROGRAM

Program overview

41. The employment relationship includes a commitment to regularly attend work. However, while regular attendance is essential, there are times when health and other issues can prevent an employee from attending work consistently. These situations can include injury, illness or unexpected circumstances.
42. This is a program designed to support employees, through no fault of their own, are unable to consistently attend work and are therefore having difficulties fulfilling their employment responsibilities. These are non-culpable absences. (See appendix 1 for definitions of types of absences).



EMPLOYEE HEALTH, WELLNESS AND ATTENDANCE SUPPORT

43. The ultimate goal of this program is to help employees resolve their challenges and feel cared about and supported through open dialogue between employees and their supervisors.
44. These conversations are not intended to influence employees to attend work when they are not able to do so because of an illness or disability and are not punitive or disciplinary. These meetings are necessary for understanding an employee's reasons for absences (if unknown) and what they need to improve their attendance at work.
45. The program is not designed to address culpable absences (those absences that occur without a valid or acceptable reason). It also will not include consideration of:
 - a. approved long-term disability leaves;
 - b. approved Workers' Compensation leaves;
 - c. approved vacation or other leaves not related to illness, including care of immediate family, bereavement leave, compassionate care leave, maternity leave).
46. If an employee's absence is already being managed or addressed through the return to work/accommodation program, including WorkSafe BC, Desjardins Joint Early Intervention Program or long term disability providers, they will not be invited to participate in the attendance support program.
47. If an employee refuses to attend an informal and/or formal meetings, they will receive a letter from the Director of Human Resources or designate confirming that they chose to forego the opportunity to have a dialogue and share information. If they are unable to attend a meeting for medical reasons, they will be asked to provide information from their physician to indicate that they are unfit to participate.

Phase 1 – Identifying employees who may require support

48. The Attendance Support Program uses attendance data to objectively and consistently identify potential attendance issues across all workplaces and for all employee groups.
49. Human Resources will conduct monthly reviews of attendance data to identify employees with a pattern or frequency of absences that may indicate that an employee could benefit from a wellness conversation.
50. Human Resources will make reasonable adjustments when reviewing and reporting attendance data to record recognized disability-related absences separately from other non-culpable absences. These reasonable adjustments will be documented to ensure that they are being applied consistently. Once an employee meets the threshold relevant



to their role, the Director of Human Resources or designate will notify an employee's supervisor and recommend that they initiate phase 2 of the attendance support program.

Phase 2 – informal wellness reviews

51. If Human Resources identifies that an employee would benefit from support, the supervisor will invite the employee to attend an initial Wellness Review Meeting. This is an informal opportunity for the supervisor to respectfully speak to an employee about their attendance, express their genuine concern for the employee's wellness and to explore strategies to assist them in improving their attendance at work. The supervisor will complete a record of the informal wellness review meeting. This record will be retained in the employee's confidential medical file. **This will not be used for the purposes of discipline.**
52. The employee's supervisor will invite them to attend a follow up meeting 8 to 12 weeks after the initial meeting in order to have a supportive discussion about whether their attendance has improved.
53. If the employee's attendance has improved, there will be no need for further action. If an employee continue to struggle with attendance, their supervisor will contact Human Resources. Human Resources will then decide whether to refer to the Formal Wellness Support Sessions, facilitated by the Health and Wellness Coordinator.
54. After the first or second informal wellness review meeting, the supervisor may need to consult the Director of Human Resources or designate to discuss considerations such as the need for:
 - a. an accommodation (for instance, on the grounds of medical or family needs);
 - b. external resources; or,
 - c. recommending that the employee participates in a Formal Wellness Support process
55. If the cause of an employee's absence or absences is related to a disability or family responsibility need, they can request accommodation in accordance with the District's accommodation program.

Phase 3 – formal attendance support

If an employee's attendance has not improved after the informal wellness review meetings, they will be invited to attend a series of formal attendance support sessions, facilitated by the Director of Human Resources or designate.



EMPLOYEE HEALTH, WELLNESS AND ATTENDANCE SUPPORT

56. This phase of the program is a more structured process to help the employee improve their attendance so they can meet the required expectations that are part of the employment relationship.
57. This structure approach ensures that:
 - a. all employees are treated in a fair and consistent manner;
 - b. the appropriate effort is made to support the employee in fulfilling their obligations to the School District;
 - c. the School District identifies and addresses any potential disability and/or accommodation obligations.
58. Employees will be encouraged to have a Union Representative accompany them for these meetings.
59. The formal attendance support meetings will consist of up to four meetings at 8 to 12 week intervals. At each meeting, the Director of Human Resources or designate will ensure support is available to employee and, where appropriate, encourage them to seek medical assistance and/or advice through the external supports available to them.
60. Employees will also be made aware of the expectations related to their attendance. Specifically, if they are expected to:
 - a. address attendance issues;
 - b. advise if there are reasons or issues that the School District should consider regarding your absenteeism, and;
 - c. understand that, in the absence of an identified disability that may be subject to an accommodation, attendance improvement is required.
61. If, over the course of the formal attendance support meetings, an employee demonstrates that they are able to attend work more regularly, Human Resources may decide that the employee does not need to complete all four meetings. In this case, the employee will be discharged from the Attendance Support Program and commended for their improvement.
62. In cases where improvement has not been made, the Director of Human Resources or designate will determine if an employee's participation in the Attendance Support Program should end or whether there are other resources or programs more suitable.

DISABILITY MANAGEMENT AND ACCOMMODATION

63. The duty to accommodate means that sometimes it is necessary to treat someone differently in order to prevent discrimination. The District has an obligations to ensure that employees who are otherwise able to work are not discriminated against by being



EMPLOYEE HEALTH, WELLNESS AND ATTENDANCE SUPPORT

excluded from doing so when working conditions can be adjusted without causing undue hardship to the School District.

64. The BC Human Rights Tribunal identifies a disability for the purposes of accommodation as a disability of a physical or mental condition that is permanent, ongoing, and episodic or of some persistence and; a substantial or significant limit on that person's ability to carry out some of life's important functions or activities such as employment.
65. An employee may request accommodation by submitting medical documentation to the Director of Human Resources or designate. Alternatively, accommodation needs may be identified through supervisor and employee collaboration in response to concerns raised by the supervisor.
66. The Director of Human Resources or designate will review the information and will either confirm the accommodation being requested or arrange for a meeting to review options for accommodation with the employee and their union representative.
67. In some circumstances, further medical information may be requested to help clarify and confirm the employee's medical needs. Once there is an understanding of how the employee's medical restrictions impact his or her functional abilities, the District can determine if a reasonable accommodation is available. The Director of Human Resources or designate will make an accommodation offer to the employee and will clearly communicate the reasons for the decision.
68. Once accommodation arrangements are agreed and implemented, the Director of Human Resources or designate will periodically review these arrangements with the employee and the employee's trade union representative, including requests for updated medical information, to confirm that accommodation arrangements continue to be necessary and effective.

RETENTION AND DISCLOSURE OF MEDICAL INFORMATION

69. Medical information is requested by Human Resources for the purpose of planning resources, administering benefits, and determining the District's duty to accommodate. This information is retained by the Human Resources Department in a confidential medical file, separate from personnel and payroll files. Access to confidential medical information will be strictly limited and held in locked storage.
70. Personal medical information managed in accordance with the District's Information Management and Access Policy and Administrative Procedure.
71. Medical information pertaining to work-related injuries and absences will be shared with School District 23, as the District's authorized agent, for the purposes of administering



WorkSafe BC injury claims.

EXTERNAL SUPPORT

Joint Early Intervention Service

72. CUPE members who are ill or injured and absent from work will receive confidential support from the Joint Early Intervention Service (JEIS). Provided by Desjardins Insurance, this service compliments the long term disability plan by providing proactive and timely support in order to facilitate your return to work in a caring and safe manner. When an employee's absence exceeds six consecutive days, they will automatically be referred to this service.

BCTF Health and Wellness Program

73. This is a voluntary service for teachers who are unable to maintain, or return to, their teaching positions due to medical illness or disability. If an employee contributes to the Salary Indemnity Plan, they are entitled to request a referral to the Program. The Health and Wellness Program contracts professional rehabilitation consultants who, in consultation with your health care provider, will coordinate services that will help you to improve your health and functional abilities in order to support your return to work.

References:

- [Ministry of Education Mental Health in Schools Strategy](#)
- Canada Human Rights Act, RSC 1985, C. H-6

Dates of Adoption/Amendments:

Adopted: 81.02.18:

Amended: 84.04.04: 87.10.18: 89.06.28: 91.04.23: 91.09.10: Board Review – October 2000: 01.04.03: 08.02.26: **17.10.24**



Appendix 1 – Definitions

Absence	An employee will be deemed absent if they have been scheduled to work and are not present at work. Approved leaves and vacation are not included in this definition for the purpose of this policy and administrative procedure.
Culpable Absence	Failure to be present at work as a result of factors within the employee’s control, e.g. failure to notify, absence without leave, abuse of leave (i.e. invalid use of sick leave) and chronic tardiness or leaving early without notification or excuse.
Non-Culpable Absence	Failure to be present at work due to factors over which the employee has little or no control, including but not limited to: <ul style="list-style-type: none"> • physical or mental illness, injury or mental conditions including those constituting disability for which accommodation is required under the BC Human Rights Code; • family responsibilities including those for which accommodation is required under the BC Human Rights Code; • Unpaid leaves to which employees are entitled to under BC Employment Standards Act, including maternity leave, sick leave, parental leave, bereavement leave, compassionate and family care leave, and any other leaves to which employees are entitled under the terms of their collective agreement or individual employment contract.
Accommodation	Taking steps to adjust rules, policies, practices or situations that have a negative impact on an individual or groups, protected under the Canada Human Rights Act.
Inclusive Workplace	Is a workplace where all employees have the opportunity to contribute and participate in the workplace in a barrier free environment.
Undue Hardship	Occurs when accommodation adjustments to the workplace would be prohibitively expensive, or create undue risks to health and safety. Each situation will be viewed as unique and assessed individually. A claim of undue hardship must be supported with facts and an analysis of options.
Modified Duties	Changes to assigned work tasks, methods, equipment, work station, or schedule.



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Alternate Duties	A different job in the same work area or another work site.
Restrictions	Tasks that an employee is not capable of performing due to predictable risk of medical harm.
Limitations	Describes the level of ability and the activity that a person is able to tolerate.

DRAFT



EMPLOYEE CONFLICT OF INTEREST

Context:

All personnel (including volunteers, contractors and others) must model highly ethical and thoughtful behaviour for our students. Public education relies on public trust and confidence. Understanding and responding to any perceived or actual conflicts of interest is part of this important standard and maintenance of public trust.

Policy Statement:

The Board demands the highest standard of conduct from its employees and other personnel. Public education requires that all personnel understand the fundamental importance of developing and maintaining the public's trust and confidence in the District. Public trust and confidence are maintained when students, parents and public witness thoughtful and ethical behaviour in conflict of interest situations.

Guidelines:

The Board believes:

1. All personnel must, conduct themselves honestly, with personal integrity.
2. Highly ethical and thoughtful behaviour are conditions of employment and employees must exhibit these behaviours within all daily activities.
3. Personnel will understand and identify both perceived and actual conflicts of interest.
4. Personnel will respond appropriately when witnessing or participating in a perceived or actual conflict of interest situation.

Definitions:

Conflict of Interest – When an individual in a decision-making position is presented with a situation where they can personally benefit (directly or through a personal relationship) from the decision.

Perceived Conflict of Interest – When an individual in a decision-making position could be seen to be biased or personally benefiting from the decision.

References:

- Administrative Procedure to Board Policy 601: Employee Conflict of Interest

Dates of Adoption/Amendments:

Adopted: 1984.10.03

Amended: 1986.08.27: 1990.03.28: 1991.09.10: 2005.03.29: **2018.01.23**



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Understanding Conflict of Interest

The issue of conflict of interest is a delicate one that must be handled with the utmost care and consideration for employees while still adhering to an unwavering commitment to high standards of employee conduct including but not limited to the following:

District employees have a duty of loyalty to the District as the employee's employer. This duty requires employees to provide services to the best of the employee's ability regardless of the employee's own personal perspectives of Board direction or policy.

The honesty and integrity of District employees must be above reproach and coupled with impartiality in the conduct of the employee's duties to ensure that the employee's actions are above public suspicion.

The actions and conduct of employees must be such as to instill within the public a sense of trust and confidence in the District.

It is essential that employees recognize their responsibility to ensure that confidential information received as a result of employment with the District remains confidential, and not be divulged to anyone other than individuals authorized to receive such information. This includes confidential information received verbally or in written or electronic form. Disclosure of confidential information may put employees in a position of conflict of interest, and great care must be taken when communicating with individuals both inside and outside of the District.

A conflict of interest may also occur when an employee's private affairs or financial interests are in conflict, or could result in a perception of conflict, with the employee's duties or responsibilities in such a way that:

- the employee's ability to act in the public interest could be impaired.
- the employee's actions or conduct could undermine or compromise the public's confidence in the employee's ability to discharge work responsibilities.
- the trust that the public places in the public service is undermined.

Expectations for Employees

Employees are expected to request a determination of the Superintendent before engaging in any activity which might reasonably give rise to questions about a possible conflict of interest.

The Superintendent is expected to request a determination of the Board before engaging in any activity that might reasonably give rise to questions about a possible conflict of interest.

A breach of the conflict of interest policy is considered to be a serious breach of an employee's obligations and as a result, may result in discipline up to and including dismissal.

While the Board recognizes the right of public service employees to be involved in activities as citizens of the community, conflict must not exist between employees' private interests and the discharge of the employee's job-related duties.

Employees are to disqualify themselves as participants in personnel decisions when the employee's objectivity would be compromised for any reason, benefit or perceived benefit which



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could accrue to them. For example, employees are not to participate in staffing actions involving direct relatives or persons living in the same household.

Upon accepting a position in the District, employees must arrange their private affairs in a manner that will prevent conflicts of interest, or the perception of conflicts of interest, from arising.

Representative Examples of Conflict of Interest

Examples of conflicts of interest include, but are not limited to, the following:

- An employee uses District property or the employee's position to pursue personal interests.
- An employee is under obligation to a person who might benefit from or seek to gain special consideration or favour.
- An employee, in the performance of duties, gives preferential treatment to an individual, corporation or organization, including a non-profit organization, in which the employee, a relative or friend of the employee has an interest, financial or otherwise.
- An employee benefits from, or is reasonably perceived by the public to have benefited from, the use of information acquired solely by reason of the employee's employment.
- An employee benefits from, or is reasonably perceived by the public to have benefited from, a government transaction over which the employee can influence decisions (for example, investments, sales, purchases, borrowing, grants, contracts, regulatory or discretionary approvals or appointments)
- An employee requests or accepts from an individual, corporation or organization, directly or indirectly, a personal gift or benefit that arises out of the employee's employment in the District other than the exchange of normal hospitality between persons doing business together or gifts to persons participating in public functions.

Employees are in a conflict of interest when dealing with direct relatives or individuals who permanently reside with them when the following working relationships exist:

- A reporting relationship exists where one employee has influence, input or decision-making power over the other employee's performance evaluation, salary, premiums, special permissions, conditions of work and similar matters.
- The working relationship affords an opportunity for collusion between the two employees that would have a detrimental effect on the employer's interest.

The above restriction on working relationships may be waived provided that the Superintendent or Secretary-Treasurer is satisfied that sufficient safeguards are in place to ensure that the employer's interests are not compromised.

Employees may engage in remunerative employment with another employer, carry on a business, receive remuneration from public funds for activities outside the employee's position, or engage in volunteer activities without there being a conflict of interest, provided it does not:

- Interfere with the performance of the employee's duties as an employee of the District.
- Bring the District into disrepute.
- Represent a conflict of interest or create the reasonable perception of a conflict of interest.
- Appear to be an official act or to represent District direction or policy.



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- Involve the unauthorized use of work time or District premises, services, equipment or supplies to which they have access by virtue of the employee's employment with the District.
- Gain an advantage or appear to gain an advantage that is derived from the employee's employment with the District.

Duty to Report

Employees shall promptly report any fact or circumstances of which they become aware that might give rise to a real or perceived conflict of interest. Reports shall be made in writing to the employee's Principal or Supervisor.

An employee who alleges conflict of interest on the part of another employee, may report this to the employee's Principal or Supervisor, in writing. If the employee whose actions are being questioned is the direct Supervisor, the matter may be reported to the Superintendent of Schools or Secretary-Treasurer.

A Principal or Supervisor who receives a written report of an alleged conflict of interest will seek guidance from the Superintendent or Secretary-Treasurer.

References:

- *Board Policy 601: Employee Conflict of Interest*

Dates of Adoption/Amendments:

Adopted: 2018.01.23

Amended:



WORKPLACE BULLYING AND HARASSMENT

Context:

The Board of Education of School District 69 (Qualicum) recognizes the right of employees and students to work and learn in an environment free from bullying and harassment (including sexual harassment). **The District has an obligation to prevent and address workplace bullying and harassment. This obligation is reinforced by legislation and contractual language and forms the basis of all relationships in our district.**

Policy Statement:

The Board of Education of School District 69 (Qualicum) considers bullying and harassment in any form to be totally unacceptable and will not tolerate its occurrence. **The Board is committed to:**

1. Ensuring that all individuals will be treated in a fair and respectful manner;
2. Encouraging full acceptance and valuing diversity.
3. Treating any claim of bullying or harassment as serious and taking immediate action.

Guiding Principles:

1. **The Board believes that in diversity there is strength.**
2. **The Board recognizes the rich diversity of our social fabric and the benefits which diversity brings to all members of our community.**
3. **Every individual has the inherent right to be treated with dignity and respect.**
4. **All individuals must be treated with dignity and respect,**
5. **All personnel must be effectively trained to understand, identify, and take appropriate action when bullying or harassment is reported. Reviews of training will be repeated annually.**
6. **Bullying/harassment may occur in any interpersonal, written or electronic communications.**

Definitions:

1. **Bullying and harassment may include any inappropriate conduct or comment by a person towards a worker that causes the worker to be humiliated or intimidated, including but not limited to:**
 - a. **verbal aggression or insults;**
 - b. **calling someone derogatory names;**
 - c. **vandalizing personal belongings;**
 - d. **making aggressive or threatening gestures;**
 - e. **spreading malicious gossip or rumours; and,**
 - f. **any comment, look, suggestion, physical contact, or real or implied action of a sexual nature which creates an uncomfortable working environment for the individual.**



2. Bullying and harassment excludes any reasonable action taken by an employer or supervisor relating to the management and direction of workers or the place of employment.

References:

- Administrative Procedures to Board Policy 604: Workplace Bullying and Harassment
- Board Policy 606: Respectful Workplaces
- Board Policy 7000: Safe, Caring and Inclusive School Communities
- MATA Collective Agreement Article
- CUPE Local 3570 Collective Agreement Article
- [WorkSafeBC, Towards a Respectful Workplace: A Handbook on Preventing and Addressing Workplace Bullying and Harassment](#)
- [Occupational Health and Safety Regulation](#) (Sections 115 to 117)
- [Workers' Compensation Act](#) (Action 150)

Dates of Adoption/Amendments:

Adopted: 1985.07.11:

Amended: 1991.06.11: 1991.09.10: 2000.12.19: 2008.03.11: 2015.11.24: **2017.06.27**



Statement of Commitment

The inherent right of all individuals to be treated with dignity and respect is central to the beliefs of School District No. 69 (Qualicum). School District No. 69 (Qualicum) recognizes the right of all employees to work, to conduct business and otherwise associate free from bullying and harassment (including sexual harassment). The District has an obligation under WorkSafeBC's Occupational Health and Safety (OHS) policies under Sections 115, 116, and 117 of the *Workers Compensation Act*, to prevent and address workplace bullying and harassment (including sexual harassment).

In making this commitment, the District recognizes the rich diversity of our social fabric and the benefits which diversity brings to all members of our community. The District is committed to encouraging the tolerance of and valuing of differences. The District considers bullying and harassment in any form (including sexual harassment) to be totally unacceptable and will not tolerate its occurrence.

Who Is Covered

All persons working for the District or carrying out District business on a temporary, part time or full time basis are covered by these procedures. (A 'person' could be a workplace party such as a supervisor, or co-worker).

Should a harassment incident involve a non-workplace party or student that an employee comes into contact with at the workplace, the Superintendent of Schools or designate, will determine the procedures to follow and the parties will be so notified.

Purpose

To ensure that all persons covered by these procedures are aware of their duties regarding bullying and harassment (including sexual harassment) in the workplace, and to provide clear and precise procedures for the reporting and resolution of incidents and complaints.

Board Policy Linkages

Policy 604 Workplace Bullying and Harassment (Including Sexual Harassment)

Policy 700 Safe, Caring and Inclusive School Communities and its Attendant Administrative Procedure

Responsibilities

It is the District's expectation that all persons covered by these procedures, will comply with the District's policies and procedures, and are required to:

- a. refrain from engaging in bullying and harassment (including sexual harassment) of other employees, supervisors, the employer or persons acting on behalf of the employer
- b. report occurrences of bullying and harassment (including sexual harassment) observed or experienced in the workplace
- c. apply and comply with the District's policies and procedures on bullying and harassment (including sexual harassment)
1. participate in training sessions and/or annual reviews (MATA Members also refer to Collective Agreement Article E.2.6.)



WorkSafeBC OHS Definition of Workplace Bullying and Harassment (Including Sexual Harassment)

Bullying and harassment (including sexual harassment) includes any inappropriate conduct or comment by a person towards a worker that the person knew or reasonably ought to have known would cause the worker to be humiliated or intimidated, but excludes any reasonable action taken by an employer or supervisor relating to the management and direction of workers or the place of employment.

MATA Members also refer to Collective Agreement Article E.2.2.

Bullying and Harassment (Including Sexual Harassment) may include, but is not limited to:

- a. Verbal aggression or insults; calling someone derogatory names
- b. Vandalizing personal belongings
- c. Sabotaging someone's work
- d. Spreading malicious gossip or rumours
- e. Engaging in harmful or offensive initiation practices or hazing
- f. Physical or verbal threats (this could also constitute "violence" or "improper activity or behaviour" under the Regulation)
- g. Making personal attacks, based on someone's private life and/or personal traits
- h. Making aggressive or threatening gestures
- i. Any comment, look, suggestion, physical contact, or real or implied action of a sexual nature which creates an uncomfortable working environment for the recipient
- j. Any circulation or display of visual material of a sexual nature that has the effect of creating an uncomfortable working environment
- k. An implied promise of reward for complying with a request of a sexual nature
- l. Misuse of power or authority as intimidation, threats, coercion and blackmail
- m. Reprisal or a threat of reprisal made by a person in authority after a sexual advance is rejected
- n. Cyber-bullying – the sending of derogatory or threatening messages to either the Complainant or others about the Complainant through email, text messaging, social networking, and websites or sharing personal and confidential messages or images

Repetition is not always a necessary element in harassment; however, the more innocuous the behaviour, the less likely a reasonable person would consider the behaviour harassment if it only happened a few times. Serious allegations, however, even if the action only occurred once, can be considered harassment.



Bullying and Harassment (Including Sexual Harassment) is not:

- a. Expressing differences of opinion
- b. Offering constructive feedback, guidance, or advice about work-related behaviour and performance
- c. Making a legitimate complaint about someone's conduct through established procedures

Workplace Defined

For the purpose of these procedures, the workplace includes locations where activities related to the business of the District take place. These include:

- a. Activities within offices, staff rooms, classrooms, lunch rooms and other District property
- b. Events associated with and including extra-curricular activities
- c. Situations outside of District operated premises e.g., field trips, work-related conferences, training sessions, travel, community events or social gatherings
- d. Activities in other locations where workplace bullying and harassment (including sexual harassment) may have a subsequent impact on the work relationship, performance or environment

Human Rights Code/Criminal Code/Grievance Procedure Reference

Filing a complaint under these procedures is not intended to preclude rights under the Collective Agreement, BC Human Rights Code, Criminal Code of Canada or other avenues of redress open under the law.

The complaint and investigation procedures should not be invoked or pursued at the same time as a parallel complaint before the BC Human Rights Tribunal or if a grievance remains outstanding. While such proceedings are taking place, the procedures outlined here will be suspended and may be superseded, where appropriate.

Reporting Time Frame

Any complaint must be filed within a reasonable time following the occurrence of the triggering incident. The Board adopts a six (6) month time frame and may, in its discretion, decide not to deal with the complaint when the facts upon which the complaint is based occurred more than six (6) months before the complaint was filed.

However, where a reasonable circumstance exists for failing to bring the complaint forward within six (6) months and the delay would not result in any prejudice to the Respondent, a complaint may be accepted beyond the six (6) month limit.

Complaint Withdrawal

The Complainant may choose to withdraw the complaint at any stage. However, the District may be obliged under these procedures, to continue the inquiry into the complaint and to take whatever remedial action it deems appropriate, or refer the matter to another process or procedure.



Responsibilities for Reporting Bullying and Harassment (Including Sexual Harassment)

All persons covered under these procedures have the responsibility for and are expected to promote a working and learning environment that is free from bullying and harassment (including sexual harassment), and to assist anyone who believes that they are being or may have been bullied or harassed. Anyone who believes that a colleague or another person covered under these procedures is being or may have been bullied or harassed, is encouraged to notify their Supervisor, Director of Human Resources or Superintendent of Schools or designate, or their Union Representative.

The Complainant has the right to decide how to respond to bullying or harassment (including sexual harassment) including informal, verbal or written communication with the Respondent, or through the filing of a complaint under these procedures. The Complainant may wish to seek guidance or counselling from ~~his or her~~ their Supervisor, Director of Human Resources, Superintendent of Schools or designate or Union Representative to discuss the situation and how it might be resolved. Since advice only is being sought at this stage, names need not be disclosed.

Employment Consequence of Engaging in Harassment (Including Sexual Harassment)

Employees who engage, directly or indirectly, in bullying or harassment (including sexual harassment) may be disciplined up to and including dismissal.

Confidentiality

All records of the complaint filed at Step 2, including contents of meetings, interviews, results of inquiries and other relevant material will be kept confidential, except where disclosure is required by a disciplinary or other remedial process or required by operation of law or as a consequence of contemplated or actual litigation. Records will be stored in a secure file in the Human Resources Department.

The Complainant and the Respondent and any witnesses interviewed in an investigation are to maintain strict confidentiality about the complaint.

Counselling

The District's Employee Family Assistance Program (E.F.A.P.) is available to all employees and the employee's immediate families and offers counselling and resource assistance on a voluntary and confidential basis.

No Reprisals

For the purposes of these procedures, "reprisal" against an individual will be treated as harassment (including sexual harassment) when such actions occur for:

- a. invoking these procedures (whether on behalf of oneself or another individual);
- b. participating or co-operating in any inquiry under these procedures; or,
- c. associating with a person who has invoked these procedures or participated in these procedures.



BULLYING OR HARASSMENT (INCLUDING SEXUAL HARASSMENT) COMPLAINT PROCEDURE STEPS:

These procedures contain three (3) steps, which are outlined below. In most instances, the complaint will be advanced through the Steps outlined below. It is noted that some exceptions to this may apply, and Step 1 may be bypassed and the complaint initiated at Step 2.

All parties involved in a complaint agree to deal with the complaint expeditiously; however, timelines set out in this procedure may be subject to variation by a Representative of the District, after consultation with the parties and the party's Union Representative, if applicable.

MATA Members also refer to Collective Agreement Article E.2.3.

Step 1 - Speak Up

- a. The Complainant (person who considers that ~~he/she has~~ **they have** been subjected to bullying or harassment [including sexual harassment]) is advised to record the details surrounding the incident(s) including times, dates, places, people involved, names of witnesses, if any, what was said or done, and circumstances surrounding the incident(s).
- b. The Complainant is encouraged to bring the matter to the attention of the Respondent (person responsible for the comment or conduct) calmly, but firmly, making a direct and clear objection indicating that the comment or conduct is not acceptable, is unwelcome, will not be tolerated and must stop. This is often an effective way to resolve the issue and end the bullying or harassment (including sexual harassment). The Complainant may choose to do this alone or accompanied by a representative of the complainant's choice (i.e. Supervisor, Director of Human Resources, Superintendent of Schools or designate or Union representative). It is important the Complainant document any communication ~~he or she has~~ **they have** with the Respondent. It is also important that the Respondent document any communication regarding a bullying or harassment (including sexual harassment) complaint.
- c. Before proceeding to Step 2, the Complainant may choose to either correspond with or approach ~~his/her~~ **their** Supervisor, Director of Human Resources, Union Representative, or Superintendent of Schools or designate to report ~~his/her~~ **their** complaint and to discuss potential means of resolving the complaint and to request assistance in resolving the matter. A resolution may be attempted using the Informal Resolution Outcomes outlined below. If the matter is resolved to the Complainant's satisfaction, the matter is deemed to be resolved.



Informal Resolution Outcomes

- a. All discussions shall be solely an attempt to mediate the complaint;
- b. Any and all discussions shall be completely off the record and will not form part of any record;
- c. Only the Complainant, Respondent, and Supervisor (Principal in the case where the Complainant and Respondent are both BCTF members) shall be present at such meetings;
- d. No discipline of any kind would be imposed on the Respondent; and
- e. Where the Complainant and Respondent are both BCTF members, the BCTF and its locals, based on the foregoing, will not invoke the notice of investigation and other discipline provisions of the collective agreement at meetings.

Should a resolution be reached between the Complainant and Respondent at Step 1 under the Informal Resolution Outcomes, it shall be written up and signed by both parties. Only the Complainant and the Respondent shall have copies of the resolution and they shall be used only for the purpose of establishing that a resolution was reached. No other copies of the resolution shall be made.

In the circumstances where a Respondent has acknowledged responsibility, the Supervisor may advise a Respondent of the expectations of behaviour in a neutral, circumspect memo. Such memo will be non-disciplinary in nature and shall not form part of any record. Only the Respondent shall retain a copy of the memo. That the memo was sent can be referred to as proof that the Respondent had been advised about the standard of conduct.

Step 2

The Complainant may find it necessary to deal with the complaint at Step 2:

- i. if the Complainant does not feel comfortable talking to the Respondent;
 - ii. if the Complainant is not satisfied with the result of the initial contact with the Respondent;
or
 - iii. if the bullying or harassment (including sexual harassment) continues.
- a. To initiate the Step 2 process, the Complainant is required to complete the **Workplace Bullying or Harassment (Including Sexual Harassment) Complaint Form** attached to these procedures which details the particulars of the allegations, and submit it along with any other supporting documentation, to the Superintendent of Schools or designate. The complaint should include specific incident(s) which form the basis of the complaint and the definitions of bullying or harassment (including sexual harassment) which may apply; however, the form of the complaint will in no way restrict a mediation or investigation or its conclusions.
 - b. The Superintendent of Schools or designate will review the particulars of the complaint (further particulars may be requested from the Complainant). Upon the conclusion of such a review, the Superintendent of Schools or designate shall:
 - i. initiate an investigation of the complaint and appoint an investigator; or



- ii. recommend mediation or other alternative disputes resolution processes to resolve the complaint.

Should the complainant not agree with the process recommended by the Employer, an investigation will be initiated.

- c. The Respondent cited in a complaint shall be provided with notice of the mediation or investigation, in writing and shall be provided with a copy of the **Workplace Bullying or Harassment (Including Sexual Harassment) Complaint Form** filed by the Complainant within three (3) working days of the submission. The Superintendent of Schools or designate is responsible for ensuring that the Respondent receives a copy of the written complaint.
- d. The Superintendent of Schools or designate will inform both the Complainant and the Respondent in writing, with a copy to the Union (if applicable), of the following:
 - i. that they have the right to representation during any discussions or meetings held during the process, and,
 - ii. notice of mediation or investigation.
- e. In the event the Superintendent of Schools is involved either as the Complainant or Respondent, the complaint shall, at the Complainant's discretion, be immediately referred to either BCPSEA or a third party who shall have been named by prior agreement of the District and the Union, who shall proceed to investigate the complaint in accordance with Step 3 of these procedures and report to the Board.

Step 3 – Investigation Process:

- a. A representative of the District will investigate the complaint of bullying or harassment (including sexual harassment)*.
**The Superintendent of Schools may appoint an independent investigator.*
- b. The investigator will collect evidence by interviewing the Complainant and Respondent (separately), interviewing any witnesses, and otherwise investigating all aspects of the matter which are relevant in determining whether the allegations of bullying or harassment (including sexual harassment) are substantiated.
- c. The investigation shall be conducted by a person who shall have training and/or experience in investigating complaints of bullying and harassment (including sexual harassment). The Complainant may request that the investigator shall be of the same gender as the Complainant and where practicable the request will not be denied.
- d. The Investigator must keep confidential and comprehensive notes of all meetings.
- e. The investigation shall be conducted as soon as is reasonably possible and shall be completed in twenty (20) working days unless otherwise agreed to by the parties. Such agreement will not be unreasonably withheld.



- f. Both the Complainant and the Respondent have the right to representation during any discussions or meetings held during the process and shall be advised of this right by the investigator.
- g. Notwithstanding either party's refusal to co-operate in an investigation, the District may deem it necessary to follow the complaint procedure through to completion.
- h. The Employer will advise the Complainant and the Respondent, in writing, of the results of the investigation and any actions that may be taken in the matter. The specific details of any disciplinary action will only be provided to the employee who is to be disciplined and his/her their Union, if applicable.

Outcomes

Depending on the outcome of the investigation, a decision regarding rehabilitative or disciplinary action for the Respondent and/or the Complainant may include, but is not limited to:

- a. Counselling
- b. Education on Bullying and Harassment (e.g. training or awareness sessions)
- c. Formal written apology
- d. Change of work assignment of the Complainant and/or Respondent
- e. Verbal warning
- f. Written warning
- g. Suspension or dismissal

Note: If disciplinary action is required, a copy of any disciplinary correspondence will be placed in the employee's personnel file.

References:

- Administrative Procedures to Board Policy 604: Workplace Bullying and Harassment
- Board Policy 606: Respectful Workplaces
- Board Policy 7000: Safe, Caring and Inclusive School Communities
- MATA Collective Agreement Article
- CUPE Local 3570 Collective Agreement Article
- [WorkSafeBC, Towards a Respectful Workplace: A Handbook on Preventing and Addressing Workplace Bullying and Harassment](#)
- [Occupational Health and Safety Regulation](#) (Sections 115 to 117)
- [Workers' Compensation Act](#) (Action 150)

Dates of Adoption/Amendments:

Adopted: 1985.07.11:

Amended: 1991.06.11: 1991.09.10: 2000.12.19: 2008.03.11: 2015.11.24: **2017.06.27**



CHECKLIST

All persons working for the Board or carrying out Board business on a temporary, part time or full time basis are covered by these procedures. A 'person' could be a workplace party such as a supervisor, or co-worker. Should a bullying or harassment incident involve a non-workplace party or student that an employee comes into contact with at the workplace, the Superintendent of Schools or designate will determine the procedures to follow and the parties will be so notified.

Complaints from an individual or group should be reported within a reasonable time following the occurrence of the triggering incident. The Board adopts a six (6) month time frame and may, in its discretion, decide not to deal with the complaint when the facts upon which the complaint is based occurred more than six (6) months before the complaint was filed. However, where a reasonable circumstance exists for failing to bring the complaint forward within six (6) months, and the delay would not result in any prejudice to the Respondent, a complaint may be accepted beyond the six (6) month time limit.

IN SOME CIRCUMSTANCES STEP 1 MAY BE BYPASSED AND THE COMPLAINT PROCEDURE MAY BE STARTED AT STEP 2.

STEP 1 – SPEAK UP (THE MAJORITY OF CASES ARE RESOLVED AT THIS STEP)

- Complainant is advised to record the details surrounding the incident (times, dates, places, names of people involved, witnesses, circumstances, etc.)
- Complainant is encouraged to advise the Respondent in person or in writing that ~~he/she~~ **they** considers the conduct in question to be offensive and request the Respondent to stop. This may be done in the presence of a resource person.
- Both the Complainant and the Respondent are advised to document the details of the meeting.
- Complainant may wish assistance to resolve the complaint using the Informal Resolution Outcomes outlined below. If the matter is resolved to the Complainant's satisfaction, the matter is deemed to be resolved.

INFORMAL RESOLUTION OUTCOMES

- All discussions shall be solely an attempt to mediate the complaint.
- Any and all discussions shall be completely off the record and will not form part of any record.
- Only the Complainant, Respondent, and Supervisor (Principal in the case where both parties are BCTF members) shall be present at such meetings.
- No discipline will be imposed on the Respondent.



- Should a resolution be reached between the Complainant and Respondent, it shall be written up and signed by both parties. Only the Complainant and the Respondent shall have copies of the resolution. No other copies of the resolution shall be made.
- Where a Respondent has acknowledged responsibility, the Supervisor may advise a Respondent of the expectations of behaviour in a neutral, circumspect memo. Such memo will be non-disciplinary in nature and shall not form part of any record. Only the Respondent shall retain a copy of the memo. That the memo was sent can be referred to as proof that the Respondent had been advised about the standard of conduct.
- If the Respondent fails to stop, or if the Complainant does not feel comfortable in confronting the Respondent in the first place, or if the Complainant is not satisfied with the initial contact, then move to STEP 2.

STEP 2

- Complainant completes the Workplace Bullying or Harassment (Including Sexual Harassment) Complaint Form and submits form along with any supporting documentation to the Superintendent of Schools or designate. The complaint should include specific incident(s) and the definitions of bullying or harassment (including sexual harassment) which may apply.
- The Superintendent of Schools or designate will review the particulars of the complaint (further particulars may be requested). Upon conclusion of the review, the Superintendent of Schools or designate shall initiate an investigation and appoint an investigator or recommend mediation or other alternative disputes resolution processes to resolve the complaint. Should the complainant not agree with the process recommended, an investigation will be initiated.
- Superintendent of Schools or designate ensures that the Respondent receives notice of the mediation or investigation and a copy of the complaint, in writing.
- Superintendent of Schools or designate ensures that the Complainant, Respondent and Union (if applicable) are informed, in writing, that a representative may accompany them to any meetings and provides them with notice of mediation or investigation.

(If the Respondent is the Superintendent of Schools or designate, the Complainant is to contact either BCPSEA or a third party who shall have been named by prior agreement of the District and the Union, who shall proceed to investigate the complaint in accordance with Step 3 and report to the Board).



STEP 3 – INVESTIGATION PROCESS

- A Representative of the District will commence an investigation of the complaint as soon as is reasonably possible following the receipt of a written request for a Step 3 investigation. [The Complainant may request that the investigator be of the same gender as him or her and where practicable the request will not be denied.]
**The Superintendent of Schools may appoint an independent investigator.*
- The investigator will collect evidence by interviewing the Complainant, Respondent and any witnesses (separately).
- The investigator will inform both the Complainant and Respondent of their right to representation during any discussions or meetings held.
- The investigator will keep confidential and comprehensive notes of all meetings.
- The investigation will be completed in twenty (20) working days unless otherwise agreed to by the parties and the party's Union Representative, if applicable.

THE INVESTIGATOR WILL INVESTIGATE FULLY. THE INVESTIGATION SHALL BE COMPLETED AS EXPEDITIOUSLY AS POSSIBLE.

Following the investigation:

- The Complainant and the Respondent will be advised by the Employer of the conclusion of the Step 3 investigation.
- The results of the investigation will be shared, in writing, with the Complainant, Respondent and Union, if applicable. The specific details of any disciplinary action will only be provided to the employee who is disciplined and the employee's Union, if applicable.

OUTCOMES

Depending on the outcome of the Step 3 investigation, a decision regarding rehabilitative or disciplinary action for the Respondent and/or the Complainant may include, but is not limited to:

- Counselling
- Education on Bullying and Harassment (e.g. training or awareness sessions)
- Formal written apology
- Change of work assignment of the Complainant and/or Respondent
- Verbal warning
- Written warning
- Suspension or dismissal

For more detailed information, refer to pages 1 – 8 of this document.



COMPLAINT FORM

All persons working for the District or carrying out District business on a temporary, part time or full time basis are covered by these procedures. (A 'person' could be a workplace party such as a supervisor, or co-worker). Should a bullying or harassment incident involve a non-workplace party or student that an employee comes into contact with at the workplace, the Superintendent of Schools or designate will determine the procedures to follow and the parties will be so notified.

PRIVATE AND CONFIDENTIAL

Complainants may seek assistance before completing this form.

This form, along with any documentation supporting this complaint (e.g. emails, handwritten notes, photographs, or physical evidence like vandalized personal belongings), is to be submitted to the Superintendent of Schools or designate. (If the Respondent is the Superintendent of Schools or designate, submit this form and supporting documentation to either BCPSEA or a third party who shall have been named by prior agreement of the District and the Union.

Name of Complainant:

School/Department/Work Site:

Description of Alleged Bullying or Harassment (Including Sexual Harassment) – attach further information if required (e.g. behaviour and/or words used):

Name(s) of Person(s) Accused of Bullying or Harassment (Including Sexual Harassment):



Date(s) of Incident(s) or Time Frame and Location of Incident(s):

Name(s) of any Witnesses to the Incident(s) of Bullying or Harassment (Including Sexual Harassment):

What steps have been taken to date to resolve the complaint?

Resolution Requested:

Complainant(s) Signature(s):

Date: _____

Date: _____

Superintendent or Designate's Signature (indicating receipt):

Date of Receipt: _____

The information contained in this form is of a highly confidential nature and will be protected as outlined in the District's procedures to address workplace bullying and harassment (including sexual harassment) incidents and complaints.

INSTRUCTIONS FOR HANDLING THIS FORM

Place this form in a sealed envelope marked "PRIVATE AND CONFIDENTIAL" and forward as outlined above for a Step 3 investigation.



Context:

The School Act governs the provision of public and private education in B.C. This Act sets out the duties and responsibilities of the Board, parents and students. When disputes occur, the act outlines a process for appeal (Board bylaw 5). Agreements among unions, BC Confederation of Parent Advisory Councils and School Boards agree that disputes can and should be handled first at the classroom/school level before being forwarded to the Superintendent and that the appeal process should follow these steps.

Policy Statement:

The Board is fundamentally committed to providing an educational program for all students. When complaints occur, the board commits to having these resolved in an efficient way that supports the continued education, health and safety of students.

Guiding Principles:

The Board believes that:

1. Conflicts, misunderstandings and disputes will occur in schools.
2. When these occur, they will be raised at the ~~classroom~~ **school** level first, then at the school level.
3. If not resolved at the classroom/school level, complaints may be made through this policy and administrative procedures by application to the Superintendent **or designate**.
4. Appeals to the board through Bylaw 5 may be made if the complaints are not resolved at the ~~classroom/school~~ or ~~superintendent~~ **district** level.
5. Restorative and/or interest based models of conflict resolution will be used.
6. Advocates may be used as a part of this process.
7. In accordance with the School Act some complaints regarding serious misconduct will not be subject to this policy.
8. The complaint resolution process will be available to students, parents, and other interested persons and applies to complaints concerning the decisions, actions or conduct of the School District or its Personnel.

Definitions:

1. **Restorative Practices** (for example Restorative Justice):
Is intended to build healthy communities by restoring relationships and directly addressing the harm that has been created by the conflict situation. Restorative practices rely on those who caused the harm recognizing and repairing that harm.
2. **Interest Based Resolution** (for example mediation and negotiation):
Is intended to result in ~~win/win~~ solutions based on shared common interests of the parties. In the case of education, for example, the health and safety of all students is often a common interest.

References:

- Administrative Procedure to Board Policy 710: Resolution of Complaints
- Board Bylaw 5: Parent/Student Appeals to the Board of Education
- The School Act: Part 2
- BC Confederation of Parent Advisory Councils (BCCPAC) Resources



SCHOOL DISTRICT No. 69 (QUALICUM)

BOARD POLICY 710 6240

RESOLUTION OF COMPLAINTS

Page 2 of 2

Dates of Adoption/Amendments:

Adopted: 89.10.15 :

Amended: 91.09.10: Review – 10.00: 01.04.24 : 02.10.22 : 03.05.27: 09.04.28: **16.03.08**



WHAT COMPLAINTS DOES THIS POLICY APPLY TO?

The Complaint resolution process outlined below is available to students, parents and other interested persons and applies to Complaints concerning the decisions, actions or conduct of the School District or its Personnel.

Not every complaint or concern that is received will be amenable to resolution under this Policy.

The following matters are **not** subject to this Policy:

- Student suspensions of more than 5 days (which will be reviewed by the District Discipline Committee in accordance with Board Policy 7030: Suspension of Students);
- Decisions of the District Discipline Committee;
- Where an investigation or resolution process under a collective agreement is available;
- Where the matters raised are the subject of ongoing legal proceedings;
- Where the matters complained of involve serious misconduct by a member of Personnel warranting an independent investigation and response by the School District;
- Where the School District has reason to believe the Complaint is malicious, frivolous, vexatious or filed in bad faith or the Complainant refuses to participate in a manner that is appropriate or respectful of the other participants.

The School District also reserves the right, in its sole discretion and on a case by case basis, to process complaints through other processes.

Any matters not covered by this Policy should be reported in writing to the applicable School Principal or School District office for appropriate action.

Application to Student and Parent Concerns (See Figure 2 attached)

Section 11 of the School Act provides students or parents with a right of appeal to the Board of Education from a decision of an employee of the School District that “significantly affects the education, health or safety of a student”.

A parent or student who wishes to exercise that right of appeal will be required to first complete the dispute resolution process set out in this Policy (See Bylaw 5; and School Act s. 11(4)), unless the decision in issue is a decision of the District Discipline Committee in which case the parent or student may proceed directly to the appeal process outlined in Bylaw 5, if available.

Application to Complaints about Senior Administration.

Complaints about the decisions, actions or conduct of the Superintendent, Assistant-Superintendent or Secretary-Treasurer of the School District, should be in writing and sent to the attention of the Superintendent, and a Complaint concerning the Superintendent may be sent to the attention of the Secretary Treasurer. Where the Superintendent or, as applicable, the Secretary-Treasurer, considers it appropriate to do so, he/she may submit such a Complaint to the resolution process outlined below, but omitting Step 2.



PROCESS (See attached Figure 1 and 2)

Step 1 - Initial Contact

At Step 1 of the Process, the Complainant is encouraged to directly approach the person about whom the Complaint relates (the “Respondent”) and communicate his or her concerns or issues. The Complainant may choose to approach the Respondent in person or through written communications and should reference this Policy.

At Step 1 of the Process, the Parties will attempt to:

- define the concern(s);
- clarify the issue(s);
- develop an appreciation and understanding of each other’s point of view; and,
- resolve the concern(s).

If the Complainant is unwilling to approach the Respondent directly or there is no resolution at Step 1, the Complainant may proceed to Step 2 by filing a written letter of complaint with the Respondent’s direct management supervisor (the “Facilitator”) (in most cases, the school principal). Please contact the School District office if clarification of the appropriate individual to receive the Complaint is needed.

In complaints concerning management Personnel (including principals, superintendent, assistant-superintendent and secretary treasurer) Step 2 will be omitted, and the Complainant may proceed directly to Step 3 by sending a written letter of complaint to the Superintendent (Complaints about the Superintendent shall be sent to the attention of the Secretary-Treasurer).

Step 2 - Facilitated Contact

Upon receiving a Complaint, the Facilitator will arrange to meet with each of the parties. The Facilitator will, as applicable, advise the union of any Complaint involving one of its members. Any party may choose to be accompanied by a support person in meeting with the Facilitator.

The Facilitator will:

- gather information and evidence;
- record the Complaint or allegations and/or investigate the Complaint;
- attempt to facilitate resolution; and,
- make a decision concerning the appropriate resolution or remedy or, where appropriate, may confirm, rescind, vary or modify the decision or action under review.

The Facilitator will Complete the Process for Resolution of Concerns Form (attached), and, if appropriate, provide copies to all parties, including, the union, the Superintendent and the Secretary Treasurer. However, circulation of the Resolution of Concerns Form may be restricted in some cases to ensure the privacy of the individuals involved.

Most Complaints will be resolved or concluded at Step 2, and the decision of the Facilitator will be considered final.

However, in appropriate circumstances, if a matter is not resolved at Step 2, it may be referred by the Facilitator to Step 3. Matters which will be referred to Step 3, include:



- student discipline or suspension (except where the matter has been reviewed by the District Discipline Committee);
- decisions significantly affecting the health or welfare of students (within the meaning of Section 11 of the School Act);
- complaints or concerns about any inappropriate conduct by any member of the Personnel.

Step 3 - School District Review

At Step 3, the Superintendent or his/her designate will review the Complaint and all information relevant to the matter, and may:

- contact or meet with the Complainant and Respondent;
- receive further information or evidence or investigate;
- attempt to facilitate a resolution;
- make a decision concerning the appropriate resolution or remedy or, where appropriate, confirm, rescind, vary or modify the decision under review;
- notify the parties of his/her decision verbally or in writing.

At Step 3 the Superintendent may refer any matter related to student discipline to the District Discipline Committee for its review and recommendations.

Step 4 – Board of Education Review

Certain student matters may also be subject to a further right of appeal to the Board of Education. Students and Parents should refer to Bylaw 5, Student (Parent) Appeals to determine whether they are eligible to appeal their concerns to the Board of Education.

GENERAL PRINCIPLES

1. **Confidentiality.** The School District will endeavour to respect the confidentiality of the parties involved in a Complaint, but confidentiality cannot be guaranteed. It may be necessary for the School District to disclose details of a Complaint in order to fairly and appropriately investigate and respond to it.
2. **Freedom of Information Legislation and Information Access.** The School District is subject to the Freedom of Information and Protection of Privacy Act. Accordingly, Complaint documentation may be subject to access and disclosure under this legislation. For more information see the School District's Privacy Policy at www.sd69.bc.ca
3. **Awareness of this Policy.** All Personnel are responsible to inform members of the educational community (i.e. parents, students, and other interested persons) about this Policy as one means of resolving individual complaints or concerns.
4. **Annual Policy Review.** On at least an annual basis, the Superintendent shall review and circulate this Policy to school and district administrators. On or before October 30 each school year, school principals shall review this Policy with staff and local parent advisory councils.



5. Timeliness. The School District and all Personnel are expected to make reasonable efforts to file and respond to Complaints within a reasonable period of time. Complaints should be initiated within thirty (30) days of the decision or incident complained of.
6. Notification. If a Complaint involves allegations against a member of Personnel, that person will be provided notice of the allegations and an opportunity to respond.
7. Support. The School District and all personnel are expected to support the Resolution of Complaints process and to provide clarification of the process to parents, students and other interested persons as required.

References:

- Board Policy 710: Resolution of Complaints
- Board Bylaw 5: Parent/Student Appeals to the Board of Education
- The School Act: Part 2
- BC Confederation of Parent Advisory Councils (BCCPAC) Resources

Dates of Adoption/Amendments:

Adopted: 89.10.15 :

Amended: 91.09.10: Review – 10.00: 01.04.24 : 02.10.22 : 03.05.27: 09.04.28: **16.03.08**



Figure 1:
General Concerns

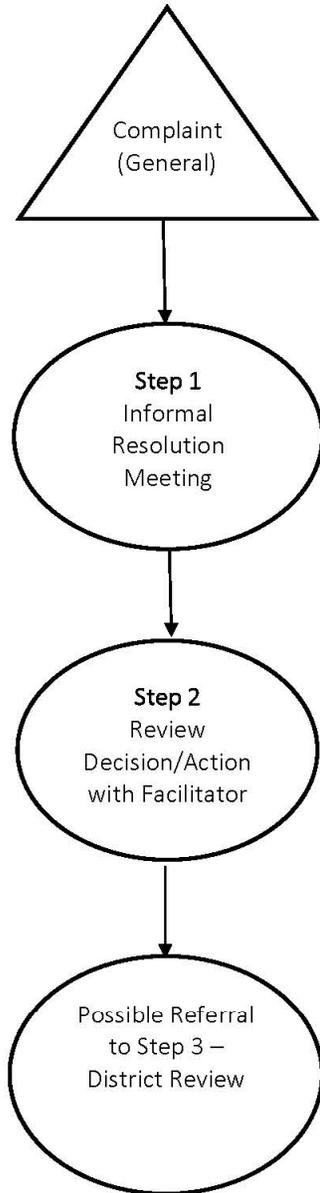
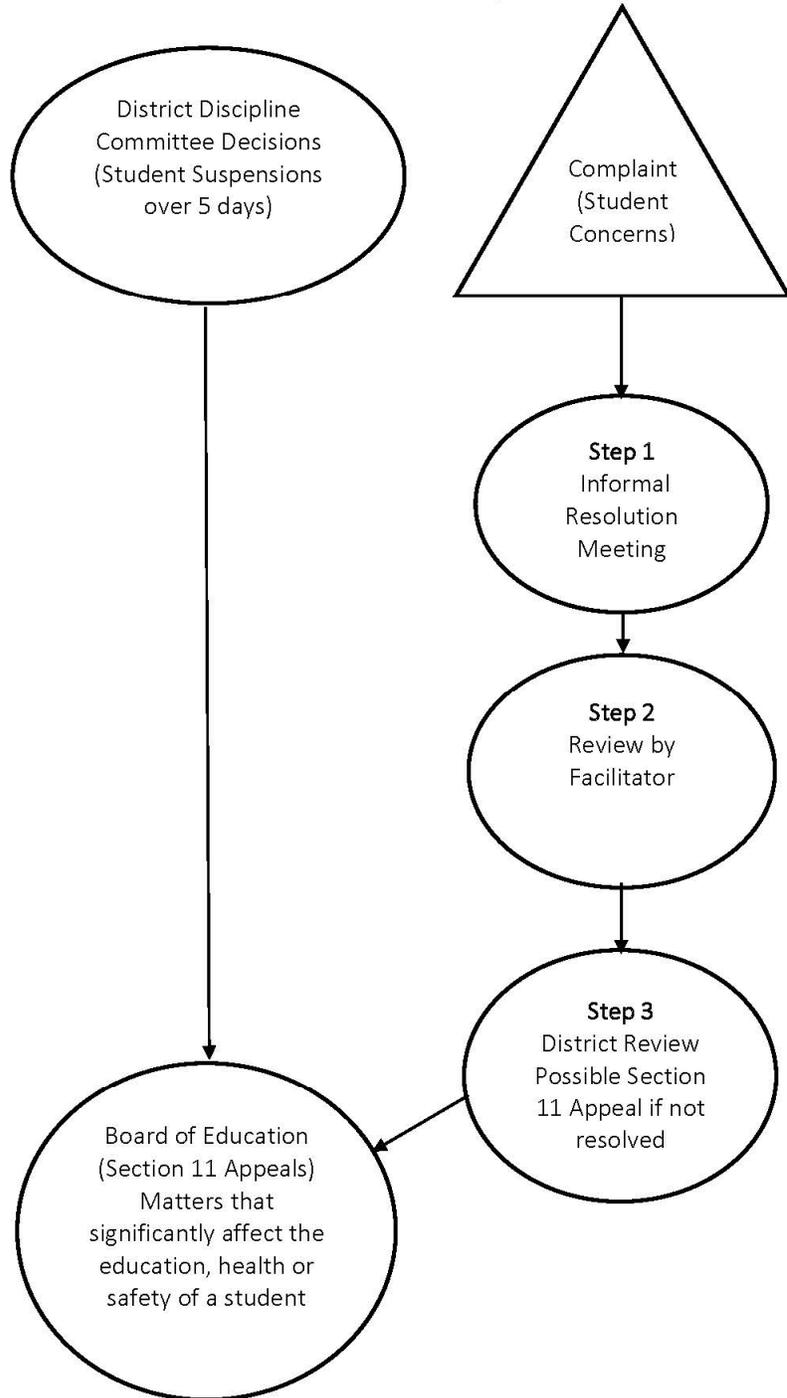


Figure 2:
Student Issues/Discipline





Notice of Complaint

Name of Individual Raising the Concern: _____
(Please Print)

Phone # : _____

Email: _____

Date Submitted: _____

School or Work Site Where Concern Originated: _____

Others involved in this situation: _____

Please describe the situation/issue you are concerned about. Please be brief and factual; if you require assistance, please contact the DPAC president. Use the back side of this form if necessary and where appropriate, please name the persons involved in this issue.

In chronological sequence, please outline, in note form, the actions you have taken up to now in an attempt to resolve this problem.

Signature of Individual Raising Concern: _____

Date this form was completed: _____



For Facilitator Use Only

Name of Facilitator: _____

Position: _____

Dates of Meetings/Contact:

Measures Undertaken to Resolve the Matter

Resolved

Decisions, Remedies and/or Outcomes:

Unresolved

Matter referred to:

Superintendent or Designate

Date: _____

Copies to:

- Superintendent
- Senior Staff the matter is referred to
- Supervisor's file
- Individual raising concern



FRAMEWORK FOR ENHANCING STUDENT LEARNING

(Page 1 of 2)

Context:

The central goal and moral imperative of any school system is to support and enhance student learning for all. The Board of Education recognizes its **primary** responsibility to work **together** with education partners to enhance the learning and success for all students in School District 69 (Qualicum). To that end, and in response to the authority of the Minister of Education to require school districts to establish policies for planning, reporting and capacity building **at the school and district level, in accordance with the Ministry of Education Ministerial Order M302/20 Enhancing Student Learning Reporting Order and** through Sections 8.3 and 81 of the *School Act*, the Board of Education sets out a local framework for enhancing student learning.

Policy Statement:

The Board of Education is committed to ensuring the alignment of strategic plans, plans for enhancing student learning, effective management of budgets and resources, effective human resources and operations strategies, and capacity building for all staff through thoughtful, collaborative and planning in support of student learning and staff well-being.

Guiding Principles:

The Board of Education believes the following:

1. That learning is universal and should be respondent to individual needs and aspirations of each student.
2. Every student should have access to quality education that focuses on learning that is flexible and student-centred.
3. All students and staff deserve healthy and safe learning environments.
4. Students, staff and parents are partners with the Board of Education in enhancing student learning.
5. All students should have equitable access to any and all supports and resources necessary to create a supportive learning environment.
6. District planning and budgeting should align with priorities for enhancing student learning.
7. Planning for enhancing student learning should be part of a system-wide commitment to strategic planning across all elements of school district operations.
8. The focus on enhancing student learning should build from current and historical successes in district and school level planning for enhancing student learning including the ongoing focus on strategic priorities as adopted by the Board.
9. Annual completion of the required Ministry Enhancing Student Learning report should:
 - a. Be aligned with all Ministerial requirements as found in the Order.
 - b. Be grounded in the belief that all education partners are responsible for student learning, with each having unique responsibilities.
 - c. Bring a system-wide focus on student learning, to ensure each student in the district achieves the student's full potential.
 - d. Be designed to be meaningful, impactful, flexible, realistic, and sustainable.
 - e. Address differences in performance among particular groups of students, most notably students of Indigenous descent, children in care, and students with unique and diverse needs.
 - f. Be strength, support-, evidence-, and results-based.



FRAMEWORK FOR ENHANCING STUDENT LEARNING

(Page 2 of 2)

- g. Reflect a system-wide commitment to continuous improvement and life-long learning.
- h. Reflect local context including priorities as established in school and district Enhancing Student Learning reports.
- i. Use existing structures and build new ones as required to support provincial and local priorities for enhancing student learning.
- j. Build public confidence in our work as a District.

Guiding Principles:

~~This framework reflects a Board belief in public commitment by education partners to work together to continuously improve student learning in relation to intellectual, human, social and career development as outlined in *Statement of Education Policy Order* (Mandate for the School System) OIC1280/89. The framework seeks to align local practice with provincial K-12 accountability requirements and other ongoing transformation efforts (curriculum, assessment, reporting).~~

References:

- The School Act (Sections 8.3 and 81)
- Statement of Education Policy Order – OIC 1280/89
- **Ministerial Order M302/20 Enhancing Student Learning Reporting Order**

Dates of Adoption/Amendments:

Adopted: 16.03.08

Amended: 19.08.27 (Renumbered/Reviewed): TBD (Replaces Board Policy 3030: School Planning Councils (SPC's))



Purpose:

These Administrative Procedures are intended to support the implementation of Policy 303: Enhancing Student Learning, and will provide the parameters for school- and district-level planning for enhancing student learning as well as preparation and submission of the document required within the Ministry of Education's Ministerial Order M302/20 Enhancing Student Learning Order.

Responsibilities:

1. School and Program Principals will:
 - a. Use district-approved procedures for development and ongoing monitoring of a school or program Enhancing Student Learning Plan (ESLP).
 - b. Collaborate with all staff throughout the year in determination of the school's or program's highest priorities within the context of the district ESLP template, as well as within the unique contexts and priorities of the school or program at the time of development or renewal of the ESLP.
 - c. Develop a draft of a revised ESLP to share with district senior staff during visits to the school or program every spring.
 - d. Prepare a final ESLP draft for all staff and for parent representatives for sign-off and submission to the district prior to May 15 every year.
 - e. Engage in ESLP review discussions with senior staff every fall and throughout the year as is helpful for the school.
2. The Superintendent of Schools and Senior Staff will:
 - a. Work with Principals and Vice-Principals in support of school- or program-based ESLP processes as described above.
 - b. Establish and maintain collaborative processes within the district to ensure that district-wide strategic priorities for student learning are current in terms of the needs of all learners.
 - c. Maintain and refresh the district's strategic priorities for enhancing student learning within Board-approved strategic planning processes. That will include renewing the Board's strategic plan for enhancing student learning within the Board's five-year planning cycle (2019, 2024, etc.).
 - d. Ensure that the Board-adopted strategic priorities for enhancing student learning are central components of all district educational planning and school-based ESLP processes.
 - e. Ensure that the Board-adopted strategic priorities for enhancing student learning are central components of all district financial and operational planning.
 - f. Complete all annual planning in accordance with requirements of the Ministerial Order M302 – Framework for Enhancing Student Learning.



Procedures:

1. District Planning for Enhancing Student Learning
 - a. Senior staff will be responsible for maintaining and renewing the district strategic plan for enhancing student learning, most importantly the strategic priorities for enhancing student learning.
 - b. Senior staff will bring a strategic planning lens to all district **and** school planning for enhancing student learning, meaning a focus on:
 - i. What matters most?
 - ii. How are we doing (based on a variety of evidence)?
 - iii. How should we be doing in these key domains? What are our targets?
 - iv. What strategies will we use to improve?
 - v. After a period of time, how are we doing (based on a variety of evidence)?
 - vi. What changes will we make to our plan? What are our new targets?
 - vii. What are our new or revised strategies in these key domains?
 - viii. Continuous looping through this planning and review cycle.
 - c. Updates on progress in relation to district planning for enhancing student learning will be brought to the Board on a regular basis.
 - d. District planning for enhancing student learning will be formally revisited through broad collaboration on a five-year planning cycle.
 - e. District planning for enhancing student learning will be linked to the provincial Framework for Enhancing Student Learning.
 - g. District planning for enhancing student learning will be central to all district educational planning, school-based ESLP processes, and district financial and operational planning.
2. School Planning for Enhancing Student Learning
 - a. Principals will work with all staff to develop and continuously monitor a school or program Enhancing Student Learning Plan (ESLP).
 - b. In doing so, principals will be responsible for considering the school's or program's highest priorities, both as part of the district plans for enhancing student learning and the school's or program's unique circumstances.
 - c. Principals will ensure that a final ESLP draft is ready for all staff, and for parent representatives, for sign-off and submission to the district prior to May 15 every year.
 - d. Each school or program ESLP will be the subject of ongoing discussion and review within the school and with district senior staff, including as part of review meetings that will be scheduled with senior staff each fall and when the plan is under development each spring.
3. Provincial Framework for Enhancing Student Learning
 - a. The district will abide by the requirements of Ministerial Order M302 – Framework for Enhancing Student Learning.
 - b. On an annual basis, prior to May 31, senior staff will build a draft FESL report that does the following:



- i. Utilizes Ministry of Education data sets to create charts and graphs of three year data sets (where possible) in all data review areas as required by the FESL protocols.
 - ii. Enacts a process for system-wide review of those data in order to determine what has been learned and what strategies might be put in place to affect improved results.
 - iii. In developing those strategies uses as the **prime** consideration what is known about students and learning in our district's unique context, including what is learned through school-based ESLP and district-based enhancing student learning processes.
- c. A draft FESL report will be shared with the Board, through the Education Committee if possible, by the end of June every year.
 - d. The final FESL report will be prepared for Board approval in September and will be submitted to the Ministry of Education by September 30 as required.

References:

- Board Policy 303: Enhancing Student Learning
- The School Act (Sections 8.3 and 81)
- Statement of Education Policy Order – OIC 1280/89
- **Ministerial Order M302/20 Enhancing Student Learning Reporting Order**

Dates of Adoption/Amendments:

Adopted: 16.03.08

Amended: 19.08.27 (Renumbered/Reviewed): TBD (Replaces Board Policy 3030: School Planning Councils (SPC's))



Context:

The Public Interest Disclosure Act (2019) is intended to encourage transparency, accountability and ethical decision making within the public service and school districts. It outlines a process for making and responding to a serious or systemic issue of wrongdoing.

Policy Statement:

School District 69 strongly supports transparency, accountability and ethical decision making through the organization. The Board actively promote a culture of openness and encourages employees (current or former) to report any wrongdoing.

Guiding Principles:

1. The Board believes that ethical decision making should be at the core of all Board processes.
2. The Board values transparency and accountability in all areas of governance, management and leadership.
3. The Board believes that all employees have a right to report any perceived wrongdoing, and that those reports respect the anonymity and well-being of anyone who so reports.
4. The Board supports a full array of processes and mechanisms which address and enforce standards of conduct, disputes, complaints, or grievances, and sees safety for those who report wrongdoing as being ancillary to those processes.

Definitions:

Public Interest Disclosure Act 2019 (PIDA) – Intended to be “whistleblower” protection which allows current and former employees to raise serious or systemic issues of wrongdoing for investigation without exposing those employees to any risk of retaliation.

References/Resources:

- Administrative Procedures to Board Policy : Public Interest Disclosure
- Board Policy 6240: Resolution of Complaints
- The *Public Interest Disclosure Act*: [Public Interest Disclosure Act \(gov.bc.ca\)](http://gov.bc.ca)
- The Ombudsperson of British Columbia: [Public Interest Disclosure Resources](#)
- FAQs — *Public Interest Disclosure Act*: Disclosures and Reprisal Complaints to the Ombudsperson: [PIDA-FAQs.pdf \(bcombudsperson.ca\)](#)
- [The Ombudsperson of British Columbia: Resources for Chief Executives; Checklist for Chief Executives](#)
- [The Ombudsperson of British Columbia: Resources for Designated Officers; Designated Officer Responsibilities Under PIDA](#)
- [The Ombudsperson of British Columbia: Resources for Supervisors](#)
- [The Ombudsperson of British Columbia: Resources for Employees](#)

Dates of Adoption/Amendments:

Adopted:

Amended:



Purpose:

These Administrative Procedures are intended to support Board Policy 305, Public Interest Disclosure. Use of these procedures should provide employees with the assurance that there are confidential processes that encourage reports of wrongdoing and that protect the reporter from reprisals, consequence or retribution.

Guidelines for Reporting:

1. This Policy applies to alleged wrongdoing related to the School District's operations or personnel. This Policy does not displace other mechanisms set out in School District Policy for addressing and enforcing standards of conduct, disputes, complaints, or grievances, including issues of discrimination, bullying and harassment, occupational health and safety, or disputes over employment matters or under collective agreements.
2. The types of wrongdoing ("Wrongdoing") about which employees can complain include:
 - a) a serious act or omission that, if proven, would breach any laws of British Columbia or Canada;
 - b) an act or omission that creates a substantial and specific danger to the life, health or safety of persons, or to the environment (other than a danger that is inherent in the performance of an employee's duties or functions);
 - c) a serious misuse of public funds or public assets;
 - d) gross or systemic mismanagement;
 - e) knowingly directing or counselling a person to commit a wrongdoing described in paragraphs (a) to (d).
3. Reports made under this policy and using these procedures will be done so with confidentiality in order to protect the well-being of the reporting employee.
4. The School District will investigate disclosures that it receives under this Policy. Investigations under this Policy will be carried out in accordance with the principles of procedural fairness and natural justice.
5. Most reports will be made to a supervisor or the designated officer at the district.
6. Reports may also be made to the Ombudsperson.
7. Reports can be made anonymously, but the school district may not be obliged to investigate an anonymous report made under the Act unless the report provides sufficient detail to conduct a fair investigation.
8. Any trustee may report wrongdoing if the incident occurred while the trustee was holding office.
9. The district will not tolerate reprisals, consequences or retribution against anyone reporting in good faith under this policy.

Procedures:

1. The Superintendent of Schools or designate will ensure that all employees are reminded of this policy and its attendance procedures on an annual basis.
2. Supervisors of work sites and Principals of schools and programs will ensure that all staff that they supervise are reminded of this policy and its attendant procedures on an annual basis.
3. The Superintendent of Schools or designate will ensure that mechanisms are in place for employees to report wrongdoing in a confidential and, if it is the wish of the reporter,



anonymous manner, recognizing that anonymous concerns may not be followed up on if there is insufficient detail to proceed.

4. One key element of administering this policy and its procedures is ensuring that anyone reporting wrongdoing is doing so in accordance with relevant other policies and procedures as possible, including use of Policy 6240 Resolution of Complaints and any pertinent clauses in collective agreements or employment contracts.

References/Resources:

- Board Policy : Public Interest Disclosure
- Board Policy 6240 Resolution of Complaints
- The *Public Interest Disclosure Act*: [Public Interest Disclosure Act \(gov.bc.ca\)](http://www.gov.bc.ca/pida/)
- The Ombudsperson of British Columbia: [Public Interest Disclosure Resources](http://www.ombudsman.bc.ca/)
- FAQs — *Public Interest Disclosure Act*: Disclosures and Reprisal Complaints to the Ombudsperson: [PIDA-FAQs.pdf \(bcombudsperson.ca\)](http://www.ombudsman.bc.ca/pida-faq/)
- [The Ombudsperson of British Columbia: Resources for Chief Executives; Checklist for Chief Executives](http://www.ombudsman.bc.ca/pida-faq/)
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Dates of Adoption/Amendments:

Adopted:

Amended: