

School, Community and Home Relations 11150	Administrative Application	
	Last Reviewed /Approved on:	August 14, 2024
	References:	Saskatchewan Human Rights Code The Canadian Human Rights Act The Education Act, 1995 Saskatchewan Employment Act 2014 Student Administrative Application 11110 – Complaint Resolution Policy 12 – Role of the Director Policy 13 – Appeals and Hearings Regarding Student Matters
	Status:	Operational

Preamble

Harassment is defined in the *Saskatchewan Employment Act 2014*, as any objectionable conduct, comment or display by a person that is directed at a person, is made on the basis of race, creed, colour, sex, sexual orientation, marital status, disability, physical size or weight, age, nationality, ancestry or place of origin, and which constitute a threat to the health or safety of the student.

The Regina Catholic School Division (RCSD) more broadly defines harassment to include any objectionable conduct, comment or display made based on factors other than those referred to in the above definition. This broader definition of harassment, termed personal harassment, consists of any behaviours or actions that abuse or humiliate individuals, interfere with their performance, or create an intimidating or hostile environment. It may include comments, verbal abuse, and unwelcome gestures, actions that invade privacy or personal property, spreading unfounded or misinformed rumours or deliberately spreading misinformation.

Administrator and teacher management function arising from normal disciplinary procedures will not be construed as harassment under this administrative application.

Application

1. General Administration of Student Harassment Reports

- a. At the beginning of each school year, the principal shall advise staff and students of this administrative application to assist in the resolution of any complaints as well as the appropriate protocol to follow.
- b. Harassment prevention educational programs shall be carried out on an ongoing basis in all schools of the division to support a safe and orderly environment and to nurture the Gospel ethos.

- c. The principal shall act quickly and sensitively upon receiving information or complaints concerning incidents of harassment.
- d. Each staff member and student in the school division has a responsibility to ensure that the school environment is free from harassment. This may mean changing one's behaviour if they know, suspect, or are informed that their actions might be considered harassment.
- e. Each staff member shall intervene directly as outlined in the protocol when witness to or informed of incidents of harassment.
- f. All students and/or staff who receive or make complaints of harassment must understand that confidentiality will be maintained but that anonymity cannot be maintained.
- g. Retaliation on the part of the perceived harasser will not be tolerated and will result in disciplinary action.
- h. A successful resolution of harassment complaints will include an attempt to seek reconciliation between the individuals involved.

2. Protocol

- a. Students who believe they are being harassed should contact an adult in school with whom they feel comfortable.
- b. The staff member receiving the report shall provide the school administration, with the knowledge of the complainant, with details of the incident in writing and include:
 - i. What happened.
 - ii. Where it happened.
 - iii. How it happened.
 - iv. Who did the harassing.
 - v. Witness, if any.
 - vi. Was there a precipitating incident.
 - vii. What the complainant did in return.
 - viii. How the respondent reacted.
 - ix. How the complainant felt.
 - x. Impact on the complainant's life.

- c. The student should decide on an option with the assistance of the school official and/or the parent:
 - i. Informal Resolution Process. Please reference to and follow *Administrative Application 11110 – Complaint Resolution*.
 - ii. Formal Complaint Process. Please reference to and follow *Administrative Application 11110 – Complaint Resolution*.
 - iii. Rejection of the Complaint.
Due to a single incident and a lack of pattern, in this case, education should be provided to the respondent that would include making the respondent aware of the policy and the consequences if the behaviour continues.
 - d. Students who observe harassment should:
 - i. Approach the person being harassed and:
 - (1) State what they observed.
 - (2) Offer assistance in reporting the incident.
 - ii. If it is considered safe, express concern or disapproval to the harasser.
 - iii. Report the incident if the complainant does not report it, to an adult in the school with whom they feel comfortable.
3. **Staff Protocol**
Staff who are aware of student to student, student to adult, or adult to student incidents of harassment shall:
- a. Provide a positive role model at all times.
 - b. Acknowledge that harassment is a serious issue.
 - c. Acknowledge harassment when it occurs.
 - d. Intervene in incidents of harassment and follow protocol regarding such occurrences. Please reference to and follow *Administrative Application 11110 – Complaint Resolution*.
4. **Administrative Responsibilities**
The principal or designate receiving complaints shall:
- a. Listen with respect and support to the complaint.
 - b. Record and document as outlined above. Every effort will be made to ensure that everything done is fair and reasonable in the circumstances as much as possible. Persons will be protected against complaints or accusations made by others that

are trivial, frivolous or made in bad faith. Any interference or attempt at coercion in the investigative process by or on behalf of the complainant or respondent shall be considered grounds for immediate disciplinary action in response to the interference or coercion.

- c. Parents/guardians shall be apprised of the incident(s).
- d. Discuss and decide upon informal or formal process of resolution. Either resolution processes must adhere to principles of openness, fairness, and impartiality.

5. Informal and Formal Complaint Resolution

Please reference to and follow *Administrative Application 11110 – Complaint Resolution*.

6. Investigation and Disposition of Formal Complaint

The school administrator or designate shall proceed as outlined below. It may be prudent in some situations to distance the complainant and the respondent.

- a. A school official shall inform the respondent that a formal complaint has been received.
- b. A school official shall conduct an investigation that may consist of personal interviews with the complainant, the respondent and others who may have knowledge of the incidents or circumstances that led to the complaint. The parents/guardians of the complainant and respondent shall be contacted early in the investigation.
- c. Upon completion of the investigation, the school official shall communicate the results to both parties and/or parents/guardians.
- d. Where the school official believes the complaint is valid, the school official shall determine an appropriate disciplinary action. Disciplinary action may include:
 - i. Written or verbal apology.
 - ii. Verbal warning.
 - iii. Written reprimand.
 - iv. Distancing the respondent (within school).
 - v. Suspension.
 - vi. Counselling.
- e. At the request of either party, the matter may be referred to the school superintendent for resolution. If the school superintendent believes that mediation may be an appropriate method of resolving the situation, the Director may appoint a mediator.

- f. The school superintendent may recommend referral to the Division suspension committee. Further disciplinary action may be taken including:
 - i. Alternate education placement.
 - ii. Extended suspension.
 - iii. Homebound education.
 - iv. Expulsion.

7. Reporting to Police and/or Social Services

- a. Given reasonable grounds that a physical or sexual assault was committed, the complainant, the respondent shall be informed that a complaint may be made with the police.
- b. Contact with the police may be made by:
 - i. The complainant.
 - ii. The complainant's family.
 - iii. The school administrator or his/her designate.
- c. Once reported, harassment and assault are considered a criminal issue if the offender is over the age of twelve (12). Division personnel will cooperate with the police investigation within the parameters *Administrative Application 9520 – Interviews, Searches, and Apprehension of Students*.
- d. Serious violent incidents including assault and sexual assault committed by students under the age of twelve (12) may be reported to the police. Social Services staff should be notified where students under the age of twelve (12) are demonstrating serious violent behaviours.

8. Monitoring System for Harassment Prevention

Where the formal or informal complaint resolution process has been employed, the principal will prepare a report for the designated superintendent outlining the complaint and the disposition of the complaint. This report should be completed in a timely fashion following the threat.