

Public Schools Branch

OPERATIONAL PROCEDURE

SAFE AND CARING LEARNING ENVIRONMENTS	
<i>Policy Section</i> School/Workplace Health and Safety	<i>Procedure Number</i> 605.1
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<i>Replaces:</i> ESD – ADDA-R Caring Places to Learn/Safe School Environments Procedure, April 7, 2011 WSB - #1 Foundations, March 26, 1998 WSB - #2 Bullying, Harassment & Discrimination, March 26, 1998 WSB - #3 Assault, March 26, 1998 WSB - #4 Theft, Extorting, Vandalism & Hate Motivated Crimes, January 26, 2009 WSB - #9 Possession of Weapons and/or Weapon Replicas, March 26, 1998 WSB - #10 Reporting and Recording Incidents of Violence, March 26, 1998	

1.0 INTRODUCTION

- 1.1 The Public School Branch, in accordance with the *Education Act*, is responsible for ensuring that each student and staff member is provided with a welcoming, caring, respectful and safe learning environment that respects diversity and fosters a sense of belonging.
- 1.2 The Public Schools Branch is committed to implementing effective measures that promote a positive school climate, support a safe and caring learning and working environment, and deal with harmful behaviours which may impact learning and working environments. These measures include:
 - a) the development of a Code of Conduct by each school which indicates that everyone in the school community (staff, students, parents/guardians and volunteers) has a responsibility to create and promote a positive school climate and a safe place to learn and work, and that everyone in the school community is expected to demonstrate behaviours of respect, safety and integrity;
 - b) raising awareness of the expectations around student, parent, teacher and principal responsibilities, in accordance with the *Education Act*;
 - c) the establishment of and/or support for programs, initiatives and services that support emotional well-being, positive behaviour and violence prevention in an effort to maintain and strengthen safe and caring learning and working environments;
 - d) supporting disciplinary approaches and practices such as progressive discipline to promote learning, positive changes in behaviour and accountability; and
 - e) the establishment of procedures which explain how to respond to harmful behaviours that impact the school climate and how to report such incidents.

2.0 SCOPE AND EXPECTATIONS

- 2.1 This procedure applies to Public Schools Branch staff, students, parents/guardians, volunteers, and visitors when on school premises, on transportation provided by the Public Schools Branch for students, during a school-sponsored activity, or when off school premises where a behaviour/incident impacts the school climate or a Public School Branch workplace.
- 2.2 Students will be made aware of the Safe and Caring Learning Environments Policy and Procedure in a manner that is developmentally appropriate.
- 2.3 Each school is expected to develop, and from time to time review, a School Code of Conduct with a focus on creating a welcoming, caring, respectful and safe learning environment.
- 2.4 The Public Schools Branch supports responses to specific behaviours as outlined in these procedures.
- 2.5 A member of the school community who witnesses an incident or who becomes aware of an incident that negatively impacts the school climate is encouraged to report the incident to school administration or Public Schools Branch administration, if appropriate.
- 2.6 Where a student encourages or supports a person(s) who is demonstrating harmful behaviour, but does nothing to intervene or seek help from an adult, contact may be made with the student and parent/guardian. Conditions may be placed on a student if they continue to encourage or support a person(s) who is demonstrating harmful behaviour.
- 2.7 Where an investigation of an allegation determines that a student or staff made a false allegation in bad faith or with retaliatory intent, disciplinary action may be taken.
- 2.8 The Public Schools Branch recognizes the positive impact that family and friends, curriculum, evidence-based interventions/practices and community-based programs have on developing a student's self-esteem, problem solving strategies, conflict resolution skills and having respect for others.

3.0 DEFINITIONS

- 3.1 **Bullying** - A form of repeated persistent behaviour, by any means including technology, directed at an individual(s) that is intended to cause (or should be known to cause) fear, distress and/or harm to another person's body, feelings, self-esteem or reputation. Bullying often occurs in a context where there is a real or perceived power imbalance. Bullying may include but is not limited to the following:
 - a) acts of physical or social retaliation to an individual, an individual's family, friend, or group;
 - b) threats of physical or social retaliation to an individual, an individual's family, friend or group;
 - c) acts of verbal aggression such as unwanted jokes, name-calling, demeaning or offensive remarks, or innuendoes;
 - d) slander or spreading of rumours;
 - e) petty theft, extortion, demand for favours;
 - f) intentional exclusion and manipulation of friendships;
 - g) territorial bans;
 - h) coercion; and/or
 - i) cyber bullying.

- 3.2 **Discipline** – The process of teaching what type of behaviour is acceptable and what type is not acceptable. Effective discipline is usually progressive in nature and uses many different tools to increase accountability such as positive reinforcement, modeling, and support. Discipline may also include punitive measures such as conditions placed on a person, reprimand, suspension, etc.
- 3.3 **Discrimination** – Any adverse treatment based on personal characteristics such as, but not limited to, disability, age, ancestry, class, education, ethnicity, gender, race, and sexual orientation.
- 3.4 **Electronic Means** – To send and receive information via an electronic device, which may include texts, graphic images, photographs, etc.
- 3.5 **Harassment** – Any unwarranted, offensive behaviour that is known or ought reasonably to be known to be unwelcome. It included any comment, conduct, gesture or display that demeans, intimidates or causes embarrassment to another person.
- 3.6 **Progressive Discipline** – An approach that makes use of a continuum of prevention programs, preventative practices, interventions, supports, consequences and strategies which promote accountability and build upon positive behaviours.
- 3.7 **Restorative Justice** – An approach to discipline and an alternative to punitive responses to wrongdoing which brings together persons harmed with persons responsible for harm in a safe and respectful space, while promoting dialogue, accountability and a stronger sense of community.
- 3.8 **School Climate** – The environment, values and relationships found within a school. A positive school climate exists when all members of the school community feel safe, included and accepted, and actively promote positive behaviours and interactions. Equity, inclusion and respect are critical components embedded in the learning environment of a positive school climate.
- 3.9 **School Premises** - A building or property under the management or operation of an education authority that is used in whole or in part for the instruction of students.
- 3.10 **Sexual Misconduct** - Any unwelcome behaviour of a sexual nature that is committed without consent or by force, intimidation, coercion, or manipulation. Sexual misconduct includes but is not limited to sexual assault, sexual harassment, sexual abuse, sexual exploitation, and sexual intimidation.
- 3.11 **Threat** - A use of words or actions which is, either expressly or implied, designed to instill fear in another person. Threats may include, but are not limited to notes, pictures, physical gestures, telephone calls, electronic messages, or personal property violations.
- 3.12 **Threat Assessment** – A systemic process to assess the risk of violence and address dangerous behaviour through an integrated intervention plan. This plan provides documentation of the incident, an assessment of the level of risk that the student’s behaviour presents to the school, and interventions that correspond to the staff’s level of concern.
- 3.13 **Vandalism** – The deliberate damage or defacement of buildings, grounds, equipment, books and materials, or the personal property of individuals while on school premises.
- 3.14 **Verbal Abuse** - The use of language which is insulting, hurtful, offensive, reproachful, or which ridicules, disparages or belittles another person. Verbal abuse may include but is not limited to bullying, harassment, discrimination, sexual innuendo, or threats.
- 3.15 **Violence** - Any physical interference with another person which has or might reasonably have the effect of impairing another person’s health, welfare or safety.

- 3.16 **Weapon** - Anything used or intended for use in causing death or injury to persons, whether designed for such purpose or not; or anything used or intended for use for the purpose of threatening or intimidating any person.
- 3.17 **Weapon Replica** – An object that is intended to look like or function like a weapon. Examples include, but are not limited to knives, guns, swords, or explosives.

4.0 RESPONSIBILITIES

All Public Schools Branch staff, students and members of the school community have a responsibility for developing and maintaining a safe, caring, and inclusive environment. It is important to emphasize the responsibilities of student, parents/guardians, teachers, and principals as set out in the *Education Act*.

4.1 Student Responsibilities

In accordance with the *Education Act*, student responsibilities, as they relate to this procedure, include but are not limited to:

- a) being ready to learn and actively engaging in and diligently pursuing the student's education;
- b) ensuring that the student's conduct contributes to a welcoming, caring, respectful and safe learning environment;
- c) respecting the rights of others in the school;
- d) refraining from, reporting and not tolerating bullying or bullying behaviour directed toward others in the school, whether or not it occurs on the school premises, during the instructional day or by electronic means;
- e) complying with the rules of the school and the policies of the education authority;
- f) cooperating with everyone authorized by the education authority to provide education programs and other services;
- g) being accountable to the student's teachers and other school staff for the student's conduct;
- h) contributing positively to the student's school community.

4.2 Parent/Guardian Responsibilities

In accordance with the *Education Act*, parent/guardian responsibilities, as they relate to this procedure, include but are not limited to:

- a) taking an active role in the student's educational success, including assisting the student in complying with the student's responsibilities;
- b) ensuring that the parent's conduct contributes to a welcoming, caring, respectful and safe learning environment;
- c) cooperating and collaborating with school staff to support the delivery of specialized supports and services to the student;
- d) encouraging, fostering and advancing collaborative, positive and respectful relationships with teachers, principals, other school staff and professionals providing supports and services in the school; and
- e) engaging in the student's school community.

4.3 Teacher Responsibilities

In accordance with the *Education Act*, teacher responsibilities, as they relate to this procedure, include but are not limited to:

- a) encouraging students in the pursuit of learning;

- b) consulting with parents when necessary and encouraging parents to co-operate with and encourage their children's participation in school programs and activities;
- c) maintaining, under the direction of the principal, order and discipline in the school, on school premises and during school-sponsored activities;
- d) attending to the health, comfort and safety of students under the teacher's supervision;
- e) conducting classes and carrying out such other responsibilities as are assigned to the teacher by the principal or by the education authority; and
- f) working towards the implementation and achievement of the goals in the school effectiveness plan.

4.4 **Principal Responsibilities**

In accordance with the *Education Act*, a principal has the following responsibilities:

- a) be responsible for the school to which the principal is assigned by the education authority;
- b) provide educational leadership in the school;
- c) perform the supervisory, management and other duties required or assigned by the Director or the education authority;
- d) maintain proper order and discipline in the school and on the school premises and during school-sponsored activities;
- e) foster co-operation and co-ordination of effort among staff members of the school;
- f) ensure records are maintained in respect of each student enrolled in the school in accordance with the regulations and education authority policy;
- g) report to the Director or to the education authority as required on matters concerning the school;
- h) attend to the health, comfort and safety of the students;
- i) encourage the establishment of and consult the school council or home and school association on matters relevant to its functions;
- j) initiate the development of a school effectiveness plan (school goals); and
- k) work with school staff to implement and achieve the goals set out in the school effectiveness plan.

5.0 **PROGRESSIVE DISCIPLINE**

- 5.1 The Public Schools Branch supports schools using progressive discipline as an approach for teaching students appropriate behaviours in an effort to create and maintain a positive school climate.
- 5.2 Schools will use progressive discipline as a proactive strategy and as part of disciplinary action, where appropriate, to support positive behaviours, increased accountability and a positive school environment.
- 5.3 Progressive discipline may include but is not limited to:
 - a) anti-bullying and violence prevention programs;
 - b) mentorship programs;
 - c) student success strategies;
 - d) character development and education;
 - e) citizenship development;
 - f) restorative justice practices, which may include promoting dialogue between persons harmed with persons responsible for harm;

- g) student leadership;
 - h) promoting healthy relationships and lifestyles;
 - i) individual, peer and group counselling;
 - j) conflict resolution;
 - k) mentorship programs;
 - l) promotion of healthy relationships;
 - m) sensitivity programs;
 - n) community support programs; and
 - o) early and ongoing interventions.
- 5.4 The Public Schools Branch recognizes that in some circumstances progressive discipline practices might not be effective or sufficient to address inappropriate behaviour. In such circumstances, the Public Schools Branch supports the use of a continuum of discipline strategies, including suspension and expulsion where necessary, in accordance with the *Education Act*, Public Schools Branch policy and other applicable documents.

6.0 STUDENT TO STUDENT OR STAFF - INCIDENT RESPONSES

- i. This section provides direction on responding to situations where there is a concern or complaint about the behaviour of a student toward another student or a staff member.
- ii. In all incidents, school administration and/or Student Services will ensure that appropriate support is made available to all parties.
- iii. Staff are expected to sufficiently document concerning student behaviour toward another student or staff when observed or brought to their attention.
- iv. Where appropriate, the Public Schools Branch Board of Directors may expel a student in accordance with the *Education Act*, its regulations, and Public Schools Branch policy.

INCIDENT	STUDENT TO STUDENT OR STAFF
Bullying or Harassment (This includes cyber bullying)	<ul style="list-style-type: none"> a) A student who believes they have been bullied, harassed, discriminated against, threatened, or verbally abused by a student should report it to a teacher or the principal for investigation. b) A staff member who believes they have been bullied, harassed, discriminated against, threatened, or verbally abused by a student should report it to the principal for investigation.
Discrimination	<ul style="list-style-type: none"> c) Allegations will be resolved at the school level, where possible. d) The parent/guardian of the student(s) involved will be contacted by the teacher or principal if the situation suggests it is necessary.
Threat	<ul style="list-style-type: none"> e) The principal will contact the Director of Student Services if the incident is of a serious or persistent nature.
Verbal Abuse	<ul style="list-style-type: none"> f) Police will be contacted where it is determined that the student's conduct is serious enough to warrant police involvement. g) Acts of bullying, harassment, discrimination, threats, and/or verbal abuse may result in disciplinary action and may include progressive discipline and/or suspension as outlined in Student Suspension Policy and <i>Education Act</i>.

Sexual Misconduct	<ul style="list-style-type: none"> a) A student who believes they are a victim of sexual misconduct by a student should report it to a teacher or the principal. b) A staff member who believes they are a victim of sexual misconduct by a student should report it to the principal. c) In all cases of suspected sexual abuse against a student, the provincial <u>Child Sexual Abuse Protocol</u> will be followed. d) Allegations of sexual misconduct will be reported to the Director of Student Services by the principal. e) Police will be contacted where it is determined that the student's conduct is serious enough to warrant police involvement. The Public Schools Branch will conduct their own investigation at an appropriate time. f) The parent/guardian of the student(s) involved will be contacted by the principal if the situation suggests it is necessary. g) An act of sexual misconduct may result in disciplinary action, which may include a threat assessment, progressive discipline and/or suspension, in accordance with the Student Suspension Policy and <i>Education Act</i>.
Theft or Vandalism	<ul style="list-style-type: none"> a) A student who believes they are a victim of theft or vandalism by a student should report it to a teacher or the principal for investigation. b) A staff member who believes they are a victim of theft or vandalism by a student should report it to the principal for investigation. c) Allegations will be resolved at the school level, where possible. d) The parent/guardian of the student(s) involved will be contacted by the teacher or principal if the situation suggests it is necessary. e) The principal will contact the Director of Student Services if the incident is of a serious or persistent nature. f) Police will be contacted where it is determined that the student's conduct is serious enough to warrant police involvement. g) In the case of theft, the student/parent will be responsible to return the item and/or provide full compensation to the owner. h) In the case of vandalism, the student/parent will be responsible for fully compensating either the Public School Branch or the owner of the damaged property for the damages incurred. i) An act of theft or vandalism may result in disciplinary action which may include progressive discipline and/or suspension in accordance with the Student Suspension Policy and <i>Education Act</i>.
Violence	<ul style="list-style-type: none"> a) A student who believes they have been a victim of violence by a student should report it to a teacher or the principal for investigation. b) A staff member who believes they have been a victim of violence by a student should report it to the principal for investigation. c) Allegations will be resolved at the school level, where possible. d) The parent/guardian of the student(s) involved will be contacted by the teacher or principal if the situation suggests it is necessary. e) The principal will contact the Director of Student Services if the incident is of a serious or persistent nature. f) Police will be contacted where it is determined that the student's conduct is serious enough to warrant police involvement.

	<p>g) An act of violence may result in disciplinary action and may include a threat assessment, progressive discipline, alternate schooling and/or suspension in accordance with the Student Suspension Policy and <i>Education Act</i>.</p> <p>h) An act of violence resulting in <u>student injury</u> will be reported on the <i>Physical Incident Report Form</i> (Student Services form) and <i>School Incident Report Form</i> (Risk Management form).</p> <p>i) An act of violence that may result in a <u>staff injury</u> will be reported on the <i>School Incident Report Form</i> (Risk Management form) and the <i>Workers Report Form 6</i> (Workers Compensation Form).</p>
Weapons	<p>a) A weapon or weapon replica is not permitted on school premises.</p> <p>b) Anyone who suspects a student is in possession of a weapon or weapon replica should report it to a teacher or the principal for investigation.</p> <p>c) A weapon or weapon replica on school premises will be confiscated by a staff member, where it is safe to do so.</p> <p>d) The parent/guardian of the student(s) involved will be contacted if the context of the incident suggests it is necessary.</p> <p>e) The principal will contact the Director of Student Services if the incident is of a serious or persistent nature.</p> <p>f) Police will be contacted where it is determined that the student's conduct is serious enough to warrant police involvement. The weapon/weapon replica may be released to police, as required by law.</p> <p>g) Possessing a weapon or weapon replica on school premises will result in disciplinary action which may include a threat assessment, progressive discipline and/or suspension in accordance with the Student Suspension Policy and <i>Education Act</i>.</p> <p>h) Religious property or paraphernalia, (e.g. a Kirpan) that is worn by a student at school is not considered a weapon, if required for religious purposes.</p>

7.0 STAFF TO STUDENT - INCIDENT RESPONSES

- i. This section provides direction on responding to situations where there is a concern or complaint about the behaviour of a staff member toward a student.
- ii. In all incidents, the school administration/supervisor, and/or Student Services, and/or Human Services will ensure that appropriate support is made available to all parties.
- iii. Supervisors are expected to sufficiently document concerning staff behaviour toward a student when observed or brought to their attention.
- iv. A staff member may be placed on administrative leave while an allegation of an incident is being investigated, in accordance with the *Education Act*, applicable collective agreements, and labour laws.
- v. A concern or complaint about the behaviour of a volunteer will be addressed in accordance with the Volunteers in Schools policy and procedure and applicable legislation.

INCIDENT	STAFF TO STUDENT RESPONSE
Bullying or Harassment (This includes cyber bullying) Discrimination Threat Verbal Abuse	a) A student who believes they have been bullied, harassed, discriminated against, threatened, or verbally abused by a staff member, should report it to a teacher or the principal for investigation. b) The parent/guardian of the student involved will be contacted by the teacher or principal if the situation suggests it is necessary. c) The principal will contact the Director of Student Services if the incident is of a potentially serious or persistent nature. The Director of Student Services will involve the Director of Human Resources. d) Police will be contacted where it is determined that the staff member's conduct is serious enough to warrant police involvement. e) An act noted above may result in disciplinary action against the staff member which may include, oral reprimand, written reprimand, suspension, or dismissal, in accordance with the <i>Education Act</i> , applicable collective agreements and labour laws.
Sexual Misconduct	a) A student who believes they are a victim of sexual misconduct by a staff member, should report it to a teacher or the principal. b) In all cases of suspected sexual abuse against a student, the provincial <u>Child Sexual Abuse Protocol</u> will be followed. c) The principal will notify the Director of Student Services of the allegation. The Director of Student Services will notify the Director of Human Resources. d) Police will be contacted where it is determined that the staff member's conduct is serious enough to warrant police involvement. The Public Schools Branch will conduct their own investigation at an appropriate time. e) The parent/guardian of the student involved will be contacted if the situation suggests it is necessary. f) An act of sexual misconduct may result in disciplinary action against the staff member, which may include oral reprimand, written reprimand, suspension, or dismissal, in accordance with the <i>Education Act</i> , collective agreements and applicable and labour laws.
Theft or Vandalism	a) A student who believes they are a victim of theft or vandalism by a staff member should report it to a teacher or the principal for investigation. b) The parent/guardian of the student involved will be contacted if the situation suggests it is necessary. c) The principal will contact the Director of Student Services if the incident is of a potentially serious or persistent nature. The Director of Student Services will involve the Director of Human Resources. d) Police will be contacted where it is determined that the staff member's conduct is serious enough to warrant police involvement. e) In the case of theft or vandalism, the staff member will be responsible to return the item and/or provide full compensation to the owner. f) An act of theft or vandalism may result in disciplinary action against the staff member, which may include oral reprimand, written reprimand, suspension, or dismissal, in accordance with the <i>Education Act</i> , collective agreements and applicable and labour laws.

Violence	<ul style="list-style-type: none"> a) A student who believes they have been a victim of violence by a staff member, should report it to a teacher or the principal for investigation. b) The parent/guardian of the student involved will be contacted if the situation suggests it is necessary. c) The principal will contact the Director of Student Services if the incident is of a potentially serious or persistent nature. The Director of Student Services will involve the Director of Human Resources. d) Police will be contacted where it is determined that the staff member's conduct is serious enough to warrant police involvement. e) An act noted above may result in disciplinary action against the staff member which may include, oral reprimand, written reprimand, suspension, or dismissal, in accordance with the <i>Education Act</i>, applicable collective agreements and labour laws. f) An act of violence resulting in <u>student injury</u> will be reported on the <i>Physical Incident Report Form</i> (Student Services form) and <i>School Incident Report Form</i> (Risk Management form). g) An act of violence that may result in a <u>staff injury</u> will be reported on the <i>School Incident Report Form</i> (Risk Management form) and the <i>Workers Report Form 6</i> (Workers Compensation Form).
Weapons	<ul style="list-style-type: none"> a) A weapon or weapon replica is not permitted on school premises. b) Anyone who suspects a staff member is in possession of a weapon or weapon replica will report it to the principal for investigation. c) A weapon or weapon replica on school premises will be confiscated by the principal, where it is safe to do so. d) The principal will contact the Director of Student Services if the incident is of a potentially serious or persistent nature. The Director of Student Services will involve the Director of Human Resources. e) Police will be contacted where it is determined that the staff member's conduct is serious enough to warrant police involvement. The weapon/weapon replica may be released to police, as required by law. f) Possessing a weapon or weapon replica on school premises may result in disciplinary action which may include oral reprimand, written reprimand, suspension, or dismissal, in accordance with the <i>Education Act</i>, collective agreements and applicable and labour laws. g) Religious property or paraphernalia, (e.g. a Kirpan) that is worn by a staff member at school is not considered a weapon, if required for religious purposes.

8.0 CROSS REFERENCE

- 8.1 PSB Operational Policy 605 - Safe and Caring Learning Environments
- 8.2 PSB Operational Policy 103 - Student Record Policy
- 8.3 PSB Operational Policy 103.1 - Student Record Guideline
- 8.4 PSB Operational Policy 403 - Race Relations, Cross Cultural Understanding and Human Rights in Learning
- 8.5 PSB Operational Procedure 403.1 - Race Relations, Cross Cultural Understanding and Human Rights in Learning
- 8.6 PSB Operational Policy 407 - Student Suspension
- 8.7 PSB Operational Policy 701 - Volunteers in Schools
- 8.8 PSB Operational Procedure 701.1 - Volunteers in Schools
- 8.9 *Education Act*
- 8.10 *Freedom of Information and Protection of Privacy Act*
- 8.11 *Child Protection Act*
- 8.12 Provincial Child Sexual Abuse Protocol
- 8.13 Applicable Collective Agreements

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