

MAY 14, 2014 (updated 2019)

# **HARASSEMENT, INTIMIDATION, AND AGGRESSION POLICY For PENELAKUT ISLAND LEARNING CENTRE**



## **Preamble**

The Penelakut Island Learning Centre along with Penelakut Tribes is committed to providing a safe, caring and orderly school/work environment for all staff and students. No one, whether a Council Member, the Coordinator, a director, supervisor, manager, employee, band member or member of the public, has to put up with harassment, including sexual harassment, intimidation or aggression.

## **Definitions**

Harassment is any behaviour that demeans, humiliates, or embarrasses a person, that a reasonable person should have known would be unwelcome. It includes actions, comments, or displays. It may be a single incident or continue over time.

The Canadian Human Rights Act protects employees and customers from harassment that is related to their race, national or ethnic origin, colour, religion, age, sex, marital status, family status, disability, pardoned convictions, or sexual orientations.

Disrespectful behaviour, known as “personal” harassment, is also covered in this policy. While it also involves unwelcome behaviour that demeans or embarrasses an employee, this behaviour is not based on one of the protected grounds named above.

Harassment can take place between co-workers, between a manager and an employee, between people of the opposite sex or of the same sex, between an employee and a client, or between an employee and a job applicant.

## **Some Examples of Harassment include:**

- Patronizing or condescending behaviour;
- Humiliating an employee in front of co-workers;
- Abuse of authority that undermines someone’s performance or threatens her or his career;
- Vandalism of personal property; and/or
- Physical assault

## **Some Examples of Sexual Harassment include:**

- Unwelcome sexual remarks, invitations, or requests (including persistent, unwanted contact after the end of a sexual relationship)
- Displays of sexually explicit, sexist, or racist, or other offensive or derogatory material;
- Practical jokes that embarrass or insult someone;
- Leering (suggestive staring) or other offensive gestures;
- Unwelcome physical contact, such as patting, touching, pinching, hitting;

- Sexual assault

### **Intimidation**

Intimidation is the act of instilling fear in someone as a means of controlling or coercing that person. For example, any of the following behaviours could be considered intimidation, depending upon the context:

- Verbal threats: threatening phone calls, threats of violence against person or property
- Written threats, including electronic communications
- Physical threats: showing a weapon, jostling, threatening to injure, stalking or following
- Defacing or stealing victim's property
- Daring or coercing victim to do something dangerous or illegal
- Extortion (demanding payment or goods or acts for victim's safety)
- Inciting discrimination or hatred toward a victim
- Setting up a victim to take the blame for an offence.

### **Aggression**

Aggression includes serious verbal or written threats, physical or sexual assaults or any threatening statement or behaviour which gives reasonable cause to believe there is a risk of injury

### **What is not considered harassment?**

Consensual banter or romantic relationships, where the people involved agree with what's happening, is not harassment. Appropriate performance reviews, counselling, or discipline by the Coordinator, a director, supervisor or manager are not harassment. Age, maturity and special needs must be also considered.

### **Administrative Procedure for Harassment Situations**

1. As a regular preventative procedure staff are to encourage and make students/staff aware of the need to speak up and tell the person directly causing harassment, that you want the behaviour to stop. Staff also must make students aware of the necessity for documenting and reporting any unacceptable behaviour that would be considered a harassment situation.
2. When a principal or teacher is informed about an act of intimidation, harassment or aggression by a student that has occurred within the jurisdiction of the school, the principal shall conduct a thorough investigation of the circumstances, documenting all pertinent details and ensure appropriate action is taken when necessary (up to and including suspension) The principal will consult with the authority and the student's age, maturity and special needs will be taken into account in assessing the situation.

3. Whenever possible and appropriate, the goal will be to focus on consequences that are restorative in nature rather than punitive.

4. When a principal or authority considers the offense to be of exceptional severity and/or of a persistent nature then indefinite suspension of the student will occur.

5. For all acts of intimidation, harassment or aggression, the principal or authority shall:

- Consider reporting the matter to the local law enforcement authorities and, if appropriate, seek their assistance (if not already requested)
- At the moment of suspension or dismissal, attempt to make telephone contact with one of the student's Parents or guardian informing them of the circumstances of the suspension or dismissal. Send home a letter if unable to make contact.
- Principal or head teacher will document and record the incident for student files and administration.
- Call Safer Schools Together: 604-560-2285 or 1-855-677-3720 for serious threat assessment or school trauma.

**Remedies for the Victim may include:**

- An oral or written apology from the harasser
- Elder consultation/counselling
- Local counselling services provided

**Corrective Actions for harassers**

- A suspension
- Elder consultation/counselling
- Legal Action

**MINISTRY DOCUMENTS**

Safe, Caring, and Orderly Schools: A Guide (2004)

Diversity in BC Schools: A Framework (2004)

BC Performance Standards Social Responsibility: A Framework (2001)

Harassment and Bullying Prevention Order (2019)