

## **Title: Sexual Harassment**

### **Policy Statement:**

*The Board is committed to ensuring a learning and working environment free of sexual harassment. Sexual harassment towards or by any board member, parent, volunteer, administrator, faculty member, employee, student or guest is strictly prohibited.*

**Approved:** M. Lynn Gullackson  
(Chair of the Board)

January 23, 2018  
(Date)

**First Approval Date:** January 23, 2018

**To Be Reviewed:** January 23, 2022

**Review and Amendment Date(s):**

**Stakeholders Consulted (Date):**

### **Reference to Documents:**

Discipline Policy, Part 2, Section 2, Category 2

### **Principles:**

*“the society seeks: a. to teach behaviour and morals in accordance with the Word of God. b. to teach the practice of self-discipline in all studies, work habits, inter-personal relationships and behaviour.” - Trinity Christian School Association Constitution*

*“All children and young people should be able to go about their daily lives without the fear of being threatened, assaulted or harassed.” - Anti-Bullying Policy*

### **A. Purpose:**

1. To affirm the Board’s opposition to sexual harassment.
2. To affirm the Board’s commitment to protecting students from sexual harassment.
3. To establish explicitly the responsibilities of all employees and students by defining their duty to report incidents of sexual harassment.
4. To establish channels for reporting by students and parents of suspected sexual harassment, and the prompt notification of law enforcement when criminal activity is alleged or suspected.
5. To establish effective procedures for addressing harassment complaints.
6. To ensure compliance with:
  - a. All federal and provincial laws related to sexual harassment.
  - b. All regulations related to reporting to Alberta Education of resignations and dismissals of certificated employees related to sexual harassment.

**B. Definitions:**

*Sexual Harassment* is defined as inappropriate touching, unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature.

**C. Application:**

1. This policy applies to all sexual harassment involving employees, students, contractors and volunteers.
2. Home education students are subject to this policy when attending school-sponsored events.

**C. Prohibited conduct****1. Sexual Harassment.**

Types of conduct which are prohibited and may constitute sexual harassment include, but are not limited to:

- a. Unwelcome sexual flirtations or propositions
- a. Sexual slurs, leering, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions, spreading sexual rumors.
- b. Graphic verbal comments about an individual's body, or overly personal conversation, sexual jokes, notes, stories, drawings, pictures or gestures
- c. Inappropriate touching an individual's body or clothes
- d. Displaying sexually suggestive objects or pornographic images.

**2. Inappropriate staff/student interaction.**

Staff and volunteers must avoid appearances of impropriety when interacting with students. Educators, other employees and volunteers are expected to be aware of behaviors associated with sexual harassment. Personal contact between adults and students must always be nonsexual, appropriate to the circumstances and unambiguous in meaning. Staff and volunteers must respect boundaries consistent with their roles as educators, mentors and caregivers. Violations of these boundaries include:

- a. Touching a student in a way that could be interpreted as being anything other than friendly appropriate adult-child support.
- b. Kissing a student, even on the cheek, or encouraging students to kiss others.
- c. Conducting ongoing, private, conversations with individual students that are unrelated to school activities or the well-being of the student and that take place in locations inaccessible to others.
- d. Inviting students for social contact off school grounds without the permission of parents. Singling out a particular student or group of students for personal attention and friendship beyond the bounds of an appropriate educator/mentor-student relationship.
- e. Conversation of a sexual nature with students not related to the employee's professional responsibilities.

**3. Dating between staff or volunteers and students is prohibited.**

#### **D. Reporting:**

1. Any employee or student who believes that they have been subjected to sexual harassment has the right to file a complaint and to receive prompt handling of their complaint. In all phases of the complaint resolution process, every effort shall be made to maintain the confidentiality and protect the privacy of all parties.
2. Any employee or student who believes that he/she has been subjected to sexual harassment should report such conduct promptly, orally or in writing, to a senior manager (the school principal, home education administrator, or secretary-treasurer) or to the Chair of the Board.
3. Any employee who has reason to believe that someone is suffering sexual harassment should immediately notify a senior manager, regardless of whether the victim files a complaint.
4. Staff and volunteers have an obligation to report incidents of sexual harassment to a senior manager or the Board Chair.
5. The senior managers must ensure that clear channels for reporting suspected sexual harassment exist.
6. In all cases, victims will be notified that counseling is available.

#### **E. Investigative Procedure:**

1. All reports or complaints of sexual harassment must be investigated.
2. If the Board Chair receives a report of sexual harassment, the Chair shall assign the investigation to a senior manager.
3. The responsible senior manager must investigate and take or recommend appropriate action to address complaints of sexual harassment. All complaints of sexual harassment and the results of their investigation shall be confidentially reported to the Board Chair. The Chair may consult with the Board's attorney.
4. In determining whether alleged conduct constitutes sexual harassment, the totality of circumstances, such as the nature of the sexual advances and the context in which the alleged incidents occurred, will be considered.
5. To assist in the investigation, incidents will be documented, including specifics such as dates, times, witnesses, if any, and a full and clear statement of what transpired. A determination of the appropriateness (or lack thereof) of the particular action will then be made from the facts by the senior manager (with the assistance and advice of the Board's attorney if required), and appropriate action will be pursued expeditiously in each case.
6. If there is evidence or testimony regarding sexual harassment that may violate federal or provincial laws, the senior manager or Board Chair must promptly report the incident to law enforcement.
7. The right to confidentiality, both of the complainant and the accused, shall be preserved consistent with applicable laws and TCSA's responsibility to investigate and address such complaints.

**F. Disciplinary Action:**

1. Any manager or employee of the school who engages in sexual harassment is subject to discipline, up to and including dismissal. The results of the investigation of each complaint will be reported to the victim.
2. Any student of the school who engages in sexual harassment is subject to immediate and appropriate discipline as outlined in Part 2, Section 2, Category 2 of the Discipline Policy
3. Any home education student who engages in sexual harassment at a school-sponsored event, will be subject to the measures outlined for students in Part 2, Section 2, Category 2 of the Discipline Policy.

**G. Retaliation**

1. Retaliation against an individual who either orally reports or files a written complaint regarding sexual harassment or an individual who participates in or cooperates with an investigation is prohibited. Such retaliation will be considered to be harassment and subject to investigation and discipline.