Chilliwack School District
"Partners In Learning"

ADMINISTRATIVE REGULATION 501.2

STUDENT BEHAVIOUR
SEXUAL HARASSMENT AMONG STUDENTS

The main objective of this regulation is to prevent sexual harassment. All persons within the school community have a responsibility to promote, monitor and maintain learning environments that are free from sexual harassment. The behaviour need not be intentional in order to be considered sexual harassment. Sexual harassment is any behaviour that is sexual in nature and is unwelcome. Sexual harassment can include such things as pinching, patting, rubbing or leering, touching, dirty jokes, pictures or pornographic materials, comments, suggestions, innuendos, requests or demands of a sexual nature and will not be tolerated.

DIRECTIONS FOR STUDENTS

If a student believes they are being sexually harassed, the Board encourages the following procedure:

1. Sometimes a person does not realize that a particular habit, action, reaction or attitude is unwelcome. Therefore it is strongly recommended that a complainant communicate to the individual that his/her behaviour is unwelcome and ask them to stop (verbally and/or in writing). Before proceeding with a formal complaint a student who believes s/he is being harassed or who may not know or is unable to communicate with the harasser should approach a teacher, counsellor, administrator, parent or trusted adult to obtain advice support and skills to halt the harassment. The resolution may include an apology and assurance that the offensive conduct will not be repeated or some other acceptable solution.

2. Keep a record of incidents including dates, times, locations, possible witnesses, what happened, and your response. You do not have to have a record of events in order to file a complaint, but a record can strengthen your case and help you remember details over time.

3. File a complaint. If, after asking the harasser to stop his/her behaviour, the harassment continues, report the problem to one of the following individuals:

   (a) principal or vice principal
   (b) teacher or guidance counsellor
   (c) Superintendent or Assistant Superintendent (792-1321)
   (d) BC Confederation of Parent Advisory Councils
   Advocacy Service 1-800-351-9834
   (e) a parent, friend or relative who can help you talk to one of the parties listed above.

You also have the right to contact the police to file a charge of assault.

Time Limits - Complaints can normally be filed for sexual harassment that has taken place within the previous 6 months. This time limit does not apply where sexual assault or sexual abuse has occurred.

DIRECTIONS FOR ADMINISTRATOR

1. Once a complaint is received, it will be kept strictly confidential. However, it must be recognized that a fair investigation will require some disclosure. An investigation will be undertaken immediately and all necessary steps taken to resolve the problem. If the issue is resolved through informal means, a copy of the resolution will be kept by both parties. If sexual assault or abuse has been alleged, it must be reported by the person receiving the disclosure or complaint to the Ministry for Children and Families and/or the RCMP for their investigation.

2. The complainant and the alleged harasser will both be interviewed along with any individuals who may be able to provide relevant information. All information will be kept in confidence. Normally, the school principal or vice principal will conduct the investigation. Both the complainant and alleged harasser are entitled to be accompanied by a representative, normally their parent(s) at all phases of the investigation. The alleged harasser will normally be interviewed last so that an opportunity to respond to the allegations is possible.

3. If the investigation reveals evidence to support the complaint of sexual harassment, both the parents of the victim and alleged harasser must be informed, in writing, of the allegation and of the findings. The harasser will be disciplined appropriately. Discipline may include training, counselling, suspension and/or explusion, and the incident will be documented in the harasser's file. No documentation whatsoever will be placed in the complainant's file where the complaint is filed in good faith, whether the complaint is upheld or not.

4. Should the school principal conclude that a complaint is not filed in good faith, appropriate discipline will be applied. This discipline could range from an apology to a transfer as noted in point #7 below.

5. If the investigation fails to find evidence to support the complaint, there will be NO documentation concerning the complaint placed in the file of the alleged harasser.

6. Regardless of the outcome of a sexual harassment complaint made in good faith, the student lodging the complaint, as well as anyone providing information, will be protected from any form of retaliation as well as harassment of the individual as a result of his/her having made a complaint or having provided evidence regarding the complaint.

7. In the event that a transfer is required, it shall be the harasser who is transferred, except where the complainant requests to be the one transferred.

8. Both the complainant and the alleged harasser have access to the school or district counsellor.

9. A student has the right to appeal any decisions to the Board. (Section 11 of the School Act Appeals). Further, students may use the services of the Ombudsman (1-800-567-3247).

Responsibility of Administration - It is the responsibility of the administrator, teacher or any employee within this district to take immediate and appropriate action to report or deal with incidents of sexual harassment whether brought to their attention or personally observed. Under no circumstances should a legitimate complaint be dismissed, downplayed or the complainant told to deal with it themselves.

School administration should follow-up with both victim and harasser to ensure the conduct does not continue and that counselling is provided if needed or wanted.

Cross Refs: Charter of Rights and Freedoms, Section 15.1
Board Policies: Harassment 402 (P) and Student Behaviour 501 (P)

Adopted: January 26, 1999
Reviewed:
Revised: November 25, 2004

501.2 (AR)

STUDENT SEXUAL HARASSMENT REPORT FORM

General Statement of Policy and Prohibiting Sexual Harassment

Chilliwack School District No. 33 maintains a firm policy prohibiting all forms of discrimination including those based on sex. Sexual harassment against students or employees is sexual discrimination. All persons are to be treated with respect and dignity. Sexual advances or other forms of sexual harassment by any person, male or female, which create an intimidating, hostile or offensive environment will not be tolerated under any circumstances.

Complainant: _____

School:
Home Address:

Telephone:

Date of Alleged Incident(s)

Name of person(s) the student believes sexually harassed them

List any witnesses that were present

Where did the incident(s) occur?
Any previous history/relationship between the complainant and the alleged harasser?

Describe the incident (s) as clearly as possible, including such things as what force, if any, was used; any verbal statements (ie, threats, requests, demands, etc); what, if any, physical contact was involved; what did you do to avoid the situation. (use additional pages if necessary)

What do you think motivated the alleged harasser?

How do you believe this issue could be resolved?

This complaint is filed based on my honest belief that _____has sexually harassed me. I hereby certify that the information I have provided in this complaint is true, correct and complete to the best of my knowledge and belief.

_____

Complainant Signature Date

_____

Received by (please print) Date