

School District #62 (Sooke)

SEXUAL HARASSMENT	No.: E-155
	Effective: Apr. 11/95 Revised: Sept. 13/05; Mar. 28/06

SCHOOL BOARD POLICY

There is no place for sexual harassment in School District No. 62 (Sooke). It is an illegal practice under the B.C. Human Rights Code that threatens an individual's basic human rights and erodes the values of our school system and the integrity of our organization. The Board complies with the B.C. Human Rights code and is committed to maintaining a workplace and school system free of sexual harassment.

The Board of School Trustees of School District No. 62 (Sooke) recognizes the right of all employees and students to work and attend schools in an environment free from sexual harassment. The Board shall take such actions as are necessary to promote, monitor and maintain a workplace/school environment free of sexual harassment.

Sexual harassment is a form of discrimination on the basis of sex or sexual orientation. It may affect an individual's ability to learn and/or work. Sexual harassment is an expression of power, authority or control through sex and is coercive in nature.

Practices Which Constitute Sexual Harassment:

1. A sexual advance or request for sexual favour that is known, or ought reasonably to have been known, by the person making the advance, to be unwanted by the recipient; or
2. other sexually-oriented remarks or behaviour that are known, or ought reasonably to have been known, by the person making the remarks or engaging in the behaviour, to be unwanted by the recipient, and that either may be reasonably expected to interfere with a person's work/school performance or may reasonably be perceived as creating an intimidating, hostile or offensive work/classroom environment for work or study; or
3. a sexual advance or request for sexual favours made by a person in a position to grant, confer or deny a benefit, privilege, or advancement to the person, where the person making the advance or request knows, or ought reasonably to know, that it is unwanted by the recipient; or
4. a reprisal, or threat of reprisal, or the denial of opportunity, for the rejection of a sexual advance or request for sexual favours where the reprisal is made or threatened or an opportunity denied by a person in a position to grant, confer or deny a benefit, privilege or advancement; or
5. expressions of bias on the basis of sex or sexual orientation such as derogatory comments, notes, or gestures; or
6. the display of pornographic and/or exploitative pictures, cartoons and graffiti in the schools and on other School District premises. This form of sexual harassment includes pictures and/or messages on clothing. The Board will take disciplinary measures against any person under its direction who subjects any employee/student to sexual harassment up to and including dismissal for an employee and suspension/expulsion for a student.

This policy shall not apply to any complainant who is covered by a collective agreement which includes a provision for addressing sexual harassment.

A student who wishes to pursue a concern arising from alleged sexual harassment may refer the complaint to any District employee. A District employee who has been requested to pursue a concern arising from sexual harassment will inform the Superintendent or designate.

The B.C. Human Rights Act pertains to the rights of individuals to seek redress under the Act in respect of sexual harassment.

The Board will provide in-service for employees in the areas of Human Rights and Sexual Harassment.

Each school shall have in place a Code of Conduct to guide the behaviour of students. This Code will contain an article which recognizes the right of students to attend school in an environment free from sexual harassment and which outlines the disciplinary measures that will be taken against a student who subjects another person to sexual harassment.

Single acts of sufficient severity may constitute harassment.

All complaints are very serious matters. In the event that the Board determines that a complaint was filed for malicious or vexatious reasons, the Board will take disciplinary action.

The above definitions are not intended to inhibit interactions or relationships based on mutual consent or normal social contact between employees nor to prevent the routine exercise of the Board's managerial and/or supervisory rights and responsibilities.

All complaints must be made within three months of the last alleged incident. This policy does not prevent an individual from pursuing action through alternate resolution procedures including legal action; however there is no entitlement to duplication of process. This means that:

- No action will proceed under this policy if the complaint has already been dealt with through some other process.
- If a complainant makes a complaint under this policy and also pursues the complaint through some other process, proceedings conducted under this policy may be adjourned or terminated as appropriate.