

Administrative Procedure 170

DISCRIMINATION AND HARASSMENT

Background

Our Catholic Schools in Medicine Hat have certain distinctive qualities that are rooted in the Gospel and expressed in our mission statement. Among those qualities is a sense of warmth and support, respect for each individual, and a common belief that brings us together as a caring family, to promote Catholic values. Discrimination is differential treatment which is to the detriment of an individual or group of individuals. Harassment is behaviour which may be verbal, physical, deliberate, unsolicited or unwelcome; it may be one incident or a series of incidents. It is a contradiction to our faith, our teachings and our mission statement for acts of discrimination or harassment to occur in our schools.

The Division is committed to providing an environment in which all individuals are treated with respect and dignity; thus discrimination/harassment of any kind against any individual is prohibited.

This administrative procedure shall apply to all individuals who work, study, or volunteer, within the schools or are on school or Division-related business. Through instruction and modeling, principals and/or supervisors shall ensure that their area of responsibility remains free of discrimination/harassment against any individual.

Procedures

1. A student (or the parent(s) or legal guardian of a student) or employee who believes she/he has been subjected to discrimination or harassment shall advise the alleged offender that the action is unacceptable behaviour and unwelcome.
2. If the action continues, the student (or the parent(s) or legal guardian of a student) or employee is to report incidents of perceived harassment or discrimination to the principal or immediate supervisor as soon as possible. Where, due to perceived involvement or bias, the student (or the parent(s) or legal guardian of a student) or employee is not able to proceed through the principal or immediate supervisor, she/he may report directly to the Deputy Superintendent; and where, due to perceived involvement or bias, the student (or the parent(s) or legal guardian of a student) or employee is not able to proceed through the Deputy Superintendent, she/he is to report directly to the Superintendent.
3. Complaints shall be made promptly. It is helpful if the student (or the parent(s) or legal guardian of a student) or employee keeps a record of dates, times, the nature of the behavior and the names of any people who may have witnessed the incident(s) and also record what action was taken to stop the harassment.



4. The Superintendent shall report promptly all complaints and subsequent actions and findings to the Board.
5. All complaints shall be treated in confidence while under investigation.
6. A complaint which appears to have sufficient grounds to warrant further inquiry shall be investigated by the Deputy Superintendent after the complainant has signed a written summary of the complaint. Where, due to perceived involvement or bias, the Deputy Superintendent is unable to carry out the investigation, the Superintendent shall investigate the complaint.
7. The investigator shall advise the complainant that she/he may have the right to file a complaint with the Alberta Human Rights commission.
8. The investigator shall advise the complainant that she/he has the right to report the matter to the Police if she/he believes that a criminal offence has been committed.
9. Upon receipt of written notice of intent to investigate a complaint, the school concerned shall assist the investigator in the investigation by providing access to all required files and documents and ensuring the cooperation of staff.
10. The complainant and the alleged offender shall be interviewed by the investigator. The investigator may also interview any other individuals who may be able to provide relevant information.
11. No documentation shall be placed in the complainant's file where the complaint is made in good faith, whether the complaint is upheld or not. If the investigation fails to find evidence to support the complaint, there shall be no documentation concerning the complaint placed in the file of the alleged offender.
12. Where investigation of an internal complaint verifies that violation of the discrimination and harassment administrative procedure has occurred, the Superintendent shall determine appropriate disciplinary action and any other measures required to rectify the situation.
13. Disciplinary action may range, depending on the seriousness of the case, from a verbal or written reprimand to suspension or dismissal of the employee, or suspension or expulsion of a student.
14. A complainant or alleged offender who is not satisfied with the results of the investigation may appeal to the Board.
15. An individual who has made a complaint or a witness who has testified about an alleged violation of this discrimination and harassment procedure, who believes that she/he is being subjected to punitive action is to register a formal complaint in writing to the Superintendent.
16. Nothing in this procedure shall detract from the right of a student or employee to make a complaint at any time to the Alberta Human Rights Commission in accordance with the provisions of the Individual's Rights Protection Act.



17. Reprisals against individuals who have reported a complaint or any participants in a discrimination or harassment investigation are forbidden. Alleged reprisals shall be investigated as formal complaints and, if substantiated, are subject to the same consequences as a complaint of discrimination and harassment.
18. At any time following a complaint, the investigating officer, or designate, may decide on the balance of the evidence that a complaint has been filed in bad faith or is clearly without merit. In this case, the complaint process shall discontinue and disciplinary action may occur against the complainant.

Reference: Section 45, 60, 61, School Act
Canadian Human Rights Act
Child Welfare Act
Criminal Code
Individual's Rights Protection Act

