

# #04 Welcoming, Caring, Respectful and Safe Learning Environments

## BOARD POLICY

Board Approval:	February 26, 2019
Effective Date:	March 1, 2019
Amendment Dates:	N/A
Review Dates:	March 1, 2021

## PURPOSE

The purpose of this policy is to outline the importance of ensuring a welcoming, caring, respectful and safe learning environment, whereby Students and Representatives at the School can learn and work in an environment free from Harassment.

## DEFINITIONS

**Act** – a formal piece of legislation, approved by a legislature or other authority. Specific to this policy, Act means The Alberta Human Rights Act, RSA 2000, c. A-25.5, as amended

**Board** – The Boards of Governors / Directors of HLG

**Gay-Straight Alliance** – a peer support network run by students and supported by school staff, grounded in the principles of promoting:

1. Equity for sexual and gender minority students;
2. Safe, caring and inclusive spaces for all students; and
3. Healthy, respectful environments and relationships to prevent or eliminate bullying and discrimination.

**Harassment** – Any conduct, comment, gesture or physical contact that a reasonable person should know would be unwelcome, inappropriate or otherwise offensive to an individual or group of individuals. Harassment includes behaviors such as cyberbullying, hate messaging and discriminatory or hateful websites, and includes the following categorizations:

- a) **Discriminatory Harassment** – A form of harassment based on the protected grounds outlined within the Act and is against the law. This includes race, religious beliefs, colour, gender, gender identity, gender expression, place of origin, physical disability, mental disability, age, ancestry, marital status, source of income, family status or sexual orientation;
- b) **Non-Discriminatory Harassment** – A form of harassment, while not covered by human rights legislation, which is inconsistent with organizational values and desired interpersonal behaviours, and may breach occupational health and safety legislation; and
- c) **Bullying** – A conscious, willful, deliberate, repeated and hostile activity marked by an imbalance of power, intent to harm and/or threat of aggression. Bullying can be verbal, social, physical, or digital. It can occur between individuals, within a peer group, or between groups. All forms of bullying are considered harassment and will be investigated as such.

**HLG** – Headwater Learning Group, the term for three independent charitable organizations: Calgary Academy Society, Headwater Learning Foundation, and Headwater Learning Solutions Foundation

**Minister** – an elected official, appointed by the Crown to lead a specific portfolio. For the purposes of this policy Minister means The Alberta Minister of Education

**Principal** – the Principal of the Calgary Academy Society

**Representatives** – directors, employees, service providers and contractors of HLG

**Responsible Adult** – An individual 18 years of age or older who can provide care and guidance to children

**School** – Calgary Academy

**School Act** – provincial legislation governing kindergarten to grade 12 education in Alberta

**Student** – student enrolled in Calgary Academy

## GUIDELINES

1. HLG is committed to providing a safe and caring learning environment that encourages diversity and fosters a sense of belonging and mutual respect. Each Student and Representative within the School has the right to learn and work in an environment that promotes equality of opportunity, dignity, and respect.
2. HLG affirms the rights of all Students and Representatives as provided for in the Alberta Human Rights Act and the Canadian Charter of Rights and Freedoms.
3. HLG is committed to ensuring that no Students or Representatives are discriminated against as provided for in the Alberta Human Rights Act and the Canadian Charter of Rights and Freedoms.
4. HLG prohibits Harassment by or of its Students and Representatives. Any allegations of Harassment will be investigated in a timely and respectful manner.
5. A Student Code of Conduct has been established, which specifically addresses Harassment, amongst other things.
6. The Board expects all Representatives, Students, parents, volunteers and visitors, to embrace this policy. Students and Representatives are prohibited from engaging in Harassment, whether or not the behavior occurs within the School building, during the School day, or by electronic means. Harassment in any way, toward any person within the School community, contravenes the spirit of this policy.
7. HLG encourages reporting to a Responsible Adult all incidents of threats, Bullying, Harassment, violence or intimidation regardless of the identity of the alleged harasser or offender. The Principal of Calgary Academy will be the investigator of all complaints within the School in relation to Students and/or parents. The Director of HR will be the lead investigator of all Representative-initiated complaints.
8. HLG will support Student organizations and activities in accordance with sections 1 (1), (3), (1), (4) and (6) of the School Act as follows:

- (1) *If one or more students attending a school operated by a board request a staff member employed by the board for support to establish a voluntary student organization, or to lead an activity intended to promote a welcoming, caring, respectful and safe learning environment that respects diversity and fosters a sense of belonging, the principal of the school shall*
  - (b) *immediately grant permission for the establishment of the student organization or the holding of the activity at the school, and*
  - (c) *subject to subsection (4), within a reasonable time from the date that the principal receives the request designate a staff member to serve as the staff liaison to facilitate the establishment, and the ongoing operation, of the student organization or to assist in organizing the activity.*

(3) *The students may select a respectful and inclusive name for the organization or activity, including the name "gay-straight alliance" or "queer-straight alliance", after consulting with the principal.*

(3.1) *For greater certainty, the principal shall not prohibit or discourage students from choosing a name that includes "gay-straight alliance" or "queer-straight alliance."*

(4) *The principal shall immediately inform the board and the Minister if no staff member is available to serve as a staff liaison referred to in subsection (1), and if so informed, the Minister shall appoint a responsible adult to work with the requesting students in organizing the activity or to facilitate the establishment, and the ongoing operation, of the student organization at the school.*

(6) *The principal is responsible for ensuring that notification, if any, respecting a voluntary student organization or an activity referred to in subsection (1) is limited to the fact of the establishment of the organization or the holding of the activity.*

9. The Principal is responsible for ensuring that notification is otherwise consistent with the usual practices relating to notifications of other student organizations and activities.
10. The Personal Information Protection Act governs the disclosure of personal information by the Board.
11. Any Student or Representative found to be in breach of this policy will be disciplined, up to and including expulsion or termination for cause.

## LEGAL REFERENCES

Alberta Human Rights Act, RSA 2000, c. A-25.5, as amended

Canadian Charter of Rights and Freedoms, Part 1 of the Constitution Act, 1982

Occupational Health and Safety Act, SA 2017, c.O-2.1, as amended

Occupational Health and Safety Regulation, AR 62/2003, as amended

Occupational Health and Safety Code

Personal Information Protection Act, SA 2003, c. P-6.5, as amended

School Act, RSA 2000, c. S-3, as amended

Practice Review of Teachers Regulation

## CROSS-REFERENCES

Board Policy – Code of Conduct

Board Policy – Respectful Learning and Working Environments

Employee Code of Conduct

Student Code of Conduct

School Discipline Procedure