



**Section Four: Students**

*“Together We Learn”*

**450R – DISCRIMINATION TOWARD AND BY STUDENTS  
(REGULATIONS)**

**1. Reporting Procedure/Investigation**

*Step 1*

- 1.1 The complainant or advocate may choose to speak or correspond directly with the alleged offender to express his/her feelings about the situation.
- 1.2 Before proceeding to Step 2, the complainant must approach the principal/supervisor (or other appropriate school district official), to discuss potential means of resolving the complaint and to request assistance.
- 1.3 The principal is responsible for notifying the parents/guardians of the student complainant, and of the alleged offender where he/she is a student.
- 1.4 If the matter is resolved to the complainant’s satisfaction, the matter is deemed to be resolved.
- 1.5 Where appropriate, the resolution shall be put in writing and given to the complainant and the offender.

*Step 2*

- 1.6 If no agreement for resolution of the complaint has been reached or an agreement for resolution has been breached by the alleged offender, a complaint may be filed with the Superintendent of Schools or designate.
- 1.7 Where the alleged offender is the Superintendent, the complaint may be filed with the Board of Education Chairperson.
- 1.8 The school district shall notify, in writing, the alleged offender of the complaint and provide notice of investigation.



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### *Step 3*

- 1.9 The school district shall investigate the complaint. The investigation shall be conducted by a person who shall have training and/or experience in investigating complaints of discrimination.
- 1.10 The investigation shall be conducted as soon as is reasonably possible, and shall be completed within 30 days, if possible.
- 1.11 The investigator shall determine if discrimination has occurred and, if so, shall make recommendations regarding appropriate remedy.
- 1.12 The investigator shall submit a written report to the Superintendent, or to the Board Chairperson if the Superintendent is the alleged offender.

## **2. Enforcement**

Each principal/supervisor has the responsibility for maintaining a work and/or educational environment free from discrimination. Principals and department supervisors shall take appropriate actions to reinforce this policy. This will include taking:

- 2.1 prompt action to report and participate in the resolution or investigation of complaints;
- 2.2 appropriate disciplinary action, as needed.

## **3. Consequences**

- 3.1 An employee who engages in or permits discrimination toward a student in the school setting may be subject to disciplinary action up to and including dismissal. An employee who receives a complaint of discrimination from a student and who does not act promptly to forward that complaint to the principal/supervisor may be disciplined.
- 3.2 A student who engages in discrimination toward anyone in a school setting will be subject to disciplinary action up to and including suspension and/or expulsion.
- 3.3 An employee who retaliates against any individual who made a complaint of discrimination, or participated in a discrimination investigation, will be subject to disciplinary action up to and including dismissal.



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- 3.4 A student who retaliates against any individual who made a complaint of discrimination, or participated in a discrimination investigation, will be subject to suspension and/or expulsion.
- 3.5 A student making false accusations in bad faith, or with malice, will be subject to suspension or expulsion.
- 3.6 The school district’s ability to take corrective measures with respect to a non-employee will be limited by the degree of control the school district has over the alleged offender or the employer of the alleged offender.
- 3.7 A non-employee doing business with the school district who retaliates against any individual who either made a complaint of discrimination or participated in an investigation of a complaint of discrimination, will be subject to corrective measures to the extent that the school district has control over the non-employee or his/her employer.

### 4. Notifications

Information regarding this discrimination policy shall be:

- 4.1 included in the notifications that are sent to parents/guardians at the beginning of each school year;
- 4.2 included in student handbooks and parent/guardian handbooks prepared by individual schools;
- 4.3 provided as part of any orientation program conducted for new students.

### 5. Legal Status of the Regulations

These regulations are subject to the requirements of the Child, Family and Community Service Act and to the Interministerial Protocols regarding abuse of children.

Date Agreed: November 13, 2002

Date Amended: N/A

Related Documents: Human Rights Code of BC,  
Policy 455, Child, Family and Community Service  
Act, Interministerial Protocols