



# Mutual Respect Policy



Appleby recognizes that to achieve its vision, the environment it provides must be one which demonstrates respect, dignity, equity and safety for all members of the Appleby community.

Appleby promotes responsibility, respect, civility and academic excellence in a safe learning and teaching environment. All members of the Appleby community have the right to be safe, and feel safe, in the school. Any form of discrimination or harassment is prohibited. The school commits to timely investigations that are thorough, objective and fair to all affected parties. Every person has the right to report an incident or suspected incident without fear of reprisal.

Appleby's faculty and administration have a special responsibility in this area — not only must their own conduct be above reproach but they are in a position to observe and identify possible instances of discrimination, harassment and bullying. All complaints will be treated with discretion and respect for the individuals involved; however, anonymous complaints cannot be investigated. All relevant documentation will be maintained in strict confidence, subject to the school's ability to conduct a full and thorough investigation.

Any allegation of discrimination, harassment or bullying will be dealt with in accordance with Appleby's procedures and will meet or exceed the applicable standards set out in relevant legislation, including the *Child and Family Services Act*, *Ontario Human Rights Code* and *Ontario College of Teachers Act, 1996*.

## **Purpose of the Policy**

The purpose of the Mutual Respect Policy is to maintain a working and learning environment free from acts of harassment. This policy is a clear statement of the school's commitment and determination to act promptly against any incident of harassment and to create an environment where harassment will not be tolerated. The objectives of the Policy are to:

- demonstrate and promote the commitment of Appleby to protect the dignity and rights of its students, volunteers and employees;
- alert and educate students, volunteers and employees and all of the Appleby community to the fact that harassment is prohibited under the laws of the Province of Ontario;
- take immediate action and provide confidential, impartial and effective procedures to resolve complaints in ways that respect the rights of all parties;
- provide appropriate remedies to complainants in recognition of the impact of harassment;
- identify various roles and responsibilities for the maintenance of a harassment-free environment; and/or
- provide appropriate responses and consequences where harassment has occurred.

## **Discrimination**

Discrimination refers to unfair or prejudicial treatment of individuals or groups on the basis of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or disability as set out in the Ontario *Human Rights Code*. Discrimination, whether intentional or unintentional, has the effect of preventing or limiting access to opportunities, benefits, or advantages that are available to other members of society.

## Harassment

Harassment is a form of discrimination and is against the law. Harassment is defined in the *Human Rights Code* as “engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome.”

Harassment may be physical (e.g. pushing or other unwelcome contact), verbal (e.g. threats or insults), written or visual (e.g. graffiti or display of offensive and hurtful materials designed to exclude or marginalize their target) and may include use of the Internet. Harassment does not necessarily need to target a specific student or individual. A single act or expression can constitute harassment, for example, if it is a serious violation.

Harassment can manifest itself in many ways. Types of behaviour which constitute harassment include, but are not limited to:

- jokes or hostile comments relating to physical characteristics, ancestry or age;
- physical or verbal teasing;
- display or passing around of sexist, racist or derogatory pictures, materials or graffiti;
- intimidation, offensive remarks, belittling and threatening behaviour;
- leering (suggestive staring), obscene and/or offensive gestures;
- inquiries or comments about a person’s sex life or sexual preferences;
- practical jokes which cause awkwardness or embarrassment, endanger safety or negatively affect others;
- hazing
- derogatory nicknames; and/or
- physical or sexual unwelcome contact.

Allegations of discrimination and/or harassment will be investigated by Appleby Facilitators who are trained for this role in accordance with the procedures outlined in this brochure.

## Bullying

Bullying means aggressive and typically repeated behaviour by a pupil where,

(a) the behaviour is intended by a pupil to have the effect of, or the pupil ought to know that the behaviour would be likely to have the effect of,

(i) causing harm, fear or distress to another individual, including physical, psychological, social or academic harm, harm to the individual’s reputation or harm to the individual’s property, or

(ii) creating a negative environment at a school for another individual, and

(b) the behaviour occurs in a context where there is a real or perceived power imbalance between the pupil and the individual based on factors such as size, strength, age, intelligence, peer group power, economic status, social status, religion, ethnic origin, sexual orientation, family circumstances, gender, gender identity, gender expression, race, disability or the receipt of special education.

This behaviour includes the use of any physical, verbal, electronic, written or other means.

Cyberbullying means bullying by electronic means, including,

- (a) creating a web page or a blog in which the creator assumes the identity of another person;
- (b) impersonating another person as the author of content or messages posted on the internet; and
- (c) communicating material electronically to more than one individual or posting material on a website that may be accessed by one or more individuals.

Appleby recognizes that bullying:

- adversely affects students' ability to learn;
- adversely affects healthy relationships and the school climate;
- adversely affects a school's ability to educate its students;
- will not be accepted on school property, at school-related activities, on school buses, or in any other circumstances (e.g. online) where engaging in bullying will have a negative impact on the school climate.

Students may attain or maintain power over others in the school through real or perceived differences. Some areas of difference may be size, strength, age, intelligence, economic status, social status, solidarity of peer group, religion, ethnicity, disability, need for special education, sexual orientation, family circumstances, gender, and race.

Bullying is a dynamic of unhealthy interaction that can take many forms. It can be physical (e.g., hitting, pushing, tripping), verbal (e.g., name calling, mocking, or making sexist, racist, or homophobic comments), or social (e.g., excluding others from a group, spreading gossip or rumours). It may also occur through the use of technology (e.g., spreading rumours, images, or hurtful comments through the use of e-mail, cellphones, text messaging, Internet websites, or other technology).

Children who suffer prolonged victimization through bullying, as well as children who use power and aggression as bullies, may experience a range of psycho-social problems that may extend into adolescence and adulthood.

## **What can you do?**

If you are a victim, know someone who is a victim or see behaviour which you feel may be discrimination, harassment or bullying:

- if it is safe to do so, tell the person to stop;
- write down what happened; include names, how often it has happened, time, date, location, any witnesses, who else you have told and if you know of anyone else who may have experienced similar conduct; and
- if you are a student, talk with an Appleby Facilitator to determine the appropriate next step.

- If you are unsure if what you witnessed and/or experienced is considered discrimination, harassment or bullying or if you are not comfortable telling the person to stop, talk with an Appleby Facilitator. All reports are taken very seriously and will be handled in a timely and respectful way for everyone involved.
- For any reason, if you do not wish to go to a designated Appleby Facilitator, report the incident to an adult you trust, either at home or at the school.

## **The Role of an Appleby Facilitator**

Appleby has trained Facilitators who will be listed in the Appleby Directory and on e.School. A Facilitator will:

- explain the options available to you;
- provide support and help you talk with the person involved, if you wish to do so;
- arrange for a mediated discussion to resolve the issue;
- help you make a formal complaint;
- provide access to counselling and/or other support as needed; and
- advise students of their right to inform parent(s)/guardian and/or legal counsel.

## **What happens when you talk to a Facilitator?**

The Facilitator will listen to your concerns to determine with you what the appropriate next steps should be. Where necessary, steps can be taken to ensure the safety and protection of yourself and others. You may decide you wish to talk to the individual(s) involved on your own; or if all parties agree, the Facilitator can arrange to mediate a discussion with you and the individual(s) involved in order to find a reasonable resolution. The Facilitator is responsible for keeping confidential documentation of discussions held and of any agreements made. Should informal resolution not be possible, you can make a formal complaint through the Facilitator. In cases of alleged harassment or bullying between an employee and student, a formal investigation will be undertaken.

## **What happens with a Formal Complaint?**

Upon the filing of a written complaint with a Facilitator, a formal investigation will be undertaken:

- the complaint will be discussed with the respondent;
- the respondent will have the opportunity to provide a response which will be provided to the complainant;
- at least two investigators will be assigned to review the facts, conduct interviews and other appropriate means of investigation; the complainant, respondent and witnesses may each have a support person of their choosing (who is not involved in the complaint or investigation) present during any interviews;
- results of the investigation, including recommendations, will be documented and a copy will be provided to all parties involved;
- Facilitators have the option of consulting with a School Director during the investigation; and the Principal or designate will prepare a written decision outlining the findings and disciplinary or other actions to be taken.

## **Consequences**

The intent of discipline is to teach and to guide. Consequences will vary according to the individual and circumstance. Consequences may include, but are not limited to:

- removal from a school activity or program;
- removal from class for a period of time;
- formal suspension from school for one or more days; and / or
- expulsion from school.

In these instances, conditions to return to school will be discussed with parents and students in accordance with school policy.

## **Timelines**

All complaints must be reported within six months of the most recent alleged harassing behaviour. Permission to proceed with an issue outside this timeline may be obtained in consultation with the Principal.

## **Frivolous or Vexatious Complaints**

Appleby does not condone frivolous or vexatious complaints. If it is determined as a result of an investigation that a complaint was made maliciously with intent to harm or made in bad faith, formal disciplinary action will be taken against the complainant.

## **Confidentiality and Notification of Parent(s)**

Facilitators will, at the informal stage, treat information in confidence. At the mediated discussion stage, both parties to the complaint are aware of the information; information is confidential subject to the school's need to protect parties involved and to ensure a full and thorough investigation. Where appropriate, parent(s) of students will be notified as soon as possible.

At the formal investigation stage, individuals other than the parties involved may need to be interviewed. Parent(s) of students will be notified in all cases requiring formal investigation.

Incidents of discrimination, harassment and bullying will be investigated according to Appleby's procedures by the School Director. In cases of serious bullying and/or violence, the law requires reporting to appropriate external authorities who will conduct an investigation and guide the appropriate actions. In such cases, the Facilitator, Headmaster and/or designate will co-operate with the authorities.