

PREAMBLE

This policy promotes the values described in the articles 4, 10, 10.1 of the Québec Charter of Human Rights and Freedoms that stipulate:

ARTICLE 4:

“Every person has a right to the safeguard of his dignity, honor, and reputation”.

ARTICLE 10:

“Every person has a right to full and equal recognition and exercise of his human rights and freedoms, without distinction, exclusion or preference based on race, colour, sex, pregnancy, sexual orientation, civil status, age except as provided by law, religion, political convictions, language, ethnic or national origin, social condition, a handicap or the use of any means to palliate a handicap.

“Discrimination exists where such a distinction, exclusion or preference has the effect of nullifying or impairing such right”.

ARTICLE 10.1

“ No one may harass a person on the basis mentioned in section 10”.

CENTRAL QUÉBEC SCHOOL BOARD'S COMMITMENT

WE ARE COMMITTED:

- To ensure that each school and center provides an environment free of any form of harassment to all its students, from pre-kindergarten through secondary V and Adult Education;
- To act, with the commitment and the direct leadership of school and center principals in cooperation with teachers, professional and support staff, both proactively and reactively in order to create and sustain a learning environment free from all forms of harassment as described in this document;
- To promote pertinent educational and communication activities tailored for the different levels in order to increase awareness in students and empower them to behave respectfully toward one another and to report any harassing behaviour;
- To take prompt and discreet measures each time there is a verbal or written complaint of harassment by a student or students;
- To monitor on a yearly basis the effectiveness of our policy.

BASIC PRINCIPLES

THE CENTRAL QUÉBEC SCHOOL BOARD:

- Will not tolerate any form of harassment as described in this document and considers such behavior to be a violation of a person's fundamental rights, an attack on individual dignity and lack of respect for others;
- Shall commit itself to maintain a learning environment that is free from all forms of harassment as described herewith;
- Shall make every effort to ensure that each individual (complainant or alleged perpetrator) is treated with equity;
- Will ensure that every case (complainant or alleged perpetrator) is treated in the strictest confidence;
- Agree that this policy will not deprive the complainant or the alleged perpetrator of any other right that they have according to the Québec or Canada Charters of Human Rights and Freedoms, the collective agreement, or any other recourse (See Legal Framework).

DEFINITIONS

VIOLENCE, THREATS, INTIMIDATION

(i.e. in person, via internet, cell phones, etc...)

An action, comment or gesture which undermines a person's dignity or physical or psychological integrity, or is liable to make a person act against their will, by using force, threats or intimidation. Violence can be physical, verbal or psychological.

HARASSMENT

Harassment exists when the action of any person causes another person to be distressed, humiliated, tormented or intimidated. It may occur only once or on many occasions and it can be both verbal or non-verbal.

PHYSICAL

Striking a person with the intent to hurt, injure, torment, or intimidate such as hitting, shoving, kicking, hair pulling, choking, spitting at, or biting, etc.

PSYCHOLOGICAL

Hurtful conduct manifested by either repeated behavior, words, actions, gestures, that are hostile and unwelcome, and undermine the dignity or psychological integrity of a person for whom the environment becomes hostile. (i.e. proffering insults or making defamatory, threatening or degrading remarks to a person or group).

VERBAL

Remarks verbal or written intended to hurt, insult, slander, threaten, degrade, torment or intimidate an individual or group.

TAXING

A form of behavior where threats and intimidation are used to obtain money or different goods from others. This behavior is subject to punishment as per article 346 of the criminal code.

CYBER BULLYING

Bullying which uses e-technology as a means of victimizing others. It is the use of an Internet service or mobile technologies-such as e-mail, chatroom discussion groups, instant messaging, webpages SMS (text messaging)-with the intention of harming another person.

EXAMPLES OF SEXUAL HARASSMENT

- Persistent or abusive signs of sexual interest
- Insistent and unsolicited sexual proposals
- Unwelcome physical advances such as touching, patting, brushing up against, pinching or kissing;
- Repeated or insistent sexual remarks, innuendos, jokes or insults that undermine peace at school;
- Implicit or explicit promises of compensation or favoured treatment related to the satisfaction of a sexual request.

DIFFERENCE BETWEEN SEXUAL HARASSMENT AND "FLIRTING"

For an action to be considered sexual harassment rather than seduction, flirting, or friendly affection, it has to be undesired or imposed. Flirting requires two people and therefore consent and mutual acceptance are implicit. Affectionate gestures are used to tell someone we are happy to see them, that we like them or that we have warm or friendly feelings for them. Conversely, harassment is a purely sexual act which is imposed on a person and implies aggression and domination of the victim. Sexual harassment is far from a mutual relationship that is entered into freely.

SEXUAL HARASSMENT

A form of behavior characterized by repeated and unsolicited acts, repeated and unwelcome words or gestures of a sexual nature that could either undermine the dignity or the physical or psychological integrity of the individual. However, a single serious action that could have ongoing harmful results can also be considered sexual harassment.

Say "NO"
to HARASSMENT

All forms of harassment
are deemed unacceptable and intolerable

SCOPE OF THE POLICY

The policy applies to all students enrolled in the schools of the Central Québec School Board. The School Board will not disclose the name of the complainant or of the alleged perpetrator or the circumstances related to the complaint to any person except when disclosure is necessary for the purpose of investigating the complaint or taking disciplinary measures.

RESPONSIBILITY

The school and center principal is responsible for the implementation of the policy in their respective school and center.



RECOURSE

What to do if you are being harassed:

- Do not blame yourself; the person harassing you is responsible for his/her behavior;
- Talk about it with a person you trust;
- Do not hesitate to contact the school or center principal for help and information or to file a complaint. He or she has the responsibility for ensuring a learning environment free of any forms of harassment.

What to do if you witness someone being harassed:

- Talk about it with someone you trust;
- Do not hesitate to contact the school or center principal for help and information.

Important Note:

Remember you may, at any time, call the Youth Protection Department (Directeur de la Protection de la Jeunesse-DPJ) or the police depending on the seriousness of the situation.

PROCEDURES

Procedures to be followed when a situation of harassment appears to exist:

- Between two students:

The case may be referred to the school or center principal who deals with it as per the school's discipline policy. Depending on the situation, parents may be contacted, the case may be referred to the Youth Protection Department or the Police.



- Between an adult and a student, the student being the alleged perpetrator:

The case is referred to the school or center principal who deals with it as per the school's discipline policy.

Note: The Youth Protection Department may also be notified.

- Between an adult and a student, the student being the complainant:

The case is referred to the school or center principal who will take the necessary measures depending on the situation. (Youth Protection Department, Police, School Board Policy for Employees, etc...)

Important Note:

Any person found guilty of making deliberate false allegations to damage someone's reputation may be subject to legal proceedings.

LEGAL FRAMEWORK

- Canadian Human Rights Code;
- Québec Charter of Human Rights and Freedoms;
- Québec Civil Code;
- Criminal Code (Federal);
- Youth Protection Act;
- (Normes du Travail);

NEED TO TALK

- Kids Help Phone 800-668-6868
- Tel-Jeunes 800-263-2266
- Suicide Prevention 866-APPELLE
- Jeunesse, J'écoute (<http://www.jeunessejecoute.ca>)



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POLICY AGAINST ALL FORMS OF HARASSMENT FOR THE STUDENTS OF THE CENTRAL QUÉBEC SCHOOL BOARD



COMMISSION SCOLAIRE CENTRAL QUÉBEC
CENTRAL QUÉBEC SCHOOL BOARD