

SAFE AND CARING SCHOOL POLICY, POLICY NO. ____
April 30, 2018

Effective Date: May 31, 2018

Approval Date: May 15, 2018

Review Date: April 30, 2019

I. POLICY REQUIREMENTS

Board Responsibility

1. The Unlimited Potential Community Services Board has the responsibility to ensure that each student enrolled in the UPCS Schools and each staff member employed by the Board is provided with a welcoming, caring, respectful and safe learning environment that respects diversity and fosters a sense of belonging.

Principal Responsibility in accordance with section 16.1(1) of the School Act

2. If one or more students attending a school operated by the Board request a staff member employed by the Board for support to establish a voluntary student organization, or to lead an activity (collectively the “Requested 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, in addition to the other duties set out in this Policy, ensure that the Requested Activity promotes at the School a welcoming, caring, respectful and safe learning environment that respects diversity and fosters a sense of belonging

Board Responsibility in relation to Student Organizations at the School under s. 16.1 of the School Act

3. In accordance with section 45(4)(b) of the *School Act* which legislatively mandates the Board to include the text of section 16.1(1), (3) (3.1) (4) and (6)” of the *School Act* in this Policy, if one or more students attending the School 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 School principal shall:
 - (a) immediately permit permission for the establishment of the student organization or the holding of the activity at the School, and
 - (b) subject to section 5 (below), 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.
4. For greater certainty, the principal shall not prohibit or discourage students from choosing a name that includes “gay-straight alliance” or “queer-straight alliance”.

Legal References:

- a) *Alberta School Act*, RSA 2000, c S-3: preamble, sections 2, 3, 16, 28
- b) *Alberta Bill of Rights*, RSA 2000, c A-14: preamble, sections 1 and 2
- c) *Alberta Human Rights Act*, RSA 2000, c A-25.5: sections 7, 8 and 11
- d) 2017 Bill 24, Third Session, 29th Legislature, 66 Elizabeth II (“Bill 24”)
- e) *United Nations Convention on the Rights of the Child* (1990), article 5
- f) *International Covenant on Civil and Political Rights*, 999 U.N.T.S. 171, article 18(4) (which protects the rights of parents to guide their children’s religious upbringing)
- g) *Alberta’s Personal Information Protection Act*

5. The principal shall immediately inform the Board and the Minister of Education if no staff member is available to serve as a staff liaison referred to above at subsection 2(b) 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.

Additional Legislatively Mandated Principal Responsibilities

7. As legislatively mandated by section 45(4)(c) of the *School Act*, the principal is responsible for ensuring that notification, if any, respecting a voluntary student organization or an activity referred to in section 16.1(1) of the *School Act*,
 - (a) is limited to the fact of the establishment of the organization or the holding of the activity, and
 - (b) is otherwise consistent with the usual practices relating to notifications of other students.

Section 45.1(3) School Act Statutory Requirements

8. As legislatively mandated in section 45.1(3) of the *School Act*, this Policy and the Student Code of Conduct set out in this Policy (“Code of Conduct”):
 - a) herein affirms the rights, as provided for in the *Alberta Human Rights Act* and the *Canadian Charter of Rights and Freedoms*, of each staff member employed by the Board and each student enrolled in the School;
 - b) herein states that staff members employed by the Board and students enrolled in the School will not be discriminated against as provided for in the *Alberta Human Rights Act* or the *Canadian Charter of Rights and Freedoms* to the degree the same applies in law to the School.

Code of Conduct

9. As legislatively mandated by section 45(5) of the *School Act*, the Code of Conduct herein set out has the following purpose:
The Unlimited Potential Community Services Board will not tolerate harassment, bullying, intimidation, or discrimination on the basis of a person's actual or perceived differences or gender identity or gender expression.

The Unlimited Potential Community Services Board believes that all students have the right to:

- be treated fairly, equitably, and with dignity and respect;
- have their confidentiality protected and respected;
- self-identification and determination;
- freedom of conscience, expression, and association;

Legal References:

- a) *Alberta School Act*, RSA 2000, c S-3: preamble, sections 2, 3, 16, 28
- b) *Alberta Bill of Rights*, RSA 2000, c A-14: preamble, sections 1 and 2
- c) *Alberta Human Rights Act*, RSA 2000, c A-25.5: sections 7, 8 and 11
- d) 2017 Bill 24, Third Session, 29th Legislature, 66 Elizabeth II (“Bill 24”)
- e) *United Nations Convention on the Rights of the Child* (1990), article 5
- f) *International Covenant on Civil and Political Rights*, 999 U.N.T.S. 171, article 18(4) (which protects the rights of parents to guide their children’s religious upbringing)
- g) *Alberta’s Personal Information Protection Act*

- be fully included and represented in an inclusive, positive, and respectful manner by all school personnel;
 - have equitable access to the same supports, services, and protections provided to heterosexual students and their families;
 - have avenues of recourse (without fear of reprisal) available to them when they are victims of harassment, prejudice, discrimination, intimidation, bullying, and/or violence; and
 - Have their unique identities, families, cultures, and communities included, valued and respected within the school environment.
10. In order to ensure that students conduct themselves in an appropriate manner at all times, the students attending the School shall be subject to this Code of Conduct.
11. Students shall conduct themselves so as to reasonably comply with the following Code of Conduct from the School Act (April 1, 2018):
- (a) be diligent in pursuing their studies;
 - (b) attend school regularly and punctually;
 - (c) co-operate fully with everyone authorized by the board to provide education programs and other services;
 - (d) comply with school rules;
 - (e) be accountable to their teachers for their conduct;
 - (f) respect the rights of others;
 - (g) ensure that they contribute positively to the environment and culture of the School;
 - (h) refrain from, report and not tolerate bullying or bullying behaviour directed towards others in the school, whether or not it occurs within the school building, during the school day, or by electronic means;
 - (i) positively contribute to the students school and community
- d) Activities that may constitute a violation of this Code of Conduct include, but are not limited to, bullying whether in person during the school day or by electronic means, physical harm or assault upon others, harassment, hazing, gang activities, weapons in school, drug and alcohol use, and improper conduct on busses or on field trips.
- e) Unacceptable behaviour may be grounds for disciplinary action, and provides the student with an opportunity for critical learning and reflection in the areas of personal accountability and responsibility, the development of empathy, as well as communication, conflict resolution, and social skills development.

In the assessment of the potential consequences of unacceptable behaviour, the School shall also consider a student's age, maturity, individual circumstances, and frequency of the misconduct. In addition, the specific circumstances of the situation and of the student must be taken into account when determining appropriate responses to unacceptable behaviour.

Legal References:

- a) *Alberta School Act*, RSA 2000, c S-3: preamble, sections 2, 3, 16, 28
- b) *Alberta Bill of Rights*, RSA 2000, c A-14: preamble, sections 1 and 2
- c) *Alberta Human Rights Act*, RSA 2000, c A-25.5: sections 7, 8 and 11
- d) 2017 Bill 24, Third Session, 29th Legislature, 66 Elizabeth II ("Bill 24")
- e) *United Nations Convention on the Rights of the Child* (1990), article 5
- f) *International Covenant on Civil and Political Rights*, 999 U.N.T.S. 171, article 18(4) (which protects the rights of parents to guide their children's religious upbringing)
- g) *Alberta's Personal Information Protection Act*

The Unlimited Potential Community Services Board is committed to implementing measures that will:

- Define appropriate expectations, behaviours, language, and actions in order to prevent discrimination, prejudice, and harassment through greater awareness of, and responsiveness to, their harmful effects.
- Ensure that all such discriminatory behaviours and complaints will be taken seriously, documented, and dealt with expeditiously and effectively through consistently applied policy and procedures.
- Improve students' understanding of the individual lives of minorities, including sexual and gender minorities, and their families, cultures, and communities.
- Develop, implement, and evaluate inclusive educational strategies, professional development opportunities, and administrative guidelines to ensure that minorities including gender minorities and their families are treated with respect and dignity in all aspects of the school community in a manner consistent with the school's mission and vision.

When a student engages in unacceptable behaviour, consequences may include, but are not limited to:

- i. temporary assignment of a student to an alternate supervised area within the school;
 - temporary assignment of a student to an alternate learning location;
 - ii. short term removal of privileges including removal from school-related extra-curricular activities and/or groups;
 - iii. interventions such as positive behaviour supports, contracts, counselling, restorative practices;
 - iv. replacement or retribution for loss of or damage to property
- f) The School must ensure that support is provided for students who are impacted by inappropriate behaviour, as well as for students who engage in inappropriate behaviour.
- g) This Code of Conduct shall be made publically available on the School website and shall be provided to all staff, students, and parents.
- h) This Code of Conduct shall be reviewed each school year.
12. Section 45(4)(d) of the *School Act* requires this Policy to indicate that the *Personal Information Protection Act* governs the disclosure of personal information by the Board.

Legal References:

- a) *Alberta School Act*, RSA 2000, c S-3: preamble, sections 2, 3, 16, 28
- b) *Alberta Bill of Rights*, RSA 2000, c A-14: preamble, sections 1 and 2
- c) *Alberta Human Rights Act*, RSA 2000, c A-25.5: sections 7, 8 and 11
- d) 2017 Bill 24, Third Session, 29th Legislature, 66 Elizabeth II ("Bill 24")
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- f) *International Covenant on Civil and Political Rights*, 999 U.N.T.S. 171, article 18(4) (which protects the rights of parents to guide their children's religious upbringing)
- g) *Alberta's Personal Information Protection Act*