



UMCA RICH TREE ACADEMY

Harassment Policy

1. PURPOSE

UMCA Rich Tree Academy is committed to providing a safe, inclusive, respectful, and supportive learning and working environment free from bullying, violence, harassment, discrimination, intimidation, and retaliation.

This policy aligns with Ontario legislation including:

- *Education Act* (Part XIII – Behaviour, Discipline and Safety)
- *Occupational Health and Safety Act* (Workplace Violence & Harassment provisions)
- *Ontario Human Rights Code*
- *Child, Youth and Family Services Act, 2017*
- *Criminal Code of Canada*

The school recognizes its duty to:

- Ensure student safety
- Protect staff from workplace harassment and violence
- Report serious incidents as required by law
- Respond promptly and fairly to all complaints

2. SCOPE

This policy applies to:

- Students
- Staff (administration, teachers, support staff, volunteers)
- Parents/guardians
- Contractors and visitors

This policy applies:

- On school property
- During school hours
- During school-related events or trips
- Online or off-site when conduct impacts school climate

3. DEFINITIONS

3.1 Bullying

Bullying is behaviour that can be repeated or occur one time and can be carried out by an individual or group of individuals.

In the *Education Act*, *bullying* is defined as aggressive and typically repeated behaviour by a student where,

- (a) the behaviour is intended by the student to have the effect of, or the student 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 student 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. It includes cyberbullying, defined below.

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.

3.2 Workplace Violence

Under the *Occupational Health and Safety Act*, workplace violence means:

- The exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker;
- An attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker;
- A statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against a worker, in a workplace that could cause physical injury to the worker.

3.3 Harassment

Under the Ontario *Human Rights Code*, every person has a right to equal treatment with respect to services, goods and facilities, without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender expression, gender identity, age, marital status, family status, or disability.

The School recognizes that inappropriate and unacceptable behaviour towards another member of the community requires a serious response.

“Harassment” under the Code is defined as: “Engaging in a course of vexatious comment or conduct that is know or ought reasonably to be known as unwelcome.”

4. POLICY STATEMENT

Bullying, violence, harassment, discrimination, retaliation, and intimidation are strictly prohibited.

All members of the school community have:

- The right to safety
- The right to dignity
- The right to be heard
- The right to procedural fairness

Retaliation against anyone reporting concerns is strictly prohibited.

5. REPORTING OBLIGATIONS

5.1 Mandatory Staff Reporting

Under School policy, staff must report serious student incidents to the Principal immediately.

Under the *Child, Youth and Family Services Act, 2017*, where there are reasonable grounds to suspect that a child is in need of protection, staff members must report suspected child abuse or neglect directly to a Children's Aid Society.

Failure to report may result in disciplinary action.

5.2 Reporting Channels

Incidents may be reported:

- To a teacher
- To the Principal
- In writing
- Verbally
- Anonymously (where possible)

6. INCIDENT RESPONSE PROCEDURES

(See flowchart below for operational steps.)

7. STUDENT-TO-STUDENT INCIDENTS

Possible interventions include:

- Verbal warning
- Written warning
- Parent meeting
- Restorative conference
- Behaviour contract
- Counselling referral
- Suspension (as permitted under Education Act guidelines)
- Expulsion (for serious or repeated offences)

- Police involvement when required under the Criminal Code

Mandatory consideration will be given to mitigating factors such as age, special education needs, and ability to understand consequences.

8. STUDENT-TO-STAFF MISCONDUCT

Includes threats, harassment, intimidation, or violence toward staff.

Possible consequences:

- Immediate classroom removal
- Parent meeting
- Suspension
- Expulsion (in severe cases)
- Police involvement
- Safety plan implementation

Under OHSA, the school must protect workers from workplace violence.

9. STAFF-TO-STUDENT MISCONDUCT

Allegations involving staff will result in:

1. Immediate safety measures for the student
2. Immediate reporting to the Principal
3. Formal investigation
4. Documentation
5. Outcomes which may include:
 - Written discipline
 - Suspension
 - Termination
 - Reporting to regulatory bodies
 - Police notification
 - Mandatory reporting to CAS, if applicable

10. STAFF-TO-STAFF HARASSMENT

Investigated under:

- *Occupational Health and Safety Act*
- *Ontario Human Rights Code*

May result in:

- Mediation
- Written warning
- Performance improvement plan
- Suspension
- Termination

11. PARENTAL MISCONDUCT

Parents must maintain respectful conduct.

Consequences may include:

- Formal warning
- Restricted access
- Trespass notice
- Police involvement

12. CONFIDENTIALITY

All investigations will respect privacy laws and the common law principles of procedural fairness.

Information is shared strictly on a need-to-know basis.

13. FALSE ALLEGATIONS

Knowingly making false allegations is a serious violation and could result in disciplinary action.

Reports made in good faith will not result in discipline.

14. PREVENTION & EDUCATION

The school will:

- Provide annual anti-bullying education
- Train staff on safe schools obligations
- Promote inclusive programming
- Review school policies annually

15. RECORD KEEPING

All records of incidents will be documented and securely stored in the school office.

Records of incidents are the property of the school.

Any letter of suspension or expulsion record will be included in the student's Ontario Student Record.

STEP-BY-STEP INCIDENT RESPONSE FLOWCHART

Below is the operational response model for administration and staff:

STEP 1 — INCIDENT OCCURS OR IS REPORTED

Ensure immediate safety of all parties

STEP 2 — ASSESS LEVEL OF RISK

- Is anyone injured?
- Is there a weapon?
- Is this criminal in nature?
- Is CAS reporting required?

If YES → Contact emergency services / Police / CAS

If NO → Proceed to Step 3

STEP 3 — SEPARATE PARTIES

- Remove aggressor if necessary
- Provide support to target
- Ensure supervision

STEP 4 — DOCUMENT

- Collect written statements
- Interview witnesses

- Record dates, times, details

STEP 5 — NOTIFY

- Inform parents (if students involved)
- Inform Principal, if serious
- Notify staff if a safety plan required

STEP 6 — DETERMINE FINDINGS

- Was school policy violated?
- Is discipline required?
- Are mitigating factors present?

When exercising its discretion to determine the appropriate sanction to apply to an offence, the School will take into account:

- the particular student and the circumstances;
- the nature and severity of the behaviour; and
- the impact on the school climate, including the impact on students or other individuals in the school community.

STEP 7 — IMPLEMENT RESPONSE

May include:

- Restorative action
- Behaviour contract
- Suspension
- Expulsion
- Staff discipline
- Police/CAS follow-up

STEP 8 — FOLLOW-UP

- Monitor for retaliation
- Provide counselling support

- Review safety plan
- Document closure