



EDGE SCHOOL

**ABUSE, HARASSMENT AND
NEGLECT POLICY**

Academics | Athletics | Character

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TITLE: Abuse, Harassment and Neglect Policy

BOARD APPROVAL: January 20, 2024

POLICY AND LEGISLATIVE REFERENCES:

Alberta Education Act

Child, Youth and Family Enhancement Act, RSA 2000, c C-12

Alberta Human Rights Act, RSA 2000, c A-25.5

Criminal Code of Canada, RSC 1985, c C-46

The Child Welfare Act of Alberta

Edge School Welcoming, Caring Respectful and Safe Working and Learning Environment Policy

RATIONALE:

Edge School commits to creating a working and learning environment that is free from any form of physical abuse, sexual abuse, emotional abuse, verbal abuse, psychological abuse, neglect or harassment.

The purpose of this policy is:

- To provide a framework that:
 - supports the creation of an environment that is free from harassment or abuse
 - identifies processes and accountability measures related to abuse, harassment and neglect
- To identify the behaviors that are unacceptable
- To establish procedures for receiving and handling complaints about abuse, harassment and neglect

POLICY STATEMENTS:

Edge School is committed to providing the best possible learning and working opportunities in a welcoming, caring, respectful and safe environment.

- Our school's boards of directors, staff, contractors, parents, students, volunteers and members of the community ("stakeholders") must be assured that their concerns about any form of abuse, neglect or harassment will be taken seriously and will be handled in a way that considers the interests of all stakeholders. All stakeholders have the right and obligation to report any wrongdoing.
- Edge School will not tolerate any form of physical abuse, sexual abuse, emotional abuse, verbal abuse, psychological abuse, neglect or harassment.
- Anyone who has a concern about any form of abuse, neglect or harassment shall report their concern to the school's principal, CEO or controller ("the supervisor"). If the concern involves the principal or the controller, the concern may be brought forth to the school's CEO. If the concern involves the CEO, the concern should be brought forth to the chair of the Society Board.
- Any alleged wrongdoing or disclosure of alleged wrongdoing reported to the supervisor will be investigated and dealt with in a confidential, respectful and prompt manner.
- Any individual making a disclosure, in good faith, will be protected against reprisal or other detrimental impacts within the power of the school.

- o No member of management shall discharge, suspend, intimidate or impose any other penalty on, or otherwise discriminate against, a person, because that person has been a complainant or given evidence or assisted in the investigation and resolution of a complaint of abuse, neglect or harassment.
- This policy is to be reviewed annually by all staff and volunteers and by signing below, you acknowledge your acceptance of this policy.
- Failure to abide by this policy could result in disciplinary action, suspension (without pay for employees) or even expulsion/dismissal, as deemed appropriate by the school and its governing board.

DEFINITIONS:

The following definitions will help all individuals bound by this policy to understand the types of behaviors that are unacceptable and will not be tolerated.

- a) **Physical Abuse** is defined as the use of force that can result in physical harm or injury to an individual. It includes, but is not limited to, slapping, hitting, punching, shaking, pulling, throwing, kicking, biting, choking, strangling, spitting, burning, hair-pulling, or the misuse of restraints.
- b) **Sexual Abuse** is defined as any sexual activity that occurs without consent. It includes, but is not limited to, unwanted touching and verbal or written propositions or innuendos.
- c) **Verbal Abuse** includes, but is not limited to, humiliating remarks, name calling, swearing at, taunting, teasing, continual put downs, excessive yelling.
- d) **Psychological Abuse** includes, but is not limited to, sarcasm, exploitative behaviour, intimidation, manipulation, and insensitivity to race, sexual preference or family dynamics.
- e) **Neglect** is defined as any behaviour that leads to a failure to provide services which are necessary. It includes, but is not limited to, withdrawing basic necessities as forms of punishment; failing to assess and respond to changes in health status; and refusing or withdrawing physical or emotional support.
- f) **Harassment** is defined as unwanted physical or verbal conduct that offends or humiliates. It can be a single incident or several incidents over time. It includes gender-based harassment, threats, intimidation, racism, sexism, unnecessary physical contact, suggestive remarks or gestures, offensive pictures or jokes.
 - Harassment will be considered to have taken place if a reasonable person ought to have known that the behaviour was unwelcome.
 - Harassing behavior may be either criminal or civil in nature.
 - Criminal harassment may include:
 - **Oral** – threats that give rise to a genuine concern for personal safety.
 - **Physical** – abuse as described above or watching or besetting (stalking).
 - **Telephone** – conveying threats by telephone that give rise to a genuine concern for safety.
 - **Written** – threats conveyed in writing (physical or digital), which give rise to a genuine concern for safety.

- Civil harassment may include:
 - **Oral** – shouting, swearing or the use of personally demeaning, sarcastic expressions.
 - **Physical** – intentionally using an intimidating presence or entering property without permission.
 - **Telephone** – numerous and lengthy calls that disrupt an individual’s ability to attend to their duties.
 - **Written** – frequent frivolous or vexatious written complaints that require an individual to spend an inordinate amount of time investigating, thus detracting the individual from attending to duties.
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- g) **Tolerate** means to allow to be done without prohibition, hindrance, or contradiction.

RESPONSIBILITIES AND EXPECTATIONS:

CEO, Principal, and Controller are responsible for:

- The administration of this policy and ensuring that this policy is applied in a timely, consistent, and confidential manner.
- Determining whether or not allegations of harassment are substantiated.
- Determining what corrective action is appropriate where an abuse, harassment or neglect complaint has been substantiated.
- Reviewing the policy annually to ensure that it meets the needs of Edge School.
- Doing everything reasonable to protect a victim of abuse, harassment or neglect.
- Providing the victim with reasonable support to navigate through the situation.
- Fostering an abuse-free and harassment-free learning and working environment and setting an example about appropriate workplace behaviors.
- Communicating the process for investigating and resolving abuse, harassment or neglect complaints made by stakeholders.
- Dealing with abuse, harassment or neglect situations in a timely manner, upon becoming aware of them, whether or not a complaint has been made.
- Ensuring harassment situations are dealt with in a sensitive and confidential manner.
- Taking appropriate action during an investigation, including separating the parties to the harassment complaint when appropriate.
- Making employees, contractors, parents, students, board members and volunteers aware of this policy
- Implementing this policy.

All Employees, Contractors, Parents, Students, Board Members, Volunteers and Members of the Public are expected to:

- Treat all others with respect.
- Not engage in harassing, abusive or neglectful behaviour.
- Report suspected abuse, harassment or neglect to their supervisor and/or to appropriate local authorities.
- Cooperate with any investigation and respect the confidentiality related to the investigation process.

All Employees, Contractors, Parents, Students, Board Members, Volunteers and Members of the Public can expect to:

- Be treated with respect.
- Have reported abuse, harassment or neglect dealt with in a timely, confidential and effective manner.
- Have their rights to a fair process and to confidentiality respected during an investigation.
- Be protected against retaliation for reporting abuse, harassment or neglect or for cooperating with an investigation.

WHO IS COVERED BY THIS POLICY:

This policy covers all stakeholders who are involved with providing services to or receiving services from Edge School. This includes all stakeholders (staff, contractors, volunteers, students, parents, board members) as well as service providers and school guests.

ABUSE REPORTING PROCEDURES:

- When a stakeholder believes that he/she has been subjected to abuse, harassment or neglect, the individual (“complainant”) should immediately inform the principal, controller, and /or CEO (“the supervisor”).
 - If the suspected abuse, harassment or neglect involves the principal or the controller, the stakeholder shall immediately report the situation to the CEO.
 - If the suspected abuse involves the CEO, the stakeholder shall immediately report the situation to the Chair of the Society Board.
- Following consultation with the supervisor, the complainant may decide to:
 - Take no further action.
 - Make a request to have the supervisor attempt a resolution of the complaint by informal means.
 - Make a formal complaint initiating proceedings for a formal investigation.
- When a complainant makes a formal complaint pursuant to this policy, the supervisor receiving the complaint shall ensure that the complaint is in writing with all relevant information, including eyewitness statements if applicable. Upon the request of the complainant, the supervisor receiving the complaint shall provide whatever assistance is reasonably requested in order to complete the report.
- A complaint, pursuant to this policy, must be received as soon as possible after the alleged wrongdoing has occurred. This should occur within three (3) months from the date of the alleged wrongdoing. The supervisor may extend the timeframe as they see fit, on a case by case basis.
- Where appropriate, the supervisor may inform the police or appropriate authority charged with addressing such matters.
- The supervisor may choose to engage the services of a third-party company to investigate the allegations.

- When reporting on any abuse, harassment or neglect matter, the reporting individual must:
 - o Not discuss the matter with others in order to better enable the organization to protect the reporting individual from reprisal or detrimental action;
 - o Make the report to the Principal, Controller and/or CEO of the School (“supervisor”) and participate in the investigation providing information, as necessary, to ensure the supervisor is able to take appropriate administrative actions and/or precautions.
 - o Understand that any report made must be made in good faith and must not be false, misleading or vexatious.
 - o Understand that reporting a wrongdoing does not absolve the reporting individual from disciplinary action if the reporting individual has a role in the wrongdoing.
 - o Include all the pertinent details of the wrongdoing, including, but not limited to:
 - When it took place
 - Where it took place
 - The name of the person who allegedly committed or is about to commit the wrongdoing
 - Any supporting documents, including electronic sources
 - A list of any witnesses that may also be able to provide information about the alleged wrongdoing.

RESPONDING TO ABUSE, HARASSMENT OR NEGLECT ALLEGATIONS:

The Role of the Alleged Victim:

- Provide all information necessary to conduct a thorough investigation.
 - o Provide a written statement
- Make a request for any support needed to navigate through the situation.

The Role of Witnesses:

- Cooperate with the investigation by providing unbiased information to those involved in the investigation.
 - o Provide a written statement

The Role of the Alleged Wrongdoer:

- Cooperate with the investigation
 - o Provide a written response to the allegations
 - o Understand that they may be suspended, with or without pay, depending on the situation.

INVESTIGATION:

Edge School acknowledges that the safety and welfare of all stakeholders is of paramount concern. Edge School will fulfill its obligations by using the principles of respect, cooperation, and collaboration.

Edge School will work collaboratively with those involved in investigating alleged cases of abuse, harassment or neglect.

The Principal, Controller, CEO or designate (“supervisor”) will collect all information regarding the alleged wrongdoing and shall be responsible for conducting a thorough, impartial, objective and confidential investigation on each formal complaint submitted. The supervisor may choose, at its discretion, to engage the services of a third party company to conduct the investigation.

A copy of the written complaint shall be served on the person accused of an infraction (“respondent”). The respondent must provide a written response to the allegation within 5 working days from being served with the written complaint.

Upon knowledge and receipt of a complaint, the supervisor may suspend an employee who is the subject of an investigation, with or without pay. This suspension may remain in effect during the course of the investigation.

Where any person provides material information that may be used as evidence to support or refute the complaint, a written statement signed by the person shall be obtained.

Authorities investigating a complaint of abuse, harassment or neglect may interview any individuals who may have knowledge or information pertinent to the investigation.

When an allegation of suspected abuse or neglect involves a child, potential informants shall be advised that the Child, Youth and Family Enhancement Act of Alberta provides explicit protection against legal actions “unless reporting is done maliciously or without reasonable and probable grounds for the belief.” Since they may be required, subsequently, to give evidence under oath in court and to produce relevant documents, it is recommended that information provided to the investigator be summarized in writing by the informant immediately after the interview and retained for possible future reference.

When suspected abuse or neglect is reported, the investigator will determine whether a medical examination is required. If it is required, the investigator will coordinate arrangements for the individual to be seen by a medical doctor.

The investigation will be conducted without delay and steps will be taken to conclude the investigation within 60 days of receipt of a signed report.

The supervisor shall communicate the findings of the investigation to the complainant and to the respondent by way of a follow-up letter.

The supervisor shall take whatever appropriate action necessary to prevent possible recurrences of the alleged behavior during the investigation.

Nothing in this policy shall hinder or in any way interfere with a person’s right under Statute or Common Law.

RESOLUTION OF THE COMPLAINT:

It is recommended that written records be maintained by the complainant regarding the incident(s) and of any attempts to inform the respondent (or any person in authority) of the unacceptable nature of the behaviour.

Individuals found to have engaged in abuse, harassment or neglect will be appropriately disciplined. Disciplinary actions for persons who have engaged in inappropriate behaviors may range depending on the circumstances. Disciplinary action may include, but is not limited to:

- A requirement for a written apology;
- A written reprimand delivered to the respondent and recorded in their personnel or student file;
- Referral to counseling;
- Suspension or termination (for staff members or volunteers) with or without pay; suspension or expulsion (for students); being removed from the school for a period of time or permanently (for parents); removal from the board (board members)
- Where appropriate, the supervisor may consult with the Alberta Human Rights Commission to review precedents in similar cases, in order to recommend a fair and just resolution to the matter.

Decisions regarding disciplinary actions will be reviewed with the CEO and/or the Society Board.

FALSE ALLEGATIONS:

Making a false allegation against another individual is a serious offense and is considered another form of harassment and abuse that will not be tolerated. False allegations are particularly egregious because they force the accused individuals to defend their integrity. The allegations and subsequent investigation can be traumatic and costly, regardless of the findings.

Accusations that are found to be false and malicious, may be subject to disciplinary action being taken against the person who made the accusation. Disciplinary action may vary depending on the circumstances but can include expulsion (for students), termination (for employees), removal from the school (parents) and removal from the board (board members).

APPEAL PROCESS / OTHER REDRESS:

Individuals who are not satisfied with the outcome of the complaint process may choose to take other available courses of action including, but not limited to, filing a complaint with the Human Rights Commission or Child Protective Services, within the required time.

Allegations that are covered under the Criminal Code of Canada may be referred to police for investigation.

CHILD ABUSE:

In Alberta, the Child, Youth and Family Enhancement Act requires every person to report any suspicion that a child is being abused.

Any person (including any staff member) having reasonable and probable grounds to believe that a student has been subjected to abuse or neglect or who is concerned about abuse or neglect of a student shall report the situation to a Child and Family Services Authority directly, as required by the *Child, Youth and Family Enhancement Act of Alberta*.

- The Child, Youth and Family Enhancement Act provides protection from legal action against a person making a report unless the reporting “is done maliciously or without reasonable and probable grounds for the belief.”
- Staff who make a report that a child is in need of intervention should record, in their own records, the date and time of the call and the name and position of the Child and Family Service caseworker accepting the report.
- Telephone support is also available at the following numbers:
 - Child Intervention Services Intake Line 403-297-2995 (24 hours)
 - Alberta Supports Contact Centre 1-877-644-9992
 - Bullying Help Line 1-888-456-2323
 - Family Violence Info Line 310-1818 (Toll-free and 24 hours)
 - Kids Help Phone 1-800-668-6868 (24 hours)
 - Alberta Children and Youth Services (ACYS) 1-800-387-5437 (KIDS) in Canada or local Children’s & Youth Services Office.
- It is possible that allegations of child abuse may be made against teachers or other school personnel. In all such cases the supervisor shall be informed whether the report originates in the school or elsewhere.
 - Employees Professional Code of Conduct does not prevent them from reporting the unprofessional conduct of another employee.
- The responsibility for notifying parents about an investigation is that of the Child and Family Services investigator. The greatest concern is that the child be protected from further abuse.

PRIVACY AND CONFIDENTIALITY:

All parties to an abuse, harassment or neglect complaint are expected to respect the privacy and confidentiality of all other parties involved, and to limit the discussion of the complaint to those that need to know.

Edge School and all individuals involved in the complaint process will comply with all requirements of applicable legislation to protect personal information.

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