
DATE: January 23, 2017

FROM: Sherry Elwood, Superintendent of Schools

TO: Trustees
Presidents – RASA, RTA, CUPE Local 716, RDPA, RMAPS
Executive Team
School Administrators

SUBJECT: Proposed Revisions to Policy 105: *District Code of Conduct* and Policy 105-R: *Codes of Conduct (to be renamed District Code of Conduct)*

NOTE: THESE DOCUMENTS ARE ALSO AVAILABLE IN MANDARIN

At its Regular (Public) Meeting held on January 16, 2017, the Board of Education (Richmond) received, for information, a draft of proposed revisions to Policy 105: *District Code of Conduct* and Policy 105-R: *Codes of Conduct (to be renamed District Code of Conduct)* and directed staff to forward the draft documents to you for review and feedback.

See below for definitions of policy, regulations and administrative guidelines.

Principals: Please forward a copy of this information to your Parent Advisory Council Chair & Student Council President for their review and feedback to my office. Thank you.

Background to Proposed Revisions - Policy 105: *District Code of Conduct* and Policy 105-R: *Codes of Conduct (to be renamed District Code of Conduct)*

Introduction

The existing Code of Conduct (former policy 502, now policy 105) has been in place for many years. The district recognized in 2015 that it was time to revise the existing Code of Conduct to encompass the norms and behavioural expectations of our district and its greater community. As well, the existing Code of Conduct's wording was oriented to students in schools, whereas a Code of Conduct in a district should ideally reflect how everyone learns and works together (students and adults).

Background

Starting in September 2015 a Code of Conduct Working Group was formed. This was a representative group comprised of Trustees, RDPA, RASA, RTA, CUPE, District Staff and later in the spring of 2016 there was a pilot Belonging Project with secondary students led by Dr. Michelle Stack from UBC.

The initial tasks of the Code of Conduct Working Group were to communicate with their stakeholder groups, review various districts' policies, begin revising the existing Code of Conduct to ensure that its language represented everyone in the district, and consider the possibility of creating an additional policy to demonstrate overt understanding and valuing of all students and staff who identify on the basis of sexual orientation and gender identity/expression.

In the spring of 2016, with the assistance of Dr. Michelle Stack from UBC, a pilot Belonging Project was established with representation from secondary students. A great deal was learned from the students. The students expressed the need for greater education and awareness to ensure that all forms of diversity are valued. In particular, the pilot Belonging Project enhanced understanding of how students do not want to feel different or that being different is okay. They want more education for adults and students regarding language and behaviours in schools, and changes to the district's washroom and change room facilities to enhance privacy and personal well-being. Essentially the students and adults want the District's Code of Conduct to describe how we value and respect all members of the Richmond School District.

During the summer of 2016, the provincial government legislated changes to the Provincial Human Rights Code. The primary change was to specify that individuals are not to be discriminated against for having a particular gender identity or expression and sexual orientation. In September 2016, Education Minister Bernier mandated that all school districts include specific reference to sexual orientation and gender identity or expression in their anti-bullying policies or codes of conduct. The changes mandated provincially align well with the revisions to the district's existing Code of Conduct.

Revision Process

Listed below are considerations that framed how the existing Code of Conduct was revised to develop the proposed revised Code of Conduct.

- Need for a Code of Conduct that reflects all members of the Richmond School District: students, adults, and guests, not just students.
- Need for a Code of Conduct that meets that the standards mandated by the Ministerial Order, BC's Human Rights Code, the Canadian Charter of Rights and Freedoms and the Canadian Human Rights Act.
- Include language that more clearly identifies that we value and celebrate all members of the district's community.
- Decrease the number of statements in Code of Conduct to increase clarity and reflect current laws, regulations, and procedures. For example:

Existing Code had 14 statements; revised Code has 8 statements.

Specific mention of smoking or weapons is not required as the language of the Code of Conduct requires that we adhere to existing laws and regulations.

- Use language that is inclusive and broad enough to encompass current and future situations. There was recognition that it is not possible to specifically address all possible situations.
- Frame the concepts and content of the Code of Conduct in positive language, rather than negative "do not" statements.
- Provide clarity in the philosophy as to what all members of the district are to value and observe.
- Provide clarity in the regulations as to what all members of the district are required to do.
- Frame the content of the Code of Conduct through respect for human rights, respect for personal and social health and safety, respect for personal and public property and environment, and respect for ethical and legal guidelines.

Conclusion

The purpose of the proposed Code of Conduct is to ensure that all members of the District's community are included, and that it is a reciprocal document of respect, valuing and caring.

You will find attached the following:

- Current Policy 105: *District Code of Conduct* and Policy 105-R: *Codes of Conduct* (to be renamed District Code of Conduct)
- Proposed Revised Policy 105: *District Code of Conduct* and Policy 105-R: *Codes of Conduct* [to be renamed District Code of Conduct]
- Minutes of November 21, 2016 meeting of Policy Committee
- FAQ in English

Written feedback and comments on the proposed revisions to this policy can be provided in Mandarin or Cantonese and will be translated and provided to trustees. Feedback and comments can be provided to ***SD38CodeOfConduct@sd38.bc.ca***.

I would appreciate receiving feedback from all stakeholder groups by Tuesday, April 18, 2017.

Thank you.



S. Elwood
Superintendent of Schools

Definitions:

Policies define guiding values, overall purposes and specific goals. They indicate, as directly and concisely as possible, what the Board wants and why.

Regulations define required actions. They indicate how and by whom the Board requires things to be done.

Administrative guidelines are developed and maintained by the Superintendent to complement policies and regulations developed by the Board by providing additional or more detailed procedures and expectations when that is deemed necessary by either the Superintendent or the Board.

DISTRICT PHILOSOPHY

**Policy 105
(previously 502.1.1)**

District Code of Conduct

The Board of Education recognizes its obligation to all members of the school community to provide a positive climate and a safe, healthy environment such that effective, purposeful teaching and learning may take place. To that end it is expected that all members of the school community will conduct themselves in an ethical and lawful manner that demonstrates respect for self, others, property and the environment. A violation may warrant intervention or disciplinary action. It is expected that all members of the school community (staff, students, parents, and guests) will:

- respect the rights of others;
- respect the health and safety of others;
- respect the property of others - private and public;
- respect the legitimate authority of the school administrative officers and staff;
- respect and take pride in the schools' physical facilities;
- respect the diversity of the school community;
- respect the non-smoking nature of district schools and property;
- respect the individual rules within each school;
- behave in an ethical and lawful manner;
- behave in a considerate and courteous manner;
- behave in a safe and responsible manner at all times;
- comply with the purpose and spirit of the BC Human Rights Code, including not engaging in discriminatory conduct on the basis of gender, race, colour, age, ancestry, place of origin, religion, marital status, family status, physical or mental disability, or sexual orientation;
- not threaten, harass, intimidate, bully or assault, in any way, any person within the school community directly or indirectly, through print or electronic media; and
- not be in possession of weapons, dangerous articles, alcohol, or illegal drugs while in school or at school functions.

The District Code of Conduct shall apply in school and at school functions.

DISTRICT PHILOSOPHY

Policy 105-R (previously 502.1.1-R)

Codes of Conduct

1. The principal may establish a code of conduct for the school in consultation with staff, parents, and students. The district code of conduct (Policy 105) shall apply in all schools and shall be considered to be part of the school code of conduct.
2. When developing the school code of conduct the following will be taken into consideration:
 - the district's philosophy, goals, policies and regulations;
 - the school's philosophy and goals;
 - the School Act and Regulation and the provincial standards for codes of conduct order; and
 - the Ministry of Education's characteristics of an educated citizen.
3. The school code of conduct shall apply in school and at school functions. It is the responsibility of the principal or designate to ensure that the members of the school community, while at school or a school function, conform to the district code of conduct, any school code of conduct authorized by the principal and other policies of the Board.
4. We recognize that as people grow and mature they are increasingly able to make appropriate decisions and be responsible for their actions. Thus, when determining consequences, consideration will be given to the maturity as well as the intellectual, social, and emotional capacity of the individual, along with the severity and frequency of the misbehaviour. Special consideration shall be given to students with special needs if these students are unable to comply with codes of conduct or other policies of the Board due to a disability of an intellectual, physical, sensory, emotional or behavioural nature.
5. Parents/legal guardians of students whose behaviour is inconsistent with a Code of Conduct will be informed and asked to work with the school in responding to improve the student's behaviour. Other members of the school community may be informed of individual misbehaviours if those behaviours are deemed to pose a threat. The school community may also be informed about patterns of misbehaviour and the response to those patterns of behaviour if that is deemed necessary to reassure the community that appropriate action is being taken or to involve them in addressing the behaviour. Criminal misbehaviour may be reported to the police.
6. All reasonable steps will be taken to prevent retaliation against a person who has made a complaint of a breach of a code of conduct.
7. The district code of conduct and any school code of conduct shall be prominently displayed in the school and communicated to students, staff, and parents at regular (at least once per school year) intervals.
8. A school code of conduct shall be reviewed annually with staff, parents and students in order to assess the effectiveness of the code of conduct.

DISTRICT PHILOSOPHY**Policy 105****District Code of Conduct: How We Learn and Work Together**

The Board of Education recognizes and welcomes its obligation to all members of the district community to provide a positive climate and a safe, healthy environment. As we learn and work together, we will truly celebrate and support the rich diversity that is our district community. To that end, we are committed to the expectation that all members of the district community will conduct themselves in an ethical and lawful manner that demonstrates respect for self, others, property and the environment.

It is our collective responsibility and expectation that all district community members (students, staff, parents, and guests) will:

- comply with and enact the purpose and spirit of the British Columbia Human Rights Code, the Canadian Charter of Rights and Freedoms and the Canadian Human Rights Act including not engaging in discriminatory conduct on the basis of gender identity or expression, sexual orientation, race, age, ancestry, place of origin, religion, marital status, family status, physical or mental wellness, developmental or mental disability
- behave in a considerate and courteous manner;
- behave in a safe and responsible manner at all times;
- behave in an ethical and lawful manner;
- respect the diversity of the school and work communities;
- respect the health and safety of self and others;
- respect the property of others and the district - private and public; and
- respect the legitimate authority of the school administration, district management, and staff.

The District Code of Conduct shall apply at all schools, school and district functions regardless of location. In its application, there will be a clear understanding that everyone has a responsibility to ensure that the Code of Conduct is lived daily through being respectful, caring and courteous. There also will be recognition that each member of the district's community has a duty to report violations.

Any violation will warrant intervention and/or disciplinary action.

DISTRICT PHILOSOPHY

Policy 105-R

District Code of Conduct

It is our collective responsibility to ensure that we are learning and working together positively.

District and school staff will ensure that the Code of Conduct Policy, Regulations and Administrative Guidelines are Implemented at each school and district facility.

The District Code of Conduct and any school Code of Conduct shall be prominently displayed in all schools and district faculties. It is to be communicated and reviewed with students, staff and parents at regular intervals (at least once per year).

Respect for Human Rights

- All staff, trustees and parents will be provided with opportunities to develop their knowledge, skills, awareness, and behaviours to identify and eliminate all types of discrimination, harassment, and bullying.
- Schools counselors will be informed and knowledgeable about expectations pertaining to human rights, sexual orientation, gender identity and expression (SOGI), discrimination, bullying cultural diversity and harassment.
- Educational staff will be encouraged to adapt and include current learning resources and strategies to provide opportunities for all students and staff to develop positive awareness and respect for human rights and diversity.
- The District will outline appropriate behaviours and actions in order to prevent discrimination harassment and bullying through greater awareness, response, and dialogue that creates understanding and respect for diversity.
 - o This applies to spoken word, gestures, physical actions, visuals, print or electronic media.
- The District will provide awareness and education for all new employees to enhance sensitivity to human rights issues related to all types of discrimination, harassment, and bullying.
- Information for students and staff will be available to enhance respectful communication and behaviour, including how to demonstrate:
 - o Awareness and empathy,
 - To model respect and affirmation
 - o To use appropriate language which is respectful and inclusive in all situations

Reporting Incidents of Discrimination, Harassment and Bullying

All members of the district community at each school and district site have collective responsibility and will comply with the expectations of the District's Code of Conduct. Any violation will warrant intervention and/or disciplinary action.

- Allegations of inappropriate language, behaviour or discrimination will be reported to the teacher, school administrator or supervisor.
- All appropriate steps will be taken to support and safe guard the person who has made a complaint of a breach of the Code of Conduct. Any witnesses involved in connection to a complaint will be supported as well.
- Response procedures and/or the consequences of a breach of the Code of Conduct will appropriately consider the maturity, as well as, the intellectual, social and emotional capacity of the individuals involved.
- Special consideration will be given to individuals with special needs who may be unable to comply with aspects of the Code of Conduct or other Board policies, due to a disability of an intellectual, physical, sensory, emotional or behaviour nature.

Respect for Personal / Social Health and Safety

- Respect for Self and Others
 - o All members of the School District will demonstrate the use of respectful and inclusive language in all settings.
 - o Information and resources will be provided for students, staff and community to enhance their understanding of personal and social health and safety to:
 - Build awareness and understanding of mental health and wellness
 - Educate about restricted and illegal substance use on school and district sites
 - o To ensure that appropriate safe places exist at all district sites to support safety, respect, and the privacy of all users. (For example: meeting places, washrooms, change-rooms, etc.)

Respect for Personal Public Property and Environment

All members of our School District community are expected to respect personal and district property, such as our facilities, equipment and the personal articles of others.

Information will be provided to support the appropriate use furniture, equipment, tools and facilities appropriately.

The Richmond School District continues to be committed to environmental citizenship and expects our district community members to participate positively in the protection and stewardship of our natural resources. Positive environmental behaviour and habits are expected.

Information and awareness regarding sustainable practices will be provided to students, staff and parents to ensure that we are all contributing positively to our environment.

Respect of Ethical and Legal Guidelines

The District Code of Conduct supports how we learn and work together. Other protocols, including, but not limited to, collective agreements, contracts, and provincial and federal laws, also frame how we learn and work together.

All members of our district community will abide by the expectations of the School Act, City of Richmond Bylaws, as well as individual school protocols and processes.

- Individuals involved in a violation will be informed and, if the individual is a student, their parents/legal guardians will be informed and asked to work with staff in the process of remediation and learning.
- Other members of the district or school community may be informed about violations if it is deemed to be helpful or the violation poses a serious threat to the community as a whole.
- Outcomes and Interventions
 - o May vary depending upon a variety of factors pertinent to each case and individual or group, however, consequences may include:
 - A warning and learning conversation
 - Loss of privileges depending on the situation, for example: time outs, limits to participation, apology, suspensions, etc.
 - Significant violations may result in more serious consequences, including, but not limited to, such things as appearing before a Board of Review for students, a disciplinary review for employees or a police investigation

Proposed Regulation

School District No. 38 (Richmond)
7811 Granville Avenue, Richmond, BC V6Y 3E3

MINUTES OF MEETING OF POLICY COMMITTEE

Date: Monday, November 21, 2016, 9am
Location: School Board Office, 4th Floor Meeting Room
7811 Granville Avenue
Richmond, BC V6Y 3E3

Present: E. Yung, Chairperson *
S. Nixon, Vice Chairperson **
D. Tablotney, Member
S. Elwood, Superintendent of Schools
M. De Mello, Secretary Treasurer *
L. Archer, Assistant Superintendent *
G. Hackenbruch, Executive Assistant (Recording Secretary)

* Present for a portion of the meeting
** Joined the meeting in progress

The Chair called the meeting to order at 9:10am.

1. Adopt Agenda

The agenda was adopted as amended.

Move: Item 7 to first item of business on the agenda

2. Approve Minutes

The minutes of the meeting held October 24, 2016 were approved as circulated.

Assistant Superintendent Archer joined the meeting at 9:10am.

7. Policy 603.5.1-R: Authorized Signatures/Authorization to Contract

The current regulation was included with the agenda. The Superintendent spoke to this item and advised that a minor revision is required to this regulation to reflect an update to the current title of the Manager of Financial Services to Director of Financial Services.

The Chairperson noted that this change of title for authorization for payment should be considered prior to the Board's December 12, 2016 organizational meeting. This title change was accepted as an item of housekeeping.

Trustee Nixon joined the meeting at 9:13am.

3. Policy 704 and 704-R: Retirement of School Facilities

The Superintendent spoke to this policy and regulation used during the recent school closure process and requested thoughts and feedback from Policy Committee around how to proceed in gathering feedback on the use of this policy and regulation from those involved with the closure process. Attendees had comments and questions on: possible avenues to gather such feedback from the Board, staff and others involved, more immediately seeking input from members of the LRFP Steering Committee and timing for presenting that feedback in the form of a rubric to Policy Committee. Discussion ensued.

Attendees had further comments and questions on: asking the LRFP Steering Committee to provide input on the actual workings of the policy during the school closure process, using the district's regular channels to obtain feedback and input from stakeholders, whether there are pieces in the current policy and regulations that should in fact be administrative guidelines, considering the possibility of splitting the current policy into two separate policies, one that addresses school closures and the other the disposal of properties. The Chair noted that it is common practice to review a policy at the end of a school closure process and stressed the importance, as trustees potentially move into new committees in 2017, to maintain the review of the policy and regulation as a priority.

ACTION ITEM: Members of the LRFP Steering Committee and staff working with Policy 704 and 704-R: *Retirement of School Facilities* to begin to gather general feedback and present that feedback to Policy Committee. Policy Committee to then draft a formal document that would be sent for review to the district stakeholders groups based on the feedback and discussion at Policy Committee.

ACTION ITEM: The Recording Secretary to add Policy 704 and 704-R: *Retirement of School Facilities* on the agenda of the next meeting of Policy Committee for an initial review of feedback from staff.

The Secretary Treasurer left the meeting at 9:45am.

4. Code of Conduct Working Group [standing item]

Current Policy 105 and 105-R: *District Code of Conduct* were included with the agenda package. Assistant Superintendent Archer reviewed the proposed draft District Code of Conduct policy, regulations and administrative guidelines noting that the proposed changes reflected greater clarity, preparation of administrative guidelines and adherence to the recent update to the Human Rights Code to include sexual orientation and gender identity. She noted that the district's current Code of Conduct appears orientated more towards students and the proposed revisions to the Code of Conduct would encompass students, staff and guests.

ACTION ITEM: Assistant Superintendent Archer will present Policy Committee's suggested changes to the proposed policy to the next meeting of the Working Group.

ACTION ITEM: The Recording Secretary to add the Code of Conduct Working Group as an item to the next meeting of Policy Committee.

Trustee Yung left the meeting at 11:04am. Trustee Nixon assumed the role of Chair.

Assistant Superintendent Archer left the meeting at 11:24am.

5. Policy 300-R(B): Selection and Appointment of Administrators

This item was deferred.

Trustee Yung rejoined the meeting at 11:25am. Trustee Nixon stepped down from the Chair and Trustee Yung took up the position of Chair.

ACTION ITEM: The Recording Secretary to place Policy 300-R(B): *Selection and Appointment of Administrators* on the agenda of the next meeting of Policy Committee.

6. Policy 804.8: Commercialism

The Superintendent updated on this item and advised on an upcoming meeting with the RDPA at which she hoped to discuss outstanding questions on fundraising and commercialism. The Superintendent will provide feedback on these discussions to a future meeting of Policy Committee.

ACTION ITEM: The Recording Secretary to place Policy 804.8: *Commercialism* on the agenda of the next meeting of Policy Committee.

7. Policy 603.5.1-R: Authorized Signatures/Authorization to Contract

Dealt with earlier on the agenda.

8. Policy 100 Visioning Task Force [standing item]

Notes from the meeting held October 12, 2016 were included with the agenda package. The Superintendent spoke to the condensed timeline that would be presented to the next meeting of Policy Committee. Attendees had comments and questions on: discussing the vision, mission and values at the next meeting of the Task Force, planning for extensive consultation and input to the proposed changes to the vision, mission and values and reviewing the structure of Policy Committee agendas to include a public and/or in-camera portion.

ACTION ITEM: The Recording Secretary to place Policy 100 Visioning Task Force on the agenda of the next meeting of Policy Committee.

9. Policy Questions and Answers [standing item]

Nil.

10. Policy Review Status [standing item]

The policy review status to November 15, 2016 was included with the agenda package.

11. Possible Agenda Items for Next Meeting

Agenda items for the next meeting include: Policy 704 and 704-R: *Retirement of School Facilities*, Policy 300-R(B): *Selection and Appointment of Administrators*, update on Code of Conduct Working Group, Policy 804.8: *Commercialism* and update on Policy 100 Visioning Task Force.

12. Next Meeting Date

The next meeting was scheduled for Monday, January 23, 2017 at 9am in the 4th floor meeting room.

13. Adjourn

The meeting adjourned at 12:03pm.

Respectfully Submitted,



Eric Yung, Chairperson
Policy Committee

Proposed Revisions to Policy 105 & Policy 105 Regulations
Code of Conduct - How We Learn and Work Together
Questions and Answers

Why did the district decide to revise the Code of Conduct?

- The existing Code of Conduct (former policy 502, now policy 105) has been in place for many years. The district recognized in 2015 that it was time to revise the existing Code of Conduct to encompass the norms and behavioural expectations of our district and its greater community. As well, the existing Code of Conduct's wording was oriented to students in schools, whereas a Code of Conduct in a district needs to reflect how everyone learns and works together (students and adults). This is why the proposed name has the words "how we learn and work together."

What was the process for the revision of the existing Code of Conduct?

- In September 2015, a Code of Conduct Working Group was formed. This was a representative group comprised of Trustees, RDPA, RASA, RTA, CUPE, District Staff.
- The Code of Conduct Working Group communicated with their stakeholder groups, reviewed various districts' policies, began revising the existing Code of Conduct to ensure that its language represented everyone in the district, and considered the possibility of creating an additional policy to demonstrate overt understanding and valuing of all students and staff who identify on the basis of sexual orientation and gender identity/expression.
- In the spring of 2016, with the assistance of Dr. Michelle Stack from UBC, a pilot Belonging Project was established. With the help of the secondary students', the Code of Conduct Working Group learned about the need for greater education and awareness to ensure that all forms of diversity are valued.

How do the revisions to the existing Code of Conduct fit with the mandate in 2016 from the Minister of Education to address the rights of people who identify on the basis of sexual orientation and gender identity or expression?

- The revisions to the existing Code of Conduct were underway prior to the Minister's mandate.
- The district already had language in its Code of Conduct to respect the human rights of people on the basis of sexual orientation and gender identity. The Code of Conduct Working Group was reviewing and revising the existing language to meet the human rights codes and behaviours that had evolved in BC and Canada since its last revision in 2011.
- During the summer of 2016, the provincial government legislated changes to the Provincial Human Rights Code. The primary change was to specify that individuals are not to be discriminated against for having a particular gender identity or expression and sexual orientation.
- In September 2016, Education Minister Bernier mandated that all school districts include specific reference to sexual orientation and gender identity or expression (SOGI) in their anti-bullying policies or codes of conduct. The changes mandated provincially align well with the revisions to the district's existing Code of Conduct.
- The following list outlines from where the language for SOGI comes – Ministerial Order from BC's Minister of Education, BC's Human Rights Code, the Canadian Charter of Rights and Freedoms, and the Canadian Human Rights Act.

Why is the proposed Code of Conduct briefer than the existing one?

- The number of statements in Code of Conduct was decreased to increase clarity. This will make it easier for each site to connect its learning and working together expectations to the School Act, current laws, by-laws, regulations, and procedures.
- For example:
 - The existing Code had 14 statements; revised Code has 8 statements.
 - The language of the proposed Code of Conduct requires that we adhere to existing laws and regulations.
 - The proposed Code of Conduct is intended to be a document that expresses our philosophy of learning and working together.
 - The proposed Code of Conduct is framed around care and respect: respect for human rights, respect for personal and social health and safety, respect for personal and public property and environment, and respect for ethical and legal guidelines.
 - Specifics regarding behaviours will be addressed at each school and district facility through adherence to the regulations and administrative guidelines.

Why is the language in the proposed Code of Conduct more general?

- The intent is to use language that is inclusive and broad enough to encompass current and future situations. There was recognition that it is not possible to specifically address all possible situations

Why does the proposed Code of Conduct not contain "do not" statements?

- As an educational community, we value learning and working together positively and safely. By framing the concepts and content of the Code of Conduct in positive language, rather than as negative "do not" statements, our students and staff remember and learn what to do rather than what not to do.

Why does the proposed Code of Conduct speak about behaving in an "ethical and lawful manner" instead of saying, for example, that smoking and weapons are not allowed?

- The proposed Code of Conduct needs to address a wide range of situations and behaviours. It is already in the laws and bylaws of our city and province that it is illegal to smoke on school grounds or have weapons. It is important to state that we are to comply with the existing laws, statutes, and ethical guidelines of our educational community and greater community.