

# ***Students Behaving Badly – It Really Is Different Now: Dealing With the All-Too-Real Issue of Cyber-bullying in the Educational Sphere***

*Leonidas S. Ziakris\**

## **Introduction:**

As we grow older many of us, along with the other signs of aging, find us repeating the (gasp) words of our parents, particularly as we observe the exploits and foibles of younger generations. We hear ourselves rail against the perceived laziness, apathy and lack of focus of the younger generations and have to consciously ask ourselves whether the generation we grew up in was appreciably different. In many aspects, it was not.

While certain human behavioural issues and activities have been with us since the dawn of time and will continue till the end of the age there are other, new ones that, although not within the frame of reference of our own experience, are nevertheless very real, current and require our serious attention and focus as parents and educators, none more so than the problem of cyber-bullying.

Given constraints of time and space it should be stated that this paper is not intended to provide a comprehensive study into the issue of cyber-bullying. Rather, it seeks to take a concise look at the issue from a legal perspective, with particular emphasis given to what practical steps might be taken by teachers, administrators and school boards in combating this present-day threat to students' well being.

## **What is Cyber-bullying?**

“Cyber-Bullying” is a term introduced by Canadian Bill Belsey that describes “the use of information and communication technologies to support deliberate,

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repeated, and hostile behaviour by an individual or group, that is intended to harm others. “<sup>1</sup> A codified version of this definition can be found in most provincial statutes governing schools, dealing with bullying in a general sense, without specific reference to information technology.<sup>2</sup>

It can occur between students in email exchanges, texting, blogs, social networking sites, webpages, chatrooms<sup>3</sup> and might include (but is not limited to):<sup>4</sup>

- Posting cruel messages or threats on a Facebook wall
- Uploading nasty or inappropriate images taken without the target’s knowledge or consent;
- Using personal information and secrets disclosed by the target to humiliate or embarrass them;
- Using a public forum to defame the target’s reputation;
- Posting fabricated information about another person on social media; and
- Posting a threat of a Columbine-type of attack on the school or specific targets.

## How Prevalent Is It?

Canadian studies done a decade ago found that almost 25% of students report having been cyber-bullied.<sup>5</sup> The issue was brought to the forefront of Canadian

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<sup>1</sup> Bill Belsey, ‘Always on? Always aware!’ [www.cyberbullying.org](http://www.cyberbullying.org) at 7 September 2009

<sup>2</sup> See for example the Alberta statute: *School Act*, RSA 2000. C. S-3 at section 1.1(b.1) where bullying is defined as the “repeated and hostile or demeaning behaviour by an individual in the school community where the behaviour is intended to cause harm, fear or distress to one or more individuals in the school community, including psychological harm or harm to an individual’s reputation”.

<sup>3</sup> Sally Kift, Marilyn Campbell and Des Butler, ‘Cyberbullying in Social Network Sites and Blogs: Legal issues for Young People and Schools’, 20 *J.L Inf & Sci.* 60 2009-2010

<sup>4</sup> *Ibid.* at 64-65

<sup>5</sup> *Ibid.* at 65.

news in the case of Retaeh Parsons, a 17 year- old Nova Scotia girl who committed suicide in April 2013.<sup>6</sup>

While attending a party in 2011, when she was 15, Retaeh started drinking vodka, was allegedly raped with pictures taken of the sexual encounter. Those pictures were then circulated throughout her school and community, resulting in ferocious cyber-bullying that eventually drove her to take her life.

While this high profile case is, admittedly, a worst-case scenario, we should not be so naïve as to think it cannot happen in one of our schools. A proactive approach in identifying and putting into place policies and protocols to deal with this threat is vital.

### **Legal Responsibilities and Obligations:**

Most legal actions against schools are framed within the tort of negligence. The starting point in assessing a negligence claim is whether the Defendant owed a duty of care to the Plaintiff. Schools have long been held to owe a duty of care to their students, in terms of educating them in accordance with the applicable provincial standards and protecting their physical, mental and emotional well-being.

Once a duty of care is established the next step in legal analysis is to determine the appropriate standard of care to be applied in the particular circumstance and whether that standard was breached.

Traditionally, the Supreme Court of Canada has enunciated the standard of care for schools as follows:<sup>7</sup>

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<sup>6</sup> <http://www.cbc.ca/news/canada/nova-scotia/rape-bullying-led-to-n-s-teen-s-death-says-mom-1.1370780>

<sup>7</sup> *Myers v. Peel (County) Board of Education*, 1981 CanLII 27 (SCC) as per McIntyre, J

“The standard of care to be exercised by school authorities in providing for the supervision and protection of students for whom they are responsible is that of the careful and prudent parent...It is not, however, a standard that can be applied in the same manner and to the same extent in every case”

The standard of the “careful and prudent parent” is one that appears to be consistent throughout the Commonwealth,<sup>8</sup> although some are now applying the standard of “a reasonable teacher or school.”<sup>9</sup>

While we wait to see how Canadian courts apply the standard of care in negligence actions related to cyber-bullying, they will almost always look at what is termed an *objective standard*, which looks at two main factors: (a) whether the risk of harm was **reasonably** foreseeable and (b) whether **reasonable** precautions were taken, looking at factors such as probability of injury absent care, seriousness of harm and burden of taking precautions. In this context policy and procedure are critical.

### **Policy and Procedure Example – Red Deer Public Schools:<sup>10</sup>**

The Red Deer Public Schools Policy and Regulation Manual sets out a multi-pronged approach to issues of student conduct, behaviour and discipline. As a starting point, it is clearly enunciated in writing that it is the overarching goal of Red Deer Public Schools that each of its educational institutions provide a learning environment that is **safe, secure and caring**.<sup>11</sup>

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<sup>8</sup> *Williams v. Eady* (1893) 10 TLR 41 at 42

<sup>9</sup> *Geyer v. Downs* (1977) 138 CLR 91 at 102

<sup>10</sup> Special thanks to Ms. Teresa Tataryn, Vice-principal at Joseph Welsh Elementary School, Red Deer, Alberta for providing me with both written material and verbal explanation and clarification as to how her school deals with allegations of cyber-bullying.

<sup>11</sup> Red Deer Public Schools Policy and Regulation 4.02.02 Student Conduct and Discipline

Next, the roles and general expectations of the school principal, school staff, teachers, parents and students are set out.<sup>12</sup> Some examples of student expectations include that they:

- comply with the rules of the school
- respect the rights of others
- be answerable for their conduct

With respect to using computers and information systems students sign a “Student Use Agreement” that prohibits, amongst other things:

- access by them of computer services for any purpose other educational purposes
- attempts to access files for anything other than their intended purpose

As for teachers and administrators:

- schools are required to provide adequate adult supervision to students using computer hardware and/or software
- the Board of Trustees reserves the right to examine files, programs, passwords and to otherwise monitor all uses of the computer network.

In terms of enforcement, policy for search and seizure includes electronic information resources, student articles and objects and sets out the framework for when, why and how a search is to be undertaken by school authorities.<sup>13</sup>

Points of emphasis include, but are not limited to:

- the school administration must have reasonable grounds for the search
- a search cannot be random or arbitrary

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<sup>12</sup> Ibid.

<sup>13</sup> Red Deer Public Schools Policy and Regulation 6.02.12 – Search and Seizure

- it must be minimally intrusive
- school handbooks must clearly state what is subject to search

Finally, a Threat Assessment Protocol is in place, to be activated where student behaviour falls on a spectrum, ranging from “Worrisome Behaviour” to “Immediate Risk”<sup>14</sup>

If and when such behaviour is identified parties involved in dealing with it may include school administration, counselors, Family School Wellness Workers and the RCMP. The decision to engage in the Protocol for any given situation is at the discretion of the principal.

**Another Example- The Alberta Conference of SDA K-12 Board (the Conference)”<sup>15</sup>**

Here too we begin with a policy statement that the “Alberta Conference of SDA K-12 Board is committed to a safe, inclusive, equitable and welcome learning and teaching environment for all students.”<sup>16</sup>

Further, “The Alberta Conference of SDA K-12 Board will not tolerate harassment, bullying, intimidation or discrimination...”<sup>17</sup> In terms of assisting its teachers and school leaders with implementing specific measures to accomplish the above policy goals the Conference encourages them to make use of various online resources<sup>18</sup> and, presumably, whatever other relevant resources they can access.

In terms of establishing learning environment described in their policy the Conference places responsibility on each student within its schools to “refrain

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<sup>14</sup> Red Deer Public Schools Threat Assessment Protocol March 2009

<sup>15</sup> Special thanks to Janet Griffith, Superintendent of Education, Alberta Conference of the Seventh-day Adventist Church for providing me with the materials that form Appendix “B”

<sup>16</sup> Alberta Conference of the Seventh-day Adventist Church, “Welcoming, Caring, Respectful and Safe Teaching and Learning Environment Policy” at Part I.

<sup>17</sup> Ibid. at Part II.

<sup>18</sup> Ibid. at Part III.

from and refuse to tolerate bullying whether in our outside the school or school hours **or electronically**<sup>19</sup> (emphasis mine). As well, bullying is listed as a form of unacceptable conduct. The specifics of how policy is enacted falls within the ambit of individual school administration.

### **Conclusion:**

There is no doubt that the risk of harm in cyber-bullying is both real and severe and will become an increasingly serious issue at all levels of education as the use of technology in our society proliferates.

Although the importance of policy and procedure cannot be overstated, the reality is that bullying in any form is a discipline issue that can be and often is extremely difficult to identify and enforce. In each potential instance, the question will need to be asked as to the reasonableness of any action that is to be taken or not taken. School personnel should also complete supporting documentation, in as much detail as possible. Failure to do so may not only significantly increase the likelihood of being sued but will, in all likelihood, deprive students of the safe, secure and caring environment that they are entitled to and that is critical to their educational experience.

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<sup>19</sup> Alberta Conference of the Seventh-day Adventist Church, Student Code of Conduct

## **Policy and Regulation**

### **4.02.02 - Student Conduct and Discipline**

**Policy Approved:** 2010.04.14

#### **POLICY**

The Board of Trustees expects students and staff to model and reinforce socially responsible and respectful behaviours so that teaching and learning can take place in a safe and caring environment.

The Superintendent shall:

1. Ensure that all schools are safe and caring;
2. Develop, implement, and continually evaluate programs and practices to prevent and respond to incidents that disrupt teaching and learning; and
3. Ensure that the best educational interests of students are the paramount consideration in the exercise of authority.

An important goal of the Red Deer Public School District No. 104 is to develop responsible, caring and respectful members of a just, peaceful and democratic society.

A positive school climate creates an environment in which each student is free to learn to the best of his or her ability and contributes to the prevention and reduction of misbehaviours in school. Discipline is an essential part of a positive school climate. School personnel, under the direction of the principal, are to maintain order and discipline in the school, on school grounds and during activities sponsored or approved by the Board of Trustees.

School staff need to operate in loco parentis; that is, their actions in relation to students are those which would be undertaken by a responsible, caring parent. As well, in exercising their authority under the School Act, staff must always consider the best educational interests and fundamental rights of all students.

A school must be a safe and caring place for students and staff.

#### **REGULATION**

1. The school principal shall:
  - a. Ensure that students in the school have the opportunity to meet expectations as established by the Board of Trustees;
  - b. Develop school policies and procedures, in consultation with groups such as students, staff, school council, police, community representatives and parents, that:
    - i. identify roles and responsibilities of students, school staff, parents and community agencies to support safe and caring schools;
    - ii. develop, implement and evaluate programs which promote appropriate behaviours and discourage/ prevent inappropriate behaviours;
    - iii. provide crisis management and school disaster plans;



## **Policy 4.02.02 - Student Conduct and Discipline**

- iv. provide for staff development and training; and
  - v. maintain accurate and current student discipline records, to be shared where appropriate.
2. Teachers shall:
- a. Model beliefs, principles, values and intellectual characteristics as outlined in the Board of Trustees's statements of values, beliefs and expectations and in the Code of Professional Conduct;
  - b. Create and maintain environments that are conducive to student learning;
  - c. Establish learning environments wherein students feel physically, psychologically, socially and culturally secure;
  - d. Be respectful of students' human dignity;
  - e. Seek to establish a positive professional relationship with students that is characterized by mutual respect, trust and harmony. On occasion, a teacher may need to implement acceptable consequences for student misconduct such as withdrawal of privileges, detaining a student, assigning alternative activities, removing a student from class on a temporary basis, or restraining a student from carrying out a destructive act; and
  - f. Implement programs as deemed appropriate by District and school administration.
3. Parents shall:
- a. Have opportunity to consult with the principal to ensure that students in the school have the opportunity to meet expectations as established by the Board of Trustees;
  - b. Have opportunity to advise and consult with the principal on matters related to student conduct, discipline and consequences; and
  - c. Have opportunity to exercise a right to be heard regarding the discipline of their child, notwithstanding that the school staff, in operating in loco parentis and in keeping with the expectations of the Board of Trustees, is not required to consult with parents in every disciplinary matter, as this would constitute an unreasonable encumbrance on the school.
4. Students shall:
- a. Demonstrate a commitment to maintaining a safe and caring school;
  - b. Demonstrate desirable personal characteristics, such as respect, responsibility, fairness, honesty, caring, loyalty and commitment to democratic ideals;
  - c. Conduct themselves so as to reasonably comply with the following code of conduct:
    - i. be diligent in pursuing their studies,
    - ii. attend school regularly and punctually,
    - iii. comply fully with everyone authorized by the Board of Trustees to provide education programs and other services,
    - iv. comply with the rules of the school,
    - v. account to their teachers for their conduct,
    - vi. respect the rights of others;
  - d. Be answerable for their conduct to the principal of their school on the way from home to school and from school to home, in the school building, during all time that they are on the school grounds, and during all school-sponsored activities;

### Policy 4.02.02 - Student Conduct and Discipline

- e. Be afforded information on the code of conduct with which they are expected to comply, with possible consequences for noncompliance; and
  - f. Have the right to fair treatment and due process, including opportunity to account for situations and behaviours.
5. Principals and school staffs shall refrain from using the following forms of discipline:
- a. Consequences directed at whole groups in an unspecified way, rather than at a specific individual or individuals;
  - b. Consequences which involve the use of, or threats of, physical force, including corporal punishment, other than that which occurs in the context of restraint, as defined in Board Policy. When used, physical force must be reasonable in the circumstances and not intended as punishment; and
  - c. Deliberate humiliation of students, eg through the use of sarcasm or injurious social/ personal references.

## **Policy and Regulation**

### **4.03.07 - Access to Computing and Information Systems**

**Policy Approved:** 2004.05.12

#### **POLICY**

Computing and information systems play an important role in the education of students and in the administrative functions of the schools and the District. At the same time, access to the District's computing and information systems is a privilege and users must act responsibly in using such access. Students and staff shall guard against abuses that have the potential to disrupt or threaten the viability of these services.

The Board of Trustees provides access for students and staff to computing and information systems with the following limitations and expectations:

1. All uses shall be in compliance with federal, provincial, and copyright laws and district policies and regulations, and shall comply with all contractual agreements or licenses which may apply.
2. Access shall not be abused by using the services for any purpose other than those educational and administrative functions for which the service was intended; nor by using the services to gain access to confidential information without proper authorization.
3. District computing and information networks shall not be used to access files on electronic devices inside or outside the District for purposes other than intended by the owner of those files.
4. Access may be refused at any time for any reason deemed appropriate by the School Administration or Superintendent of Schools.
5. Reasonable steps shall be taken by the Superintendent of Schools to ensure that students are not able to acquire inappropriate information through the use of the computing and information systems of the District.
6. Each school principal or designate must ensure that procedures, together with adequate inventory and security measures, are in place to prevent misuse of computer hardware and/or software.
7. Students using computer hardware and/or software must be under adequate adult supervision.
8. The Board of Trustees reserves the right to examine files, programs, passwords, computer usage information, printouts, or other computing material and to monitor all uses of the District's computer network.

#### **RELATED FORM**

[Policy Form 4.03.07 - RDPSD NetUserAccess](#)

## **Policy and Regulation**

### **6.02.12 - Search and Seizure**

Policy Approved: 2010.05.12

#### **POLICY**

The Board of Trustees believes that the maintenance of a safe and secure learning and working environment, as well as an environment that is free of prohibited and illegal items, objects and materials, are important functions of the Board of Trustees. The Board of Trustees also believes that individuals should experience reasonable levels of privacy while on Board property and should have the opportunity to learn and work in an environment that is as minimally intrusive as possible.

In balancing the actions associated with these beliefs, the Board of Trustees acknowledges that, from time to time, there may be a need for school authorities to conduct a search of a student, school property used by a student, and/or student articles and objects.

The Board of Trustees therefore authorizes a principal or District employee designate to conduct a search of a student, school property used by a student, and/or student articles and objects. Such searches shall comply with all federal and provincial legislation and regulation, and with the Regulation associated with this Policy.

The Board of Trustees further authorizes a principal or District employee designate to seize prohibited, illegal, or missing items that are discovered during a search conducted under the provisions of this Policy and Regulation.

#### **DEFINITIONS**

1. "Search" means an examination undertaken by authorized school authorities to locate something that has been concealed by a student, when the discovery of the concealed item or article has the potential to result in the suspension or expulsion of a student. In this Policy, "search" does not mean an examination undertaken to find an item that has been misplaced or lost (eg homework assignment, notebook), or to resolve an accusation made by a student that is judged by a District employee to be minor in nature. (eg "He (or she) took my pencil and won't give it back.")
2. "Reasonable grounds" means any one of the following:
  - a. Information received from a credible student or other person.
  - b. Information from more than one person.
  - c. A teacher's or principal's own observations.
  - d. Any combination of the above information that the principal or the District employee designate considers credible.
3. "School property used by a student" means a desk, locker, school storage area or any other school article or object used by a student, including Red Deer Public School District electronic information resources;

## **Policy 6.02.12 - Search and Seizure**

4. “Student articles and objects” means articles or objects owned or used by a student either on school board premises (including school buildings, school grounds, playing fields, parking lots and all other school board property) or during off-site activities, including but not limited to backpacks, clothing, purses, suitcases and tote bags.

### **REGULATION**

1. Searches of a student, of school property used by a student, and/or of student articles and objects may only occur in the following circumstances:
  - a. When there are reasonable grounds to believe that there has been a breach of the school or District Code of Conduct and that the search will reveal evidence of the violation.
  - b. In an investigation of a violation of the school or District Code of Conduct.
  - c. As a matter of school safety or welfare.
2. Random and arbitrary searches of students, school property used by students, or student articles and objects are prohibited.
3. Detection dogs from an accredited organization may be used to undertake searches as described in this Policy, provided the use of such dogs is in compliance with the terms of this Policy and Regulation.
4. Searches may only be conducted by the school principal or District employee designate in the presence of another District employee or volunteer.
5. For the purpose of this Regulation, the principal’s designate during an off-site activity is the teacher-in-charge.
6. All searches must:
  - a. Respect the privacy of the student.
  - b. Be minimally intrusive.
  - c. Be conducted in a sensitive manner and take into consideration the age and gender of the student, the student’s religious practices and all related circumstances.
7. Principals must ensure that school handbooks advise students and parents that the following may be subject to search:
  - a. Students.
  - b. School desks, lockers and school storage areas used by students.
  - c. Articles and objects belonging to, in the possession of, or used by students either on school board premises or during off-site activities including, but not limited to, backpacks, clothing, purses, suitcases, and tote bags.
  - d. District electronic information resources used by students.
8. It is not necessary to notify a parent before a search of the student’s person is conducted, but the principal or District employee designate must inform the student’s parents about the search of the student’s person as soon as possible.

### **Policy 6.02.12 - Search and Seizure**

9. A principal or District employee designate conducting a search of a student's person may ask the student to do any one or more of the following:
  - a. Empty out his or her pockets and any other articles and objects belonging to or used by the student.
  - b. Shake out his or her clothing.
  - c. Roll up his or her sleeves, waist bands or pant cuffs.
  - d. Remove his or her belts, head coverings, hats, overcoats, jackets, scarves, mitts, gloves, socks or shoes, and any other accessories.

A principal or District employee designate, when conducting a search of a student's person, shall not physically search the student. Rather, the principal or District employee designate shall request that the student provide any concealed articles on the student's person in the manner described immediately above.

10. Red Deer Public School District employees and volunteers are prohibited from conducting strip searches of students under any circumstances.
11. The person conducting the search must document the search in writing and include the following information:
  - a. The name of the student.
  - b. The name of the person doing the search.
  - c. The District employee or volunteer witness to the search.
  - d. The date, place, location and time of day.
  - e. The results of the search.
  - f. Any other relevant information.
12. Any property seized as possible evidence in a criminal proceeding should immediately be turned over to police. Property taken as a result of breach of school rules should be retained in a secure manner and only for such period as may be prescribed by school rules in this regard.

#### **REFERENCE**

School Act, section 45(8)  
The Canadian Charter of Rights and Freedoms, Article 8  
Supreme Court of Canada, R. v. M.(M.R.) 1998 S.C.R.

**Welcoming, Caring, Respectful and Safe Teaching and Learning Environment Policy**  
[Alberta Conference of SDA K-12 Board, June 17, 2015]

**PART I**

Consistent with its mission and vision, Alberta Conference of SDA K-12 Board is committed to a safe, inclusive, equitable, and welcoming learning and teaching environment for all students.

All students have the right to learn and work in an environment free of discrimination, prejudice, and harassment. This right is guaranteed under the

- *Canadian Charter of Rights and Freedoms*;
- The *Alberta Human Rights Act* as amended March 10, 2015, and the *Alberta Human Rights Act*, including the right not to be discriminated against by reason of race, national origin, colour, religion or gender identity or gender expression. Legislation also provides as a fundamental right the “right of parents to make informed decisions respecting the education of their children;” and,
- Requirements of the *Alberta School Act* (and upon Proclamation the *Education Act, Section 35.1*) that provide for support measures that support the equality and non-discrimination of dignity of students who may belong to minority groups, including sexual orientation.

**PART II**

The Alberta Conference of SDA K-12 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 Alberta Conference of SDA K-12 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;
- 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.

## PART III

The Alberta Conference of SDA K-12 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.

To assist teachers and school leaders with implementation measures, the following Alberta Education resources may be used by school staff to assist with implementation of this policy:

The Walk Around: A School Leader's Observation Guide.

[https://education.alberta.ca/media/14273824/the%20walk%20around\\_school%20leader.pdf](https://education.alberta.ca/media/14273824/the%20walk%20around_school%20leader.pdf)

The Walk Around: Teacher's Companion Tool.

[https://education.alberta.ca/media/14274234/the%20walk%20around\\_teacher.pdf](https://education.alberta.ca/media/14274234/the%20walk%20around_teacher.pdf)

## PART IV

When implementing the above policy directions, the Alberta Conference of SDA K-12 Board will act reasonably in the best interests of the student in keeping with the guidelines outlined by the Supreme Court of Canada (Loyola College vs. Quebec, 2015). In that case, the Court outlined the obligations of teachers in a private religious school in respect to delivering a prescribed provincial curriculum related to other religions and worldviews and at the same time teach the school's faith tradition.

- Loyola's teachers must be permitted to describe and explain Catholic doctrine and ethical beliefs from the Catholic perspective, and cannot be required to adopt a neutral position.
- Loyola's teachers must describe and explain the ethical beliefs and doctrines of other religions in an objective and respectful way.
- Loyola's teachers must maintain a respectful tone of debate — both by conveying their own contributions in a respectful way, and by ensuring the classroom dialogue proceeds in accordance with respect, tolerance and understanding for those with different beliefs and practices.



- Where the context of the classroom discussion requires it, Loyola's teachers may identify what Catholic beliefs are, why Catholics follow those beliefs, and the ways in which another specific ethical or doctrinal proposition does not accord with those beliefs, be it in the context of a particular different religion or an ethical position considered in the abstract.
- Loyola's teachers cannot be expected to teach ethics or religious doctrines that are contrary to the Catholic faith in a way that portrays them as equally credible or worthy of belief. Respect, tolerance, and understanding are all properly required, and the highlighting of differences must not give rise to denigration or derision. However, ensuring that all viewpoints are regarded as equally credible or worthy of belief would require a degree of disconnect from, and suppression of, Loyola's own religious perspective that is incompatible with freedom of religion.

## Student Code of Conduct

### Purpose

In keeping with its mission and Alberta legislation, and its Safe and Caring Policy, the Alberta Conference of SDA Church is committed to:

- Providing all students with a welcoming, caring, respectful, and safe learning environment;
- Establishing a reasonable and caring balance between individual and collective rights, freedoms and responsibilities within the school community; and,
- Publishing as part of student registration, school start information and other forms, writing expectations for student behaviour (to students and their parents) while at school, at school-related activities, or while engaging in activities that may have an impact on others in the school.

### Expected Conduct

Consistent with Section 13 of the School Act and in keeping with the mission and vision of Alberta Conference of SDA Church each student is responsible for acting positively in support of a welcoming and caring learning environment by:

- Acting at all times in keeping with the vision and mission underlying the school;
- Respecting oneself and the rights of others in the school;
- Conducting oneself in a manner that contributes to a welcoming, caring and respectful and safe learning environment that respects diversity and fosters a sense of belonging;
- Refrain from and refuse to tolerate bullying whether in or outside of the school or school hours or electronically;
- Inform a responsible, trusted and caring adult in a timely manner of incidents of bullying, harassment, intimidation or other unwelcoming or uncaring acts;
- Attend school regularly and punctually;
- Diligently and actively being prepared to learn and actively pursue learning;
- Being accountable for individual behaviours to teachers and school staff;
- Cooperating with school staff to make the school a positive learning environment for all; and,
- Knowing and following the rules of the school;

### Unacceptable Conduct

Unacceptable behaviours that may negatively affect a member of the Alberta Conference of SDA Church community or the school's learning environment, whether in or outside of the school or school hours or electronically, include, but are not limited to:

- *Discrimination.* In keeping with the *Alberta Human Rights Act*, no student or person may discriminate against a student on the basis of an individual student's race, colour, ancestry, place of origin, religious beliefs, gender (including pregnancy, sexual harassment, and gender identity) physical disability, mental disability, marital status, family status, source of income or sexual orientation.
- *Acts of bullying, harassment or intimidation.* As defined by the School Act, Section 1.1(b.1) bullying is defined as the "repeated and hostile or demeaning behaviour by an individual in the school community where the behaviour is intended to cause harm, fear

- or distress to one more individuals in the school community, including psychological harm or harm to an individual's reputation.
- Physical violence.
  - *Acts of retribution* against an individual who has intervened to prevent bullying or informed about bullying or other unacceptable behavior.
  - *Illegal activities* including, those involving illegal or restricted substances, possession or use or threat of use of weapons, and theft or damage to property.

### **Consequences**

Students are expected to conduct themselves in keeping with their responsibilities as students.

The school will investigate each instance of unacceptable conduct and pursue disciplinary action in a matter consistent with the principles of fundamental justice and the school's student discipline policy. In grave circumstances, an individual found to have engaged in unacceptable conduct may be subject to possible suspension or expulsion.

### **Remediation and Support**

In order to foster a positive learning environment, the Alberta Conference of SDA Church will engage in reasonable and caring efforts to support both the individual(s) who may have been the subject or victim(s) of unacceptable behaviour(s) and to support perpetrators of unacceptable conduct to improve their conduct.

Supportive actions the Alberta Conference of SDA Church may include, but are not limited to:

- Mentoring of individual students by older students;
- More focused attention to individual students;
- Regular follow-up meetings of specific teachers with individual students;
- Student Peer Support Groups, including GSA's as appropriate;
- Counseling; and Restorative justice processes.