



Respectful and Fair Treatment of Students Policy

Excel is committed to providing a respectful and fair learning environment free from discrimination, harassment, and bullying. Excel has a zero tolerance to any form of discrimination, harassment, or bullying. Everyone has a right to be treated with dignity and respect at Excel. We recognize that discrimination, harassment, and bullying can seriously affect a student by creating a stressful, intimidating, and unpleasant learning environment.

Everyone is responsible for ensuring the learning environment is free from discrimination, harassment, and bullying, and to ensure any breach of this policy is reported. Senior staff and Instructors have a particular responsibility to role model a respectful workplace and learning environment, and ensure that discrimination, bullying, or harassment does not occur. If discrimination, bullying, or harassment occurs, leaders need to ensure it is addressed immediately.

Discrimination

Discrimination refers to adverse differential treatment of individuals or groups and is prohibited by the Human Rights Code. The prohibited grounds of discrimination are race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, age, and conviction of a criminal or summary conviction offence that is unrelated to employment or intended employment. It may be intentional or unintentional.

Discriminatory Conduct is defined as:

- a. Unwelcome conduct;
- b. that is based on or related to one of the prohibited grounds set out above; and
- c. that detrimentally affects the learning environment or how accommodation, services, or facilities are provided or lead to adverse education-related consequences for the victim.

Harassment

Harassment can be a form of discrimination. It involves any unwanted physical or verbal behaviour that offends, humiliates, threatens, or intimidates someone. Generally, harassment is a behaviour that persists over time. Serious one-time incidents can also be considered harassment.



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Harassment includes but is not limited to:

- Unwelcome remarks or jokes about race, color, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, age, or any other prohibited ground;
- Threatening or intimidating behaviour;
- Unwelcome physical contact, such as touching, patting, pinching, or punching, which can also be considered assault.

Sexual Harassment

Sexual harassment is any unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature. These can create a hostile or offensive work and learning environment. Sexual harassment includes, but is not limited to:

- Physical contact such as assault, or blocking normal movement;
- Unwanted physical advances or contact such as unwelcome kissing, touching, pinching, patting, or fondling;
- Offensive actions such as leering, or making sexually explicit gestures;
- Offensive comments such as comments about one's anatomy, attire, gender expression, or appearance.
- Jokes, remarks or pranks that are stereotypical or derogatory to members of one sex or gender;
- Unwanted attention such as persistent unwelcome flirtation;
- Unwelcome verbal advances such as expressions of sexual interest or sexual inquiries;
- Unwanted and persistent social invitations;
- Unwanted sexual propositions or suggestions;
- Use of demeaning or inappropriate terms;
- Use of crude and offensive language;
- Abusive, threatening, or insulting words or behaviour and/or displaying abusive or offensive writing or material.



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Bullying

As per WorkSafe BC, bullying includes any inappropriate conduct or comment by a person towards a person that the person knew or reasonably ought to have known would cause that person to be humiliated or intimidated. It excludes any reasonable action taken by Instructors relating to the management and direction of students or the learning environment. Bullying can persist over time or can also be serious one-time incidents.

Bullying includes, but is not limited to:

- Intimidation or belittling of an individual, verbally and/or physically;
- Aggressive or threatening gestures;
- Verbal aggression, insults or name calling, derogatory comments, or jokes;
- Sabotaging work;
- Personal attacks;
- Calling someone derogatory names;
- Harmful hazing or initiation practices;
- Vandalizing personal and/or work belongings;
- Spreading malicious rumours;
- Persistent criticism;
- Constant undermining;
- Deliberate exclusion from conversations, be they social or school-related;
- Abuse of power.

Impact and Intent

Acts of discrimination, bullying, and harassment can leave the victim feeling intimidated, humiliated, offended, and excluded. Intent does not determine whether the behaviour is bullying and harassment. A person cannot excuse their behaviour by saying they did not intend it to be humiliating or intimidating. Whatever form it takes, discrimination, bullying and harassment aimed at staff and/or students is always taken seriously and is completely unacceptable.



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Process for Students

If a student believes that they or any other individual has been subjected to discrimination, bullying, or harassment, by Excel staff, another student, or visitor to the campus, these steps should be used to address the situation:

1. Tell the alleged harasser or bully that the behaviour is unwelcome, inappropriate, and unacceptable.
2. If talking to the individual directly is not an option, or after addressing this with the individual the behaviour continues, report the situation to the Senior Educational Administrator. If the discrimination, bullying, or harassment is alleged to be coming from the Senior Educational Administrator, a student should go directly to the Director.
3. Excel will thoroughly, objectively, and promptly investigate complaints of discrimination, harassment, or bullying. Each situation is unique, and Excel may decide to engage in an external consultant to conduct the investigation. An investigation will include meeting with parties involved as well as any witnesses to the incident(s). It may also include collection and review of any materials or evidence.
4. The outcome of the investigation will be communicated to the complainant following the completion of the investigation.
5. If an investigation confirms that unacceptable behaviour has occurred by a staff member, another student, or a campus visitor, Excel will take prompt corrective action to resolve the situation. This may include training and education, facilitated discussion, suspension, or dismissal.
6. In the event of serious breach of this policy by a student, the Senior Educational Administrator will follow the procedures contained in the Dismissal Policies and Procedures document.

Confidentiality

All complaints, concerns, and reports of discrimination, bullying, or harassment will be kept confidential as much as is possible consistent with conducting a complete investigation. Anyone who is involved in an investigation must keep information confidential, except as is necessary to deal effectively with the complaint. Even when a complaint has been resolved, confidentiality and respect are important.



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Retaliation

Students have a responsibility to cooperate in an investigation. Everyone contacted during a harassment investigation are reminded that Excel does not tolerate retaliation in any form against any student who believes, or is concerned, that discrimination, bullying, or harassment has occurred and reports such conduct in relation to this policy. Excel will protect any person who participates in an investigation from retaliatory conduct. An employee or student who believes they are experiencing retaliation because of having made a complaint pursuant to this policy, or having participated in an investigation, must promptly report the information to the Senior Educational Administrator or Director. No person will suffer adverse consequences because of reporting a breach of this policy that is made in good faith.