

Superintendent's Task Force on School Safety

Recommendations to Address Sexual Misconduct in Schools



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EXECUTIVE SUMMARY

IN JANUARY 2018, two separate students and their families disclosed to school-based administration incidents of a sexual nature, both of which sparked internal investigations. The reviews of these two incidents revealed that a deeper look was required to determine whether existing policies and protocols are sufficient to assure our students, staff and the broader community that our schools are safe.

To explore these serious concerns, Superintendent of Schools Alison Sidow struck the Superintendent's Task Force on School Safety (the "Task Force") and instructed it to:

- Identify the scope of peer-to-peer sexualized violence in School District No. 73;
- Review existing policies and protocols that support safe schools;
- Review current educational outcomes for students that support healthy relationships; and,
- Provide a report and recommendations to the Superintendent for presentation to the Board of Education by the end of the current school year.

Through the latter part of the 2017-18 school year the Task Force, comprised of District staff and representatives of community agencies and partners, met with stakeholder groups including teachers, principals, students, parents and members of the Aboriginal Education Council. As well, the Task Force met regularly to review District policies and discuss recommendations.

In consultation with stakeholder groups, the Task Force identified opportunities for growth — areas that require focused attention and increased awareness to foster better understanding of the kinds of problems experienced by students in school as well as what is needed to prevent them.

Some of the focus groups identified factors that contributed to some students feeling unsafe. The Task Force's research revealed that some students who suffered sexual misconduct did not know how to report the incidents or get the support they needed.

As well, the Task Force recognized there is a need to reassure students and their parents and the community at large that all concerns for safety will always be treated seriously and with compassion and respect. The Task Force also heard from stakeholders that there is a need for earlier ongoing educational programming to help students understand these issues and how to deal with them.

Lastly, the Task Force found that District policies and protocols need to demonstrate a more significant understanding of the issues and incorporate language and measures that better reflect the nature of the issue.

As a result, the Task Force makes several recommendations with the goal of providing a strategic, District-wide approach that offers greater protection for those impacted by sexual misconduct while challenging some of the beliefs that serve to perpetuate these behaviours in our schools.

The Task Force's recommends:

- Promoting and/or creating reporting tools to ensure those who may be impacted have the means to seek out the supports they require;

- Informing the parent(s) of the policies, procedures and processes that will be used when responding to an issue of sexual misconduct, including the process a parent can follow to provide feedback, issue a complaint or request an appeal;
- Providing ongoing learning opportunities, starting at the elementary school level, to educate students about healthy relationships as well as measures they can take to report incidents or seek support;
- Defining what constitutes sexual misconduct in schools;
- Developing policies and procedures that specifically address sexual misconduct;
- Revisiting District policies that contemplate violence, harassment, bullying, intimidation and other forms of discrimination to include the definition of sexual misconduct in both intent and implementation; and,
- Reviewing response protocols to ensure that all District staff working with children know how to receive complaints in a way that respects the rights and needs of those known to be impacted.

The Task Force's work with the stakeholder groups showed that our schools and the behaviours that may arise within them are a reflection of society overall. Problems encountered in schools rarely originate there but surface as a result of social issues or norms fostered by media, culture, past practices, individual circumstances, upbringing and other broad factors.

It is the hope of the Task Force that this report provides information that enhances the District's understanding of student safety with respect to sexual misconduct, and supports the District's staff, students, parents and community partners with an increased ability to confront difficult issues around school safety confident in the knowledge that the well-being of children is, and must always be, the District's paramount concern.

I. INTRODUCTION

Mission of the Task Force

THE SUPERINTENDENT OF SCHOOLS provided the Task Force with four main objectives relating to student safety:

- Identify the scope of peer-to-peer sexualized violence in School District No. 73;
- Review the existing policies and protocols that support safe schools;
- Review the current educational outcomes for students that support healthy relationships; and,
- Provide a report and recommendations to the Superintendent for presentation to the Board of Education by the end of the school year.

Composition of the Task Force

THE SUPERINTENDENT OF SCHOOLS School District No. 73 (Kamloops-Thompson) chose members to the Task Force from a wide range of District employees, partner agencies and parents. The Task Force involved members of the RCMP, the Ministry of Children and Family Development, the Kamloops Sexual Assault and Counselling Centre, school and district administration, Aboriginal education staff, teachers, counsellors, support staff, parents and the Board of Education.

The Task Force members:

- Alison Sidow - Superintendent of Schools
- Michelle Marginet - Chair
- Joan Cowden - Trustee Board of Education
- Trish Smillie - Director of Student Support Services
- Vicki Hanson - Aboriginal Education Worker
- Tom Beveridge - School and Family Consultant
- Sean Lamoureux - Principal Sa-Hali Secondary School
- Laurel Macpherson - Kamloops Thompson Teachers' Association (KTTA) Social Justice Committee
- Dionne Mohammed - Parent and Social Worker, White Buffalo Aboriginal and Metis Health Society
- Jacqueline Judd - Ministry of Children and Family Development
- Barbara Gladdish - Kamloops Sexual Assault and Counselling Centre
- Cpl. Darren Angman - RCMP
- Const. Sophie Winkels - RCMP

Focus groups from a broad range of stakeholders were utilized to provide perspective on the current education, prevalence and response that exists in relation to sexual misconduct in District schools.

Focus Groups:

- Aboriginal Education Council (AEC)
- Students
- Kamloops Thompson Teachers' Association (KTTA)

- Kamloops Thompson Principals and Vice-Principals Association (KTPVPA)
- District Parent Advisory Committee (DPAC)

The District and the Task Force also sought the advice and support of Mr. Kevin Cameron, the Executive Director of the Canadian Centre for Threat Assessment and Trauma Response. Mr. Cameron is a subject-matter expert for threat assessment and trauma response for the British Columbia government.

In concert with the RCMP Behavioural Sciences Unit, Mr. Cameron developed Canada's first comprehensive, multi-disciplinary Violence Threat Risk Assessment training program. He presented to the Task Force (via teleconference) the national perspective on peer-to-peer sexualized gender-based violence in school settings, and provided recommendations for the Task Force's consideration.

Timeline and Method

THE TASK FORCE IS REQUIRED to provide a report and recommendations to the Superintendent of Schools for presentation to the Board of Education by the end of the school year.

The first meeting of the Superintendent's Task Force was March 29, 2018, with the final meeting June 13, 2018. The Task Force met four times between March 29 and June 13. Between April 25 and May 9, the Chair and various Task Force members met with the focus groups.

The Task Force began its work by reviewing existing District policies, procedures and protocols relating to student safety. The focus groups provided invaluable information and insights in terms of prevention and education strategies, the scope and effects of sexual misconduct, the types of sexual misconduct students are experiencing or witnessing, and the role of the community and the steps they felt the District should take.

Research into other school districts' policies, best practices, terminology and definitions of sexual misconduct, in conjunction with the use of the document *Preventing and Responding to Sexual Violence and Misconduct at British Columbia Post-Secondary Institutions*¹, helped inform the Task Force's work as the members began to think through adapting proven best-practices along with initiatives of the Task Force's own design to inform and provide recommendations to the District on policy, prevention and response.

Organization of the Report

THIS REPORT BEGINS with an explanation of the District's desire to understand and learn from two serious complaints of sexual harassment/assault reported in January 2018. The report then presents a summary of the Task Force findings in Section III. The summary identifies gaps and opportunities found in the findings, focusing on the key areas of policy, education, awareness and prevention, and response procedures and protocols. Section IV provides recommendations for the District to consider, with Section V concluding the report.

1 https://www2.gov.bc.ca/assets/gov/education/post-secondary-education/institution-resources-administration/5233_sexual_violence_and_misconduct_policy_guidelines_web.pdf

II. BACKGROUND INFORMATION

IN JANUARY 2018, the District received two separate complaints from parents regarding a failure to properly respond to serious reports of sexual harassment/assault, discrimination or intimidation occurring in two schools. Through the creation of a Task Force, the Superintendent sought to understand the scope of sexual misconduct with a focus on improving school experiences for students.

The Task Force was asked to review the District's current policies, procedures and practices with a goal of developing recommendations for a strategic and system-wide approach that would provide greater protection for those known to be impacted by sexual misconduct, while challenging the norms and beliefs that perpetuate sexual misconduct in schools.

Currently, the District has several policies and protocols that support safe schools for students and staff. The policies and regulations work together to guide staff decisions and achieve the outcomes and priorities of the Board of Education with respect to student and staff conduct.

The following policies and protocols were identified and reviewed as part of the Task Force's work:

Policies

- Policy 542.1 Violence Threat Risk Assessment
- Policy 600.1 Student Code of Conduct
- Policy 600.2 Student Discipline
- Policy 900.1 Anti-Discrimination and Human Rights
- Policy 903.1 Bullying, Cyberbullying, Intimidation, Harassment and Discrimination: Universal
- Policy 903.2 Bullying, Cyberbullying, Intimidation, Harassment and Discrimination: Employee-Specific
- Policy 903.3 Violence-Free Environment

Student Services Handbook

- Critical Incidents: 1100
- Problematic Sexual Behaviours: 606
- Violence Threat Risk Assessment Protocol

Prior to reviewing these documents, the Task Force decided that a definition was required for the committee to conduct its work. Drawing from the expertise of the Task Force members and through reviewing other sexual misconduct definitions, including that found in the document *Preventing and Responding to Sexual Violence and Misconduct at British Columbia Post Secondary Institutions*, a working definition of sexual misconduct was developed:

Sexual misconduct is any attempted, threatened, perceived or committed act by any person(s) towards another person(s) either physically or psychologically that includes the sexualized touching of another person, sexual assault, sexual abuse, sexual harassment, sexual exploitation, racialized sexual harassment, stalking, indecent exposure, voyeurism and the distribution of sexually explicit photographs or videos.

III. KEY THEMES/FINDINGS

THE DATA RECEIVED FROM DISCUSSIONS with focus groups, which comprised anecdotes, opinion, commentary, observation and reported evidence, was aligned into three key themes and findings as outlined below.

Policy-Related

THE WORKING DEFINITION of sexual misconduct was used for the purpose of policy review. In reviewing the policies and processes, the Task Force members considered if existing materials addressed sexual misconduct and/or provided the necessary actions in terms of education and prevention, procedures and response.

The Task Force noted that District policies and procedures generally outline the District's responsibility to provide a safe and secure learning environment and specifically refer to the behaviours that are expected of students. As an example, *Policy 900.1 Anti-Discrimination and Human Rights*, speaks to concepts of tolerance and inclusivity while *Policy 660.1 Student Code of Conduct* talks about acceptable behaviour including, among other points, "consideration for diversity, the thoughts, feelings and heritage of others."

It was also recognized, however, that the District's current policies and procedures do not specifically make reference to or define sexual misconduct. As this direct reference is missing in these documents, there is, understandably, no direct reference made to addressing sexual misconduct.

The Task Force concluded that existing District policies and protocols need to demonstrate a more significant understanding of the issues and incorporate language and measures that better reflect the nature of the problem, and that due to the complexity of the issue, a discrete policy addressing sexual misconduct is required.

Education, Awareness and Prevention

THE FOCUS GROUPS discussed how sexual misconduct stems from societal issues that surface in schools, and that education and understanding of the issue by District and school-based staff, students, parents and the community is key in its prevention. Mr. Kevin Cameron noted in his discussion with the Task Force that involvement of community members is important to support initiatives around sexual misconduct in the community.

Some of the focus groups noted that consulting with the appropriate stakeholder groups prior to implementation is necessary to gain perspective. The conclusion reached by the Task Force is that earlier ongoing educational programming is required to help students understand what constitutes a healthy relationship, and that all persons involved in the education of children including parents and stakeholder groups need information on where to access community support.

The focus groups felt that based on their stakeholder affiliation, they could better support student safety if more tools were available to them in terms of reporting, prevention and response.

Response Procedures and Protocols

BASED ON THE WORK with the focus groups, the Task Force concluded that some students, particularly those who are marginalized or who feel vulnerable, sometimes do not feel as safe as they should in the school system. It was identified that some students may have suffered harassment, intimidation, bullying or violence and did not know how to report it or where/how they could obtain support.

Students reported what many adults in our schools suspect — those impacted are often not reporting incidents of sexual misconduct to school personnel. The reasons cited for under-reporting include shame, fear, anxiety and guilt in conjunction with not knowing where or how to report. A more discrete, in-the-moment reporting method that does not involve seeking out an adult in the school for a face-to-face report was suggested.

Some of the groups spoke of the concept of intersectionality (when gender intersects with racism, sexism, homophobia, transphobia, ableism and xenophobia) resulting in issues of racialized or other discriminatory forms of sexual harassment and sexual misconduct. This is a factor that must be considered in schools with Aboriginal or minority students, particularly girls or LGBTQ+ students, who are more vulnerable to this type of sexual harassment.

Parents would like to see the policies and procedures that schools follow if these kinds of incidents occur, with the early and ongoing inclusion of the students and their parents seen as vital. In addition, there is a need to reassure and demonstrate to students, their parents and the community at large that concerns for safety will always be treated seriously, compassionately and respectfully and that part of this reassurance comes from having clear policies and processes that can be referenced and followed at these critical times.

IV. RECOMMENDATIONS

AS A RESULT of the key themes and findings identified in Section III, the Task Force arrived at the following recommendations:

- Promote and/or create reporting tools to ensure those who may be impacted have the means to seek out the supports they require;
- Inform the parent(s) of the policies, procedures and processes that will be used when responding to an issue of sexual misconduct, including the process a parent can follow to provide feedback, issue a complaint or request an appeal;
- Provide ongoing learning opportunities, starting at the elementary school level, to educate students about healthy relationships as well as measures they can take to report incidents or seek support;
- Define what constitutes sexual misconduct in schools;
- Develop policies and procedures that specifically address sexual misconduct;
- Revisit District policies that contemplate violence, harassment, bullying, intimidation and other forms of discrimination to include the definition of sexual misconduct in both intent and implementation; and,
- Review response protocols to ensure that all District staff working with children know how to receive complaints in a way that respects the rights and needs of those known to be impacted.

The rationale for the recommendations is further discussed below.

POLICY-RELATED

- 1. DEFINE WHAT CONSTITUTES sexual misconduct in schools.**
- 2. REVISIT DISTRICT POLICIES that contemplate violence, harassment, bullying, intimidation and other forms of discrimination to include the definition of sexual misconduct in both intent and implementation.**
- 3. DEVELOP POLICY AND PROCEDURES that specifically address sexual misconduct.**
- 4. REVIEW RESPONSE PROTOCOLS to ensure that all District staff working with children know how to receive complaints in a way that respects the rights and needs of those known to be impacted.**

The Task Force suggests that in order to provide a better understanding of the issues that surround sexual misconduct and to incorporate language and measures to address the issue, it is necessary to define what constitutes sexual misconduct in schools. It is recommended that the District adopt the definition provided by the Task Force in Section II.

Further, to provide a more significant framework of support around the education and response needed to address issues of sexual misconduct, the Task Force recommends the District revisit policies that reference violence, harassment, bullying, intimidation and other forms of discrimination to include the new definition in both intent and implementation.

To ensure that response procedures are student-centred, it is recommended that the District review response protocols to ensure that District and school-based staff know how to receive complaints in a way that respects the rights and needs of those known to be impacted.

EDUCATION / PROGRAMMING

5. PROVIDE ONGOING LEARNING OPPORTUNITIES, starting at the elementary school level, to educate students about healthy relationships as well as measures they can take to report incidents or seek support.

To help students, their parents and District and school-based staff better understand and deal with issues of sexual misconduct, the Task Force recommends the District consult with the appropriate stakeholder groups, prior to implementation, to gain perspective.

It is also recommended that the District examine, review and amend current learning opportunities as necessary, starting at the elementary school level, to ensure that students are educated about healthy relationships as well as measures they can take to report incidents and/or seek support.

REPORTING PROCEDURES / RESPONSE PROTOCOLS

6. PROMOTE AND/OR CREATE REPORTING TOOLS to ensure those who may be impacted have the means to seek out the supports they require.

To support students and those known to be impacted by sexual misconduct, the Task Force recommends promoting and/or reporting tools, including online or app-based tools, to ensure those who may be impacted have the means to seek out the supports they require.

7. INFORM THE PARENT(S) of the policies, procedures and processes that will be used when responding to an issue of sexual misconduct, including the process a parent can follow to provide feedback, issue a complaint or file an appeal.

The Task Force suggests to reassure students, parents and the community that schools are safe and welcoming places to be, it is necessary to provide parents and students with the policies and processes that will be followed when responding to an incident of sexual misconduct, including a process to provide feedback, issue a complaint or request an appeal.

It important to bear in mind that reporting to parents and the broader community must consider privacy concerns arising from the disclosure of personal information about victims, staff and those who are suspected of committing sexual misconduct.

V. CONCLUSION

THE TASK FORCE'S WORK with focus groups and other stakeholders showed our schools and the behaviours that arise within them reflect behaviours that occur in society at large. Problems encountered in schools rarely originate there but surface as a result of social issues or norms fostered by media, culture, past practices, individual circumstances, upbringing and other broad factors.

It is the hope of the Task Force that this report provides information that will enhance the District's understanding of student safety, and will support the District's staff, students, parents and community partners with an increased ability to confront difficult issues around sexual misconduct and school safety.

It is also hoped that the report will give the community, parents, students and others confidence in the knowledge that School District No. 73 (Kamloops-Thompson) understands that the well-being of children is, and must always be, its paramount concern.