

POLICIES AND PROCEDURES

POLICY: Safe, Inclusive and Accepting Schools Code of Conduct -- Victims' Rights

Date Approved: May 21, 2019

Last Reviewed: 2023-2024

Dates of Amendment:

Cross Reference: [Safe, Inclusive and Accepting Schools Code of Conduct - General](#); [Safe, Inclusive and Accepting Schools Code of Conduct - Progressive Discipline and Promoting Positive Student Behaviour](#); [Safe, Inclusive and Accepting Schools Code of Conduct - Incidents Involving Students Towards Staff](#); [Safe, Inclusive and Accepting Schools Code of Conduct - Safe Schools Transfer](#)

POLICY:

1. The Board recognizes that all people are created in the image and likeness of God and, as such, all people have the right to be treated with dignity, respect and fairness. The goal of this policy is to ensure that each actual or intended victim who has suffered or may be reasonably expected to suffer intentionally inflicted harm, whether physical, mental or emotional, as a result of the action of one or more others, has the right to:
 - a. Immediate required care and physical assistance
 - b. Emotional, spiritual, and moral support
 - c. Reasonable and adequate protection against future harm, to the extent required in the circumstances

ADMINISTRATIVE PROCEDURES:

Definition: A victim is a person who suffers injury or hurt as a result of the intentionally inflicted or threatened harm caused or permitted by one or more other persons. Such harm can take many forms: actual or threatened assault, or mental or emotional violence of any sort, including harassment or bullying.

1. When a student has suffered intentionally inflicted harm or is threatened due to the action of one or more others, the victim and the person(s) who may have caused the harm shall be separated, and any required care and medical and other attention to the victim shall be provided. Police may be contacted as deemed necessary by the Principal/Designate.

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2. The parent(s)/guardian(s) of a victim will be contacted to inform them of the nature of the activity that resulted in the harm, the nature of the harm, steps taken to protect the victim's safety, and the supports that will be provided for the victim in response to the harm that resulted from the activity.
3. The parent(s)/guardian(s) of the student(s) who may have caused the harm shall be contacted to inform them of the nature of the activity that resulted in harm to the victim, the nature of the harm to the victim, the nature of any disciplinary measures taken in response to the activity, and the supports that will be provided for the student in response to his/her engagement in the activity.
4. Depending upon the circumstances, the Principal/Designate may consider a consultation with the Family of Schools Supervisory Officer, and/or the School Social Worker and/or Principal of Safe, Inclusive and Accepting Schools. Victims have the right to access supports and or resources provided by the Ottawa Catholic School Board.
5. The Principal/Designate will determine, through an investigation that emphasizes confidentiality, whether the separation of the actual or intended victim and the student(s) who may have caused or intended to cause the harm should continue beyond the immediate aftermath of the incident, or whether, without compromise to the interest of all students involved, the best interest of all may continue to be served through continued participation of the student perpetrator(s) as before the incident. In making this judgement, the Principal/Designate will consider:
 - a. whether criminal charges have been laid against the student(s) who may have caused the harm;
 - b. whether there are bail or other court imposed conditions requiring distance separation between the actual or intended victim and the other student(s);
 - c. whether and when the intellectual or emotional conditions of the actual or intended victim and the other student(s) can reasonably be expected to tolerate an end to the separation;
 - d. the nature, validity, and suitability of any demands or requests made by the actual or intended victim and/or his/her parent(s)/ guardian(s);
 - e. the nature, validity, and suitability of any demands or requests made by the student(s) who may have caused the harm, and/or his/her/their respective parent(s)/guardian(s);
 - f. the age of those involved and opportunities for restorative solutions;

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- g. The level of transparency that can be shared while still maintaining each student's right to privacy and the protection of their personal information;
 - h. the overall impact of the incident on the school climate.
- 6. Whenever a choice must be made as to which of the actual or intended victim, or the student(s) who may have caused the harm, must be transferred, generally it will be the student(s) who may have caused the harm who will be required to transfer to another school. This transfer is facilitated through the Safe Schools Transfer process.
- 7. Ultimately, subject to requirements of law and of other Board policies, the Principal/Designate shall determine what is in the best interest of all students involved, both the actual or intended victim and the student(s) who may have caused the harm, balancing where necessary the competing interests, to produce a fair and equitable result in harmony with Catholic traditions and values, and teaching and learning philosophy. The Principal/Designate is to consider first and foremost the impact on the victim if the student(s) who may have caused the harm is allowed to remain in the school.