



RESPECTFUL AND FAIR TREATMENT TO STUDENTS POLICY

Story Institute

PTIB# 4423

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Effective Date: Jan 6, 2018

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Responsibility

All employees, contractors, and students

Policy

Story Institute is committed to ensuring its learning environment promotes the respectful and fair treatment of all students.

Story Institute is committed to providing a learning environment free from discrimination and harassment with equal opportunity for and fair treatment of all students. This commitment is based, in part, on the need to ensure that the Institution complies with anti-discrimination laws, but also is an extension of the Institution's organizational values and its commitment to providing a happy, authentic and student-centric learning environment.

The Institution will take all reasonable steps to identify and eliminate unequal opportunities, unfair treatment, harassment, bullying and discrimination from its practices to create an inclusive culture that fosters acceptance and respect of all students.

This policy on student equal opportunity and fair treatment (free of harassment and discrimination) applies to all activities in which higher education students may participate while a student at the Institute or potential student including: admission and enrolments; teaching and learning; student management; course development and delivery; training and instruction; assessment and examination; access to resources and facilities; Institute culture.

Equal Opportunity

Equal opportunity in student education is a principle of non-discrimination which emphasizes that opportunities in education should be freely and equally available to all students irrespective of their personal characteristics or attributes which are unrelated to their ability, performance, knowledge, skill or competence (e.g. race, gender, religion, disability etc.).



Discrimination

Discrimination in student education occurs when a student is denied a benefit or the equal opportunity outlined above, or treated less favorably than another student, on the grounds of a personal characteristic or attributes (e.g. race, gender, religion, disability etc.).

Discrimination can be either direct or indirect. Direct discrimination occurs when unlawful distinctions are made between individual students and student groups based on any of the discriminatory grounds. Indirect discrimination occurs when a seemingly harmless policy, rule or practice has a discriminatory effect on an individual student or student group.

The following discriminatory grounds: age; career status; family responsibilities; impairment/disability (past, present or future); industrial activity; lawful political belief or activity; lawful religious belief or activity; lawful sexual activity; marital status; parental status; physical features; pregnancy or potential pregnancy; race, color, nationality, ethnic or national origin; sex; personal association with a person identified by reference to one of the above attributes.

Sexual Discrimination

Sexual discrimination is when a person is treated less favorable than that of a person of the opposite sex would be treated in a same or a similar circumstance. The following sexual discriminatory grounds apply under various legislative instruments: sexual orientation; gender identity; intersex status; lawful sexual activity; personal association with a person identified by reference to one of the above attributes.

The Institute does not tolerate any discrimination and higher education students who believe they may be subject to unlawful discrimination should initially discuss their concerns with the perpetrator if appropriate and safe to do so, or discuss their concerns with TSI Staff or lodge a complaint to the director as per the Conflict Resolution Policy.

It must be highlighted that not all discrimination is unlawful, and in some instances, discrimination on certain educational grounds may be necessary and fair, such as entry



age; language requirements; supplying special services or facilities for a person with an impairment that would impose an unjustifiable hardship on the Institute etc.

Unforeseen discrimination exemptions will be decided on a case by case basis by the Director.

Harassment

Harassment is perceived or actual unwelcomed conduct that humiliates, offends, or intimidates people. Harassment is bullying conduct that is neither appropriate nor relevant to a situation. This includes words, as well as acts, pictures, and images that create a hostile or threatening atmosphere. Behaviors that can be considered harassment include: verbal abuse; offensive gestures; ignoring or segregating a person or group.

The effect of harassment is to make a person feel insulted, offended, intimidated and unable to perform a task effectively or, ultimately safely.

Harassment in this policy in any form (including sexual harassment and bullying) refers to student matters only (staff should refer to the Equal Employment and Anti-Discrimination Policy for details on the College's approach for employees).

Sexual Harassment

See "Sexual Harassment Policy"

Bullying

Bullying is a form of harassment and is when a person or group of people misuse power in a relationship to repeatedly and intentionally harm others. The outcome is the victim feels distressed, less powerful or helpless and there is a risk to their wellbeing.

Bullying can be overt (obvious) such as physical, verbal, or cyber harassment, or covert (hidden) such as social exclusion or intimidation. Examples of bullying behavior include: unfair and excessive criticism; excluding someone from a group (including online or in person); ignoring a person's point of view; constantly changing or setting unrealistic targets for a person; undervaluing the efforts of a person; intentionally and repeatedly hurting a person physically; stalking a person; taking advantage of any power over someone else.



Bullying is not mutual arguments, disagreements or dislikes.

The Institute does not tolerate any form of harassment and students who believe they are subject to harassment should initially discuss their concerns with the perpetrator if appropriate and safe to do so, or discuss their concerns with TSI staff. Students can also lodge a complaint as per our Conflict Resolution Policy.

It must be also highlighted that harassment is not legitimate comment or advice (including negative comment or feedback) from others, such as genuine assessment feedback. TSI staff at the Institute are responsible for undertaking assessment of students' work and making a judgement about their attained knowledge and competency in a particular subject. They are also expected to provide academic guidance and advice to students to complement their assessment and may have to instruct them about academic policy, processes and timeline provisions. In itself, the act – including repeated acts – of correcting students or pointing out inadequacies of performance does not constitute harassment or bullying in an educational environment.

Similarly, invoking unsatisfactory performance procedures or misconduct procedures, or applying student progress procedures, academic integrity procedures or assessment due dates do not in themselves constitute harassment or bullying of students.

Institute

It is the Institute's responsibility to ensure that unlawful discrimination and harassment does not occur. If it does occur, the allegation will be investigated in a sympathetic, fair, confidential and in a timely manner.

If a student informs the Institute of allegations of harassment or discrimination that involves persons who are not staff members or students of the Institute, the Institute will consider on the appropriateness of the Institute's intervening or assisting. The decision to intervene or assist will be made by the Senior Educational Administrator.

The Institute will take all reasonable steps ensure itself that it does not engage in discriminatory or harassing behavior towards students including not vilifying or victimizing a student who has voiced a discrimination or harassment complaint.



All academic and non-academic staff are responsible for implementation of this policy.

Directors and the Senior Educational Administrator are responsible for monitoring the compliance of their staff with this policy.

Staff

It is part of the role and a legal obligation of academic and non-academic staff to take reasonable steps to ensure that the educational environment at the Institute is free from discrimination and harassment of students. All staff at the Institute have a responsibility to take appropriate action if concerns about discrimination and harassment are brought to their attention by a student or personally witnessed.

Staff must ensure they do not engage in discriminatory or harassing behavior towards students themselves including ensuring that a student is not vilified or victimized unfairly by a staff member for making a discrimination or harassment complaint.

Any staff member found to be engaging in such behavior may be subject to consequential disciplinary action both by the Institute and through legal avenues (cost to be adhered by the staff in question).

Students

The Institute requires all education students to behave responsibly by complying with this policy and related policies, and to report unacceptable behavior to staff.

All students must ensure they do not engage in discriminatory or harassing behavior towards other students or staff members and may be subject to consequential disciplinary action both by the Institute and through legal avenues.

Reporting and Acting on allegations of Discrimination or Harassment

The Institute will ensure that:

- The above policy and procedure advise students of available support if required when making a complaint or grievance.
- The student is not vilified or victimized for making a complaint or grievance.
- The complaint or grievance process will be dealt with in a professional and sensitive manner and will adhere to the principles of privacy and confidentiality.



- Support is offered to the student if required, and the student is able to have a third party of their choosing present at all meetings.
- The matter is referred to the Institute's legal representatives if required at which time students will be advised that legal representation may be required if they have not already sought this.

The student is to ensure that they maintain confidentiality of information when making a complaint.

If the student is dissatisfied with the internal process, they may refer the matter to a relevant external body, such as The BC Human Rights Tribunal.

If the complaint is substantiated that a student has behaved in a discriminative or harassing manner to another student, the Institute can initiate the consequential actions of such behavior including, but not limited to:

- Requested apology to those involved.
- A formal warning on student perpetrator's file.
- Probationary enrolment for a period up to 12 months, subject to the perpetrator student's ongoing good behavior.
- Suspend the perpetrating student from the Institute for a specified period of time, not exceeding 12 months.
- Cancel of enrolment for any subject of the perpetrating student.
- Exclude the perpetrating student from the Institute permanently.

If the complaint is substantiated that a staff member has behaved in discriminative or harassing manner to a student, the Institute can initiate action such as, but not limited to:

- Performance monitoring (which could include enforced peer review of teaching).
- Formal warning on perpetrator's staff file.
- Dismissal and/or termination of contract of the perpetrating staff member or contractor.