

Students

AP 392: Anti-Racism

Background

The Board acknowledges that systemic bias, such as racism, exists in society and thus in our schools. The Board knows that they play an important role in influencing and driving systemic change. Individuals experiencing racism at any level encounter barriers to positive relationships, learning, academic success, personal fulfilment and well-being. The Board recognizes the complexity of how racism is experienced by trustees, employees, students, families, volunteers, contractors and visitors, and commits to addressing racism through responsive and transparent processes.

The Board is committed to acknowledging, addressing, and eradicating discrimination, harassment, intimidation or bullying. The Board believes schools have the responsibility to ensure that students and their families feel safe to share these issues and concerns. Within a safe and caring environment, students and their families have the right and responsibility to bring these concerns to the attention of the school staff. The Board expects that school and Division staff will be respectful of the concerns of students and their families and will work with them to provide appropriate supports and resolve their issues in a timely manner.

The cultural diversity of Division Community members is a strength. The Board recognizes that respect for diverse cultural perspectives, traditions, languages, beliefs and values enriches the learning and working environment for everyone and is important to well-being and personal growth. The Board is committed to honouring cultural diversity, promoting intercultural understanding to enable reflection and growth, and fostering a sense of belonging.

This procedure aligns with the *Alberta Human Rights Act* and *FMPSD Administrative Procedure 170: Harassment in the Workplace (AP 170)* which outlines the FMPSD's expectations and standards of behaviour conducive to a physically and psychologically safe, healthy, and respectful workplace.

The purpose of this procedure is to establish:

- An organizational anti-racism approach regarding all aspects of service provision and employment in the FMPSD
- A set of principles and requirements for identifying, addressing and preventing racism in all areas of the FMPSD and to lead by example in the advancement of racial equity

- A range of dispute resolution options for employees, students, families, and community members who have experienced racism or discrimination at FMPD.

This Administrative Procedure applies to all FMPD employees, volunteers, students and their families. Advisory bodies and committee members, members of the public, service recipients, visitors to and users of FMPD facilities/grounds, and individuals conducting business with, for, or with support from FMPD are expected to adhere to this administrative procedure. This includes refraining from discrimination and racism towards FMPD employees, volunteers, and students.

Definitions

“Bullying” means a repeated and hostile or demeaning behaviour intended to cause harm, fear or distress, including psychological harm or harm to a person’s reputation. It often involves an imbalance of social or physical power.

“Community member” means an individual or individuals who access FMPD services or facilities.

“Complainant” is an individual or group of individuals who submit a complaint. A complainant may also be a third-party having knowledge of an incident of violence, discrimination, racism or harassment. The reporting individual does not have to be the target of the identified conduct.

“Discrimination” means any practice or behaviour, intentional or not, that has a negative impact on an individual or group due to any of the protected grounds (e.g. gender, race, disability, sexual orientation, etc.) outlined by the *Alberta Human Rights Act*.

“Family” means a student’s family member(s) or caregiver(s).

“Person in a Position of Authority” For a student, a Person in a Position of Authority is an employee, teacher, principal or other individual authorized by the Division to fill an official role within or associated to the school. For an employee, a Person in a Position of Authority is a person in the school or Division to whom the employee is accountable (e.g. principal, vice-principal, supervisor, central office administration, including assistant superintendent, secretary-treasurer, deputy superintendent, superintendent of schools, or the board chair of the Division).

“Harassment” means one serious incident or repeated incidents of unwanted or unwelcome verbal or physical behaviour that offends or humiliates a person.

“Hate” means any harmful action against a person or property based on their association with a protected ground.

“Hate Crime” means a crime committed in full or in part motivation of hate.

Racism: a belief that one group is superior or inferior to others based on their race, colour, place of origin, ancestry, language, accent, name, cultural practices, and/or other attributes related to the foregoing. Racism can be openly displayed in racial “jokes”, slurs, exclusionary practices, microaggressions, or hate crimes. Racism can also be more deeply rooted in attitudes, values, ignorance, and stereotypes, which have evolved over time and become a part of systems and institutions. Racism includes ideas or practices that establish, maintain or perpetuate the racial superiority or dominance of one group over another. Racism may be experienced at an individual, institutional, or systemic level.

Individual racism: refers to an individual expressing racist assumptions, beliefs or behaviours and is a form of racial discrimination, whether expressed overtly or covertly.

Institutional racism: occurs when institutions create or maintain racial inequity, often as a result of hidden biases in policies, practices and procedures that privilege some groups and disadvantage others.

Systemic racism: occurs when racist assumptions, beliefs or behaviours are reinforced by systems of power that perpetuate racial group inequity. Systemic racism involves dimensions of our history and culture that have allowed racial privileges and inequities to endure and adapt over time.

“Respondent” is an individual against whom a violence, discrimination, racism or harassment complaint is made.

“Staff Member” means an individual employed by the Division and includes members of the Canadian Union of Public Employees, Local 2545, the Alberta Teachers Association, Local 48, contract personnel employed on a temporary basis to provide a specific service, and individuals occupying non-union positions.

“Student” means an individual registered to receive educational services through FMPSD.

“Volunteer” means an individual who provides assistance of their own free will and does not receive remuneration for their services to the Division.

“Work” includes work that is carried out at any time or location where a staff Member is expected to be performing their job duties.

“Workplace” means any place where the business is carried out, and includes business travel, conferences, field trips, and employer-directed work-related social gatherings or events.

Procedures

1. No person shall engage in conduct or behaviour which constitutes violence, discrimination, racism or harassment at a Division school or workplace.
2. Anyone who infringes a right protected by the *Alberta Human Rights Act* or otherwise engages in violence, discrimination, racism or harassment shall be subject to complaint procedures, remedies, and sanctions outlined in this Administrative Procedure.
3. Any person subjected to violence, discrimination, racism or harassment (the “complainant”) should be encouraged to seek assistance from a Person in a Position of Authority in response to harassing behaviour. The complainant or the reporting employee can also choose to inform a Person in a Position of Authority to seek assistance without informing the alleged offender. The reporting employee or the complainant could also choose to inform the alleged offender that the behaviour is unacceptable and that it must stop.
4. Any person who has been subjected to violence, discrimination, racism or harassment has the right to access assistance in communicating their objections and, if warranted, in pursuing an informal resolution process or a formal complaint. It is recognized that the issue of access to recourse is particularly critical where the alleged offender is in a position of authority over the complainant or where there are other communication barriers.

5. Any Person in a Position of Authority who receives a complaint is responsible for immediately informing a Person in a Position of Authority, or the Superintendent of Schools, for ensuring that the complaint is addressed appropriately at the earliest opportunity. If the complaint relates to a Person in a Position of Authority, the complaint should be made to the Superintendent of Schools. If the complaint relates to the Superintendent of Schools, it should be made to the board chair of the Division. If the complaint relates to a member of the Board of Trustees, the complaint should be made to the Board Chair. If the complaint relates to the Board Chair, the complaint should be made to the Vice Chair of the Board.
6. No individual shall knowingly or willfully submit complaints based on false allegations. Malicious or false complaints will be dealt with through the disciplinary process.
7. Complaints can be resolved through an informal process, which may involve voluntary mediation. At any time during an informal complaint process a complainant may file a formal complaint.
8. In order to file a formal complaint, the complainant can do so by filing a formal written complaint with a Person in a Position of Authority. The complaint should set out in sufficient detail the incident(s), giving rise to the complaint including the date and time, nature of the concern, and the names of any persons who may have witnessed the incident or conduct. A complainant is encouraged to use the online reporting system (*currently in pilot mode*) and to complete it as comprehensively as possible.
9. If a formal complaint is filed the respondent is entitled to be informed that a complaint has been filed. Depending on the circumstances and if required to respond to the complaint, the respondent will be advised of the name(s) of the individual(s) making the formal complaint. In the case of a formal complaint, the respondent may be provided with a copy of the complaint or a description of the complaint outlining the allegations. The respondent should be provided with sufficient information to understand the nature of the allegations in order to allow the respondent with the opportunity to understand the nature of the allegations and to provide a full response.
10. With respect to informal complaints, the Person In A Position Of Authority or the person tasked with addressing the informal complaint may choose not to disclose the identity to the respondent of a complainant making an informal complaint. No reference to an informal complaint shall be placed on the personnel file of a respondent. In response to an informal complaint the respondent may receive a letter of discipline with reference to expectations and warn of future consequences should the respondent fail to adhere to those expectations.
11. Even in the absence of a complaint, Division office administration may initiate a systemic review or investigation into concerns related to potential violence, discrimination, racism or harassment existing at any workplace or school. A systemic review or investigation can result in disciplinary consequences.

12. Reasonable effort shall be made to preserve the confidentiality of a complaint or concerns. The Division will not disclose the circumstances related to an incident or names of the complainant, the respondent, and any witness, except:
 - 12.1 Where necessary to investigate the incident or to take corrective action, or to inform the parties involved in the incident the results of the investigation and any corrective action to be taken to address the incident;
 - 12.2 Where necessary to inform employees of a specific or general threat of violence or potential violence (in doing so, the Division will disclose only the minimum amount of personal information that is necessary to inform employees of such a threat); or
 - 12.3 As required by law.
13. Resolution procedures under this administrative procedure do not impact a complainant's right to file a complaint with the Alberta Human Rights Commission, commence proceedings in a civil or criminal court, file a grievance in accordance with the provisions of any applicable collective agreement, or pursue other recourse afforded under legislation including the *Occupational Health and Safety Act*, *Education Act*, *Teaching Profession Act* or *Public Interest Disclosure (Whistleblower Protection) Act*.
14. Failure to comply with this Administrative Procedure may result in disciplinary action, up to and including termination of employment for just cause.

15. Responsibilities:

15.1 Superintendent to:

- 15.1.1 Recommend and make amendments to these procedures.
- 15.1.2 Ensure actions and words contribute to staff members feeling supported when seeking assistance if an incident occurs.
- 15.1.3 To liaise with Communications and the Diversity, Equity and Inclusion Coordinator ("DEI Coordinator") to communicate this procedure to staff, students, and families.
- 15.1.4 Where appropriate or required, receive incident reports and communicate decisions about restorative practices and resolution of incidents.
- 15.1.5 participate in mediations and restorative practices as required.

15.2 Senior Leadership Team to:

- 15.2.1 Recommend amendments to these procedures.
- 15.2.2 Ensure the implementation of these Guidelines within respective management areas.
- 15.2.3 Ensure actions and words contribute to staff members feeling supported when seeking assistance if an incident occurs.
- 15.2.4 Consult with joint work site health and safety committee about the administrative procedure, communication of the same to staff members and any challenges with respect to reporting concerns in accordance with the process provided.

15.3 People in Authority to:

- 15.3.1 Ensure the implementation of these procedures within their areas of responsibility.
- 15.3.2 Advocate the FMPD's values, demonstrate commitment to leadership, and model the appropriate respectful behaviours outlined in these procedures.
- 15.3.3 Ensure actions and words contribute to staff members and students feeling supported when seeking assistance if an incident occurs.
- 15.3.4 Ensure updates to the procedures are promptly communicated to staff members and students.

15.4 Head of Human Resources, Director of Inclusive Learning & Mental Health Supervisor to:

15.4.1 Coordinate staff and student supports as needed.

15.4.2 Work with Communications and the Superintendent as needed to communicate information and supports available.

15.5 Communications to:

15.5.1 Provide communication of this procedure to staff, students and families.

15.6 DEI Coordinator to:

15.6.1 Provide advisement with regards to historical and societal context of racism and discrimination, potential impacts, and appropriate supports required.

15.6.2 Provide education and communication of this procedure to staff, students, and families.

15.6.3 Provide advisement to the Superintendent, Principal, and staff on restorative practices and preventative initiatives.

15.6.4 Receive and review reports of incidents of racism and discrimination. Undertake further investigation and follow up as needed. Where appropriate, make recommendations to the staff member, principal, and/or Superintendent about restorative practices and resolution of incidents.

15.6.5 Participate in mediations and restorative practices as required.

15.7 Staff to:

15.7.1 Advocate the FMPD's values, demonstrate commitment to leadership, and model the appropriate respectful behaviours outlined in these procedures.

15.7.2 Ensure actions and words contribute to staff members and students feeling supported when seeking assistance if an incident occurs.

15.7.3 Support any individual that has been targeted by or witnesses an incident.

15.7.4 Address racism and discrimination as soon as they are aware of the incident.

15.7.5 Report any incident to the Principal and/or Superintendent.

15.7.6 Report any and all incidents through the reporting platform.

16. **Complaint and Investigation Procedure**

16.1 Informal Complaint Resolution

16.1.1 Making an Informal Complaint

- 16.1.1.1 The complainant may convey objections regarding the unacceptable behaviour directly to the respondent or through a Person in a Position of Authority.
- 16.1.1.2 When appropriate, the complainant can make their concerns known verbally to the alleged offender, either directly or with the assistance of a third party. This first step can assist in addressing the matter directly and informally with the alleged offender. Again, it is recognized that it will not always be possible for the complainant to make the alleged offender aware of the concern personally.
- 16.1.1.3 While conveying objections to the respondent informally is highly encouraged, failure to do so does not preclude the filing of a complaint.
- 16.1.1.4 The complainant is encouraged to keep written records regarding the incident(s) and of any attempts to inform the respondent directly or through reports to Person in a Position of Authority.
- 16.1.1.5 If at any point during the informal process the complainant wishes to file a formal complaint, they may do so.

16.1.2 **Receiving an Informal Complaint:** The Person in a Position of Authority who receives an informal complaint must:

- 16.1.2.1 Initiate action in a reasonable and timely manner after receipt of the complaint;
- 16.1.2.2 Provide the complainant and respondent with information regarding applicable Division administrative procedures relating to violence, discrimination, racism or harassment and advise them where assistance is available;
- 16.1.2.3 If requested and appropriate, assist the complainant in speaking to the respondent directly, or speak to the respondent on the complainant's behalf, to outline the allegations and attempt to resolve the complaint informally; and
- 16.1.2.4 Monitor the status of the informal complaint to see that it is satisfactorily resolved in a timely manner.

16.1.3 Voluntary Mediation

- 16.1.3.1 If the Person in a Position of Authority is unable to resolve the informal complaint, the complainant and respondent will be asked whether they are willing to enter into voluntary mediation.
- 16.1.3.2 Voluntary mediation may occur at any time after an informal complaint is received by a Person in a Position of Authority.
- 16.1.3.3 The focus of the mediation process shall be educational and preventative rather than punitive.
- 16.1.3.4 If voluntary mediation is agreed to by the complainant and respondent, a Person in a Position of Authority shall appoint a third party to assist with the voluntary mediation.
- 16.1.3.5 If the informal complaint is not resolved through mediation, a formal complaint may be filed at the discretion of the complainant.

16.1.4 Outcome of Informal Complaint

- 16.1.4.1 If the complainant confronts the respondent directly and is able to resolve the matter at this informal level, the Person in a Position of Authority will consider this fact in considering the application of disciplinary sanctions by the Division.
- 16.1.4.2 If a Person in a Position of Authority is aware of conduct by the respondent that appears to be in violation of this procedure, disciplinary measures including a warning may be issued indicating that such behaviour is unacceptable. Failure to discontinue the behaviour or other problematic behaviour contrary to this procedure or other Division expectations set out in either Division policy or procedure, may result in further disciplinary measures.
- 16.1.4.3 If both parties enter into voluntary mediation, an acceptable resolution may be achieved. If the complaint is not resolved through mediation, a formal complaint may be initiated by the complainant.
- 16.1.4.4 Notwithstanding that a complainant chooses not to initiate a formal complaint, a Person in a Position of Authority may initiate a systemic review or investigation into concerns related to violence, discrimination, racism or harassment being present at any workplace or school.

16.2 Formal Complaint Resolution

16.2.1 Making a Formal Complaint

- 16.2.1.1 A formal complaint can consist of a written statement outlining the allegations, describing the specific incident(s), the dates (if available) and any witness(es) who may have been present or witnessed the alleged violence, discrimination, racism or harassment. The complainant may choose to use the complaint form set out in Schedule "A" of the administrative procedure or the complainant may verbally inform a Person in a Position of Authority that they wish to file a formal complaint and the Person in a Position of Authority shall record the information in the same manner as a written statement and send a copy to the complainant asking that they confirm the accuracy of the information, or that the complainant shall make revisions if required.
- 16.2.1.2 Complainants are encouraged to file complaints in a timely manner, but a formal complaint may be filed at any time.
- 16.2.1.3 The complainant may request that the investigation be held in abeyance owing to other proceedings occurring. The complainant is responsible for notifying a Person in a Position of Authority if a complaint has been filed with the Alberta Human Rights Commission, Occupational Health and Safety, police, union, association or if civil court action is initiated while the allegations are still under review by the Division. The Division may elect to process the complaint or stay the investigation pending the outcome of any other investigation(s).

16.2.2 **Receiving a Formal Complaint** : The Person in a Position of Authority shall:

- 16.2.2.1 Accept each formal complaint.
- 16.2.2.2 Verify that the allegations may represent a violation of Division policy or procedure.
- 16.2.2.3 Send a copy forthwith to the Superintendent.
- 16.2.2.4 If directed by the Superintendent, notify and provide a copy of the formal complaint to the respondent and the respondent's supervisor.
- 16.2.2.5 If directed by the Superintendent undertake the investigation of the formal complaint.

16.2.3 Investigation and Resolution of a Formal Complaint

- 16.2.3.1 Following receipt of the complaint, with approval by the Superintendent, a Person in a Position of Authority may investigate, or seek the appointment of an individual to conduct the investigation.
- 16.2.3.2 The complainant and respondent shall have the opportunity to:
 - 16.2.3.2.1 provide their information to the investigator in support of or in response to the allegations;
 - 16.2.3.2.2 at their choosing have someone (i.e. in the case of an employee, legal counsel at their own expense, association/union representative) present during any investigative meetings to provide advice and assistance.
- 16.2.3.3 The investigator may direct that the parties provide written submissions in support of or in response to the allegations.
- 16.2.3.4 The investigator shall have the right to ask questions of the complainant, respondent and any relevant witnesses.
- 16.2.3.5 Resolution will take place as soon as reasonably practicable with a target of attempting to complete the investigation within three (3) months of a complaint being filed subject to extensions based on witness availability and the school calendar. If directed by the Superintendent, The investigator or a Person in a Position of Authority shall endeavour to keep the complainant and the respondent informed of the anticipated date of completion and any delays or extensions.
- 16.2.3.6 The investigator will prepare a written investigation report for all formal complaints made pursuant to this Administrative Procedure. The report will outline the circumstances of the incident, the findings, and any corrective action considered resulting from the investigation. All investigation reports will be maintained by the Head of Human Resources and the confidentiality will be preserved. The investigator's findings shall be detailed in a report to the Superintendent of Schools, which report shall remain confidential subject to the report being used in any disciplinary matters.
- 16.2.3.7 A Person in a Position of Authority shall provide a summary of the investigation findings to the complainant and the respondent.
- 16.2.3.8 The summary of investigation findings provided to the complainant shall indicate what aspects of the complaint were founded or unfounded and whether or not disciplinary action has been taken but not the details of the disciplinary actions.
- 16.2.3.9 The summary of investigation findings provided to the respondent shall indicate what aspects of the complaint were founded or unfounded and may address disciplinary consequences or advise of the next step in the disciplinary process.

16.2.4 Outcome of a Formal Complaint

- 16.2.4.1 If the results of the investigation support the allegations outlined in the complaint, or otherwise support the conclusion that the respondent engaged in conduct prohibited by this Administrative Procedure, a Person in a Position of Authority or the employee's supervisor with the approval of the Superintendent, may subject to the Education Act provisions, and any relevant collective agreement impose a range of sanctions on the respondent. The sanctions depend upon the nature and seriousness of the offence and other relevant factors. Subject to any limitations on authority, the sanction may include one or more of the following:
- 16.2.4.1.1 Apology for the behaviour;
 - 16.2.4.1.2 Training related to the behaviour;
 - 16.2.4.1.3 Referral to employee assistance plan for any relevant counselling;
 - 16.2.4.1.4 Transfer of an employee to a different worksite;
 - 16.2.4.1.5 Limiting access of an employee to a workplace area;
 - 16.2.4.1.6 Letter of discipline;
 - 16.2.4.1.7 Discharge or a recommendation of termination;
 - 16.2.4.1.8 Advising any relevant regulatory body of the misconduct; and
 - 16.2.4.1.9 Advising any local police authority of a potential criminal offence.
- 16.2.4.2 A copy of the sanction shall be retained in the appropriate personnel file.
- 16.2.4.3 With respect to students, they may face either a suspension or expulsion from school in accordance with *Education Act* and any applicable administrative procedure and subject to the applicable regulation with a notation on the student record.
- 16.2.4.4 If the results of the investigation do not support the allegations, the behaviours do not constitute violence or harassment or are inconclusive, the complaint will be dismissed and a letter will be issued indicating to the complainant and the respondent that the allegations were not substantiated and the complaint has been dismissed.
- 16.2.4.5 If the results of the investigation are a determination that the allegations were false or were frivolous and vexatious, the complainant and the respondent shall receive a summary of the investigation findings.

- 16.2.4.6 If after investigation it is determined that the complainant made false allegations, or that the complaint was frivolous and vexatious, the subject to any limits on legal authority the Superintendent may impose, or recommend, a range of sanctions for the complainant. The sanctions will include those listed above and depend upon the nature and seriousness of the offence and other relevant factors.
- 16.2.4.7 The complainant and the respondent shall be provided with a summary of the results of the investigation, but are not entitled to a full copy of the investigation report.

16.2.5 Other recourses

- 16.2.5.1 Either party has the right to seek civil and/or criminal redress through the courts, file a complaint with the Alberta Human Rights Commission, file a grievance in accordance with the provisions of any applicable collective agreement or other recourse afforded under the *Occupational Health and Safety Act*, the *Education Act*, *Teaching Profession Act* or *Public Interest Disclosure (Whistleblower Protection) Act*.

16.2.6 Retaliation

- 16.2.6.1 No person shall take retaliatory action with the intent of dissuading or punishing an individual for filing a complaint, participating in the investigation in any capacity, or the complaint resolution process. Disciplinary sanctions may be imposed for retaliatory conduct.
- 16.2.6.2 Retaliation against individuals participating in the investigation or the complaint resolution process is not to be confused with sanctions imposed for violence, discrimination, harassment, sexual harassment, or making false allegations.
- 16.2.6.3 Any allegations of retaliatory conduct should be made forthwith to a Person in a Position of Authority or to the Superintendent.

16.2.7 Training

16.2.7.1 Each Person in a Position of Authority shall review on an annual basis and provide training to the employees they supervise on Division conduct expectations and undertake a review of the reporting mechanisms as provided for in this Administrative Procedure. This training will include the following:

16.2.7.1.1 How to recognize workplace violence or harassment;

16.2.7.1.2 Appropriate responses to incidents of violence or harassment;

16.2.7.1.3 The supports available within the Division;

16.2.7.1.4 The procedures for reporting, investigating and documenting incidents of workplace violence or harassment pursuant to this Administrative Procedure;

16.2.7.1.5 The Public Interest Disclosure (Whistleblower Protection) Act reporting mechanisms within the Division and the possibility of reporting directly to the Public Interest Commissioner; and

16.2.7.1.6 The role and contact information of their employee representatives on the joint work site health and safety committee.

Adopted:	September 17, 2025
Amended:	
Reference:	Alberta Human Rights Act ATA Code of Professional Conduct Occupational Health and Safety Act The Education Act Teaching Profession Act Public Interest Disclosure (Whistleblower Protection) Act. Anti Racism Appendix
Cross References:	AP 355 Student Discipline AP 407 Employee and Family Assistance Program AP 445 CUPE Code of Conduct AP 446 CUPE Discipline AP 403 Duty to Report AP 442 Evaluation of Support Staff AP 152 Dispute Resolution AP 160: Health and Safety of Students and Staff AP 170: Harassment in the Workplace AP 175: Protection of Staff AP 180: Protection of Privacy Act