

SEXUAL ABUSE ALLEGATIONS

Background

The Peace River School Division is committed to maintaining a respectful, professional, and safe learning and working environment in which all individuals are treated with dignity and respect. Every individual has the right to learn and work in a professional setting that is safe and supportive and that promotes dignity, equality of opportunity and freedom from abuse.

The Division expects all employees, students and volunteers to conduct themselves in a manner that promotes the best interests, protection, and well-being of others.

An employee, student or volunteer who subjects another person to inappropriate sexual contact, activity, or behaviour is in violation of this Administrative Procedure and may be subject to disciplinary action.

For instances of suspected child abuse occurring in a setting not connected to the school, refer to Administrative Procedure 325 – Reporting Child Abuse.

Definitions

Sexual abuse occurs when an individual is inappropriately exposed to, or subjected to, sexual contact, activity or behavior.

Employee is any person employed by the Division on a permanent, temporary, or casual basis, and includes individuals employed directly by the Division or through contracted services.

Investigator is the Superintendent or a person appointed by the Superintendent to investigate an allegation of sexual abuse under this Administrative Procedure.

Student has the same meaning as "student" and "independent students" as defined in the Education Act and includes children registered in an Early Childhood Services program operated by the Division and all students registered in Grades 1-12 programs.

Volunteer is any person who provides unpaid assistance to school-based or school-sponsored activities or otherwise supports schools in an unpaid capacity.

Procedures

1. Concerns or complaints regarding conduct governed by this Administrative Procedure shall be referred to the Superintendent or designate.

2. Alleged Sexual Abuse

- 2.1 Upon receiving an initial concern or allegation of sexual abuse, the Superintendent or designate shall obtain appropriate legal advice and may work in cooperation with police and social services authorities to determine an appropriate course of action.
 - 2.2 The Superintendent may conduct an initial review or, where appropriate, appoint an investigator to make inquiries, gather information and take appropriate action to address the alleged sexual abuse.
 - 2.3 Throughout the investigative process, the Superintendent or designate shall ensure that evidence is handled appropriately and that confidentiality is maintained to the greatest extent possible.
 - 2.4 Where the matter is pursued by police, the criminal investigation and any resulting charges are the responsibility of law enforcement.
 - 2.5 Notwithstanding any police investigation or any related charges, the Superintendent or designate may determine that an internal investigation is required and may proceed independently of the police investigation.
 - 2.6 Where an internal investigation is initiated, the Superintendent or designate shall:
 - 2.6.1 Provide written notice to the employee, volunteer or student outlining the nature of the allegations and advising them of their rights; and
 - 2.6.2 Advise the complainant of any action to be taken, as appropriate and permitted by law.
 - 2.7 Upon completion of the internal investigation, and where sexual misconduct is substantiated, the Superintendent or designate shall take appropriate disciplinary action in accordance with applicable legislation, Board Policy and Collective Agreements.
3. The investigator shall:
- 3.1 Work in consultation with police and Social Services, as appropriate.
 - 3.2 Make initial contact, as appropriate, with the employee, parent(s)/guardian(s), and/or student.
 - 3.3 Undertake further consultation with police, where necessary; and
 - 3.4 Evaluate the information gathered and determine whether further action is required.
4. In making this determination, consideration may be given to factors including clarity, certainty, consistency, credibility, level of detail, sequence of events, context, secrecy, and affective indicators.
5. Where no further action is deemed necessary, the investigator shall communicate this decision to the person who made the initial report.
6. Where further action is deemed necessary by the Superintendent or designate, appropriate action shall be taken. The Superintendent or designate shall communicate the nature of the action to:

- 6.1 The person who made the initial report.
 - 6.2 The person about whom the complaint was made; and
 - 6.3 Any other individuals deemed appropriate, subject to privacy and legal considerations.
7. Upon completion of the internal investigation, where an allegation of sexual abuse is substantiated, the Superintendent or designate shall take appropriate disciplinary action in accordance with applicable legislation, Board policy, and Collective Agreements.
 8. The Superintendent or designate shall develop and implement appropriate support strategies based on the circumstances of each complaint and complete and follow up on any additional actions required.

Adopted/Revised/Reviewed: JUN 2016/NOV 2019/JUL 2023/APR 2026

Reference: *Education Act* s. 1(1)(hh), 1(1)(n), 225.99994, 33, 36, 37, 52, 53, 196, 197, 213, 222
Alberta Human Rights Act
Child, Youth and Family Enhancement Act
Employment Standards Code
Occupational Health and Safety Act
Canadian Charter of Rights and Freedoms
Criminal Code
Student Record Regulation 97/2019
Code of Professional Conduct for Teachers and Teacher Leaders
Board Policy 11 – Board Delegation of Authority
Board Policy 12 – Role of the Superintendent
Board Policy 19 – Welcoming, Caring Respectful and Safe Learning Environment
Board Policy 19 – Appendix (Student Code of Conduct)
Administrative Procedure 350 – Student Conduct
Administrative Procedure 355 – Student Discipline
Administrative Procedure 325 Reporting - Child Abuse
Administrative Procedure 406 – Employee Code of Conduct