



Department: Human Resources
Section: Employee and Labour Relations

The Annapolis Valley Regional School Board (AVRSB) and every employee within the school board is committed to and responsible for providing a safe, respectful and positive learning environment that is free from sexual misconduct for each student. While this policy includes all relevant *Criminal Code* offences as well as Section 25 of the *Child and Family Services Act*, such legal requirements are only the bare minimum protections towards children. The AVRSB fully believes and supports a far greater duty of care towards the students within the Region served by the Board. Each and every employee owes a duty of care and concern for the best interests and well being of each and every student within the Region.

Specifically

- No employee will engage in any sexual misconduct activities towards a student.
 - “Sexual Misconduct” is any interaction by an employee toward a student that is sexualized in nature or committed with the intent to commit an act or acts that are sexual in nature; and
 - where a reasonable person could conclude that such actions could reasonably be construed as an attempt to develop into a sexual or sexualized relationship and/or to engage in sexualized behaviours toward the student.
- Where an employee who, upon investigation, is found to have had an explicit sexual relationship with an individual who is known or ought reasonably to have been known by the employee to be a student, there are sufficient grounds to believe that such employee will be subject to the disciplinary action of discharge.
- An employee who, upon investigation, is found to have committed a form of sexual misconduct other than explicit sexual relations with a student, such employee is subject to remedial action that includes disciplinary action up to and including discharge.
- The investigation must also respect the employer-employee relationship and include an opportunity for:
 - due process;
 - an objective, unbiased investigation;
 - confidentiality of employee-employer issues;
 - protection of the employee from harassment;
 - reasonable conclusions/outcomes from any investigation.

Monitoring

- The Director of Human Resources is responsible for the implementation, monitoring and revision of this policy.
- This policy will be monitored annually.

Board Approved: September 7/11

Ref: AP 305.25

Monitoring Date: Annually

Revised: April 6/16