

Bill 56: An Act to Prevent and Stop Bullying and Violence in Schools

In June 2012 sections of the Education Act were modified in order to make the various players in the school community more accountable with respect to bullying and violence in schools. Bill 56 was tabled in the National Assembly in February 2012 by the Minister of Education, Leisure and Sports. It specifies the duties and responsibilities of all stakeholders and their partners with regard to bullying and violence. It states that school boards must ensure that each school provides a safe and secure learning environment that allows every student to develop to his or her full potential, free from fear of bullying or violence. It was assented to on June 15, 2012 under Chapter 19 of the Statutes of 2012 as an anti-bullying and anti-violence provision in the Education Act.

The following objectives form the basis of the law:

- The definition of what constitutes bullying and violence
- The responsibilities and duties of students, parents, school staff, school principals, governing boards, school boards, and the school ombudsman are now regarded as a collective and shared responsibility
- The power to make any student who has committed an act of bullying or violence accountable for that behavior, along with the expectation of parental support in dealing with the matter
- The requirement that every school adopt and implement an anti-bullying and anti-violence plan
- The requirement that the School Board enters into an agreement with each authority responsible for the police force in its territory to determine how police officers will intervene in situations when an act of bullying or violence is presented to them
- The requirement that institutions or other bodies within the social services network provide services to students after an act of bullying or violence is reported when such intervention is deemed necessary

Definitions of Bullying and Violence

Bullying means any **repeated** direct or indirect behaviour, comment, act or gesture, whether deliberate or not, including in cyberspace, which occurs in a context where there is a **power imbalance** between the persons concerned, and which **causes distress and injures, hurts, oppresses, intimidates or ostracizes**.

Violence means any **intentional** demonstration of verbal, written, physical or sexual force which **causes distress and injures, hurts, or oppresses a person** by attacking their psychological or physical integrity or well-being, or their rights or property.

The Components of the School Plan

The main purpose of the plan is to prevent and stop all forms of bullying and violence targeting a student, teacher or staff member.

The plan must include:

1. An analysis of the situation prevailing at the school with respect to bullying and violence;
2. Prevention measures to put an end to all forms of bullying and violence, in particular those motivated by racism or homophobia or targeting sexual orientation, sexual identity, a handicap or a physical characteristic;
3. Measures to encourage parents to collaborate in preventing and stopping bullying and violence and in creating a healthy and secure learning environment;
4. Procedures for reporting or registering a complaint concerning an act of bullying or violence;
5. The actions to be taken when a student, teacher or other staff member or any other person observes an act of bullying or violence;
6. Measures to protect the confidentiality of any report or complaint concerning an act of bullying or violence;
7. Supervisory or support measures for any student who is a victim of bullying or violence, for witnesses and for the perpetrator;

8. Specific disciplinary sanctions for acts of bullying or violence, according to their severity or repetitive nature;
9. The required follow-up on any report or complaint concerning an act of bullying.

Expectations in the Law

Students

Conduct themselves in a respectful and civil manner towards peers and personnel
Contribute to creating a healthy and secure learning environment
Take part in civics and anti-bullying and anti-violence activities held by the school
Take good care of property and assume responsibility if property is damaged
Respect the school's code of conduct

School Staff

Will collaborate in the development and implementation of the anti-bullying anti-violence plan and code of conduct
Must intervene, assess and try to resolve any acts of bullying or violence brought to a staff member's attention
Document any acts of bullying and violence brought to a staff member's attention
Present the code of conduct to students annually
Strive to reduce acts of bullying and violence in the school

School Principal

Coordinate the development, review and updating of the anti-bullying anti-violence plan
Must inform all members of the school community (staff, students, parents) of the anti-bullying anti-violence measures and of the procedures to be followed when an act of bullying or violence is observed
Present the rules of conduct to students in civics sessions held every year

Collaborate in implementing the anti-bullying anti-violence plan
Receive and promptly deal with reports and complaints concerning bullying and violence

Promptly communicate with parents of students directly involved in any bullying or violence incident
Send summary reports of the effectiveness of the plan to the Director General
Support and encourage any group of students wishing to conduct activities conducive to preventing and stopping bullying and violence

Governing Board

Must approve the initial anti-bullying anti-violence plan and after that any updated version of the plan proposed by the principal
See to it that the wording in the document that is made available to parents is clear and accessible
Each year, evaluate the results achieved by the school with respect to preventing and dealing with bullying and violence
Ensure that a document reporting on the evaluation be distributed to the parents, the school staff and the Student Ombudsman

School Board

See to it that each of its schools provides a healthy and secure learning environment that allows every student to develop to his or her full potential free from any form of bullying and violence
Shall enter into agreements with police forces within its territory to develop a protocol for officers when intervening in a situation involving bullying or violence, as well as to establish a mode of collaboration for prevention and investigative purposes
Shall enter into an agreement within the health and social services network for the provision of services to students after an act of bullying or violence is reported

Ensure that school transportation contracts provide training for drivers that enables them to recognize as well as to prevent and stop any form of bullying or violence that may occur during the transportation of students; as well as to develop a procedure to inform the principal of the school of any act of bullying or violence that occurs during transportation

In its annual report the School Board shall report on the evolution of the implementation of the provisions of Bill 56 in the School Board

Protocol for Reporting an Act of Bullying or Violence

The anti-bullying anti-violence act states that any student, member of staff or parent who observes or is made aware of an act of bullying or violence has an obligation to report that act to an appropriate member of the school staff. The protocol is outlined in the school's anti-bullying anti-violence plan which can be found on the school's web-site.

Once a report is made a series of steps will be carried out until a successful resolution of the situation has been achieved. Parents of the students involved will be kept informed of what the school is doing with regard to their child based on the role that their child has played in the situation.

Confidentiality will be respected and information will be shared on a 'need to know' basis only. The goal of the school's intervention is to help students to recognize when they are engaging in inappropriate behavior and to learn how to behave in a more appropriate and productive manner in future situations.

The school will strive to work in a partnership with parents to achieve that goal. Should parents have concerns about the manner in which a situation has been handled it is important to communicate with the school administration in order to address that concern.

A procedure exists for those situations when parents are not satisfied with a decision that has been made by an employee of the School Board concerning a student. That procedure is fully outlined on the ETSB School Board Website:

PO23-1 Procedure for Reconsideration of a Decision
<http://www.etsb.qc.ca/wp-content/uploads/2013/01/P023-1-Reconsideration-of-a-Decision-Appeal1.pdf>

Special Thanks to the Lester B. Pearson School Board for allowing us to adapt this document

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Speak UP!! Speak OUT!!
Together we can put an
end to bullying and
violence in our schools.