

Nothing safe about schools

Ombudsman can do what Bill 157 can't

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The timing was coincidental. But two recent events affecting children's school safety underline the gap between what lawmakers say they want and what's actually happening.

Just over a week ago, an Ontario appeal court rejected an attempt to have charges reinstated against three former administrators at Toronto's C.W. Jefferys Collegiate.

The former principal and vice-principals were first charged in December 2007 with failing to report to police an alleged sexual assault of a female student, dating to October 2006.

Those charges were thrown out in May 2008. A justice of the peace ruled they had been laid too late -- more than six months after the alleged offence. The most recent ruling has upheld that. If wrongdoing occurred, we'll never know. Nor will anyone be held accountable.

Nothing in the McGuinty Liberals' recently passed "Keeping Our Kids Safe at School" bill prevents that from happening again. Intended to "close the gaps" in how schools handle student-on-student violence, Bill 157 does little to hold school officials accountable for the proper reporting of this type of violence.

Even Education Minister Kathleen Wynne admits the bill mostly puts into law what is already being done. It still does not require principals to report student-on-student violence to the police.

During debate, Wynne said, "the policy requirement already exists for principals to report specified violent incidents to the police; that's already in place."

The C.W. Jefferys' case shows that's not enough.

"We had so much hope," says Corina Morrison, co-founder of the London Anti-Bullying Coalition (ABC).

But, "there's no accountability in Bill 157 or support for the victims ... Parents are tired of dealing with a system that is unresponsive and ineffective."

Three parents whose children died after being targeted by bullies -- two through suicide -- were at London ABC's first press conference in 2004. Though based in southwestern Ontario, it fields calls from parents across the province.

Typical complaints go like this: Victim gets bullied. Victim's parents never find out what, if any action is taken -- and may not even be informed by the school of the incident. Perpetrator remains at school, bullying often continues, perhaps more covertly. Victim is increasingly traumatized and feels so insecure s/he either stays home from school or changes schools. The perpetrator often stays put.

We champion minority rights in Canada. But bullying victims who fall through the cracks are not on the A-list.

Bill 157 does state a principal shall inform a victim's parents of a bullying incident and what measures are being taken to protect the victim's safety, including disciplinary measures against the bully -- as long as the principal feels it's in the victim's interests.

London ABC doesn't trust that -- it has seen too many cases where policies and regulations weren't followed and no one, other than the victim, suffered consequences.

Parents have been directed to take such complaints to the Ontario College of Teachers.

But as Tory critic Joyce Savoline points out, the college has never disciplined anyone for failing to follow proper anti-bullying procedures. The edu-establishment of well-heeled unions, principal organizations and school board associations argues it needs wiggle-room -- so alleged bullies are not driven away from getting an education and so victims, whose families might not support them, are not further victimized.

LITTLE RECOURSE

Bill 157 is too great a compromise. Meanwhile, the problem of little recourse or accountability for victims and their families remains endemic to Ontario's public school system. If you are an outsider -- a parent, student or ordinary taxpayer -- and you have a problem, there is no legislated mechanism to support you.

Nothing, other than the education minister's own pique, and, occasionally, the Ontario Human Rights Commission, goes to bat for enforcement of the many acts that govern our school system. Of course the outsider could take the problem to court -- on their own dime.

There remains a crying need for an education ombudsman. A big dose of shame, for a system allergic to it, wouldn't hurt either.