

School bullying act disappointment to local parents, politicians

By Kim Zarzour

Published on May 20, 2009

New legislation tabled at Queen's Park last week does little to protect students from school bullying, local parents and MPPs say.

Bill 157, which calls for mandatory reporting of student-on-student violence, was given third and final reading in the Ontario legislature last Thursday. If passed, it will come into force on February 1, 2010, the first law of its kind in Canada.

But critics say the bill is too vague to deal with the serious problem of bullying in schools. First introduced by Education Minister Kathleen Wynne in March, the Keep Our Kids Safe At School Act would require school staff to report to the principal any serious student incidents, and would require principals to notify parents of victims except in instances where they deemed the reporting would put the victim at further risk.

It would also require staff to respond to inappropriate and disrespectful behaviour – such as racist or sexist comments.

But during standing committee meetings this month, several delegates said the legislation was not strong enough. Many presentations were heartfelt pleas from families devastated by bullying that went ignored by their children's schools, calling for more accountability in the reporting process.

As a result of these presentations, Thornhill MPP Peter Shurman, along with Tory and NDP Education critics Joyce Savoline and Rosario Marchese, all members of the standing committee, presented amendments to give the bill more teeth.

Those proposed amendments were defeated by the Liberal-dominated committee last week – to the parents' and politicians' disappointment.

"This was a huge opportunity," Ms Savoline said later. "We opened the [Education] Act. That's not an event that happens very often. So here's your opportunity, and we heard all kinds of evidence ... but it will be a missed opportunity. As it stands now, the accountability we were looking for is not there in the bill."

Mr. Shurman agreed.

"Mandatory reporting is, in the way it's applied in this bill, somewhat of a misnomer," he said Thursday at Queen's Park.

Mr. Shurman, and others at the hearings, said principals continue to have too much discretionary power.

His amendment requiring principals to consult with the school board's director, superintendent, local police or appropriate children's aid society when a student has been victimized, was defeated.

"I would rather see this go in policy guidelines," Liz Sandals, Parliamentary Assistant to the Minister of Education, told the committee.

Ms Savoline also called for several amendments, one requiring principals to notify a supervisor, police or children's aid society if he or she believes a child had been harmed. But Ms Sandals argued that notifying police "whenever you've got an instance of things which are non-criminal such as bullying" would be "overkill."

In a district like Toronto, she said, which suspended or expelled 10,070 students in one year, that would require making six to seven calls per hour to police. "I suspect that the Toronto police department would go absolutely ballistic."

That wasn't the intent, Ms Savoline countered in an interview later.

"No one's talking about phone calls here. Why not just keep track of it and at the end of the month send the police a file?"

Ms Savoline also attempted to amend the bill requiring principals to keep documentation about incidents and file it with the board, "so someone else puts his eyes on it. With critical issues like that which affect people's lives so drastically, why leave it to just one person?"

Those who failed to comply, she suggested, would be subject to a fine of not more than \$1,000.

But Ms Sandals argued that if documentation is to be filed, it can be done in the Ontario Student Record, and the \$1,000 fine is not necessary because the Ontario College of Teachers already provides accountability.

All of Ms Savoline's amendments were defeated. A further attempt by the Burlington MPP to change to the wording of the legislation, switching all the "mays" to "shalls" to "show that we're here and we're serious about clearing up a process that has been somewhat vague" was also defeated, and the bill sent back to the house for third reading May 14. Debate on the bill continues next week.

York-Simcoe MPP Julia Munro was one of Thursday's principal objector and she too expressed disappointment.

"The function of this bill was to close the gap," she said. "I guess the question is, does it actually accomplish that? I think that ...there is much more to do. At best this papers over the cracks."

Ms Munro pointed to York Region Media's recent series on bullying as evidence of growing public concern over victims of bullying. She raised statistics posted on a York Region Police website showing about 10 to 15 per cent of children say they are regularly bullied. "We have only just scratched the surface."

Karen Sebben, a Holland Landing mother whose son suffered years of bullying and who made an emotional plea to the committee hearings this month calling for more accountability by school principals, said she is "really, really disappointed."

"The legislation will absolutely not change anything. It leaves the door open to ... discretion and interpretation ... by those who believe they know what's best for my child."

Her son, now 18, also attended the committee meeting and responded with disbelief to news that the amendments pushing for more accountability were defeated.

"What's the point of this process if 99 per cent of what community people have to say is totally ignored?" he asked. "What a joke."

His participation in the proceedings was not a total wash-out, he says, saying "it's helped

me be strong and move forward", working with his girlfriend to choose a motto and logo for the new York Region anti-bullying coalition he and his family hope to launch in the fall.