



April 28, 2011

In today's London Free Press the following story was reported. (See story below)

You're probably wondering why the LABC is sharing this with you. Well, this story is not about bullying but it has resonated a fear in many parents who contact our coalition and the question keeps being asked, "Who is responsible for keeping my child safe while in school?" The simple answer is according to the Education Act it's the role of the Principal to ensure safety for all. Unfortunately, it appears not to be that simple.

Over the past six years the lack of accountability, victim support and natural consequences for poor behaviour is something we have been lobbying our government for. We have many engaged parents who expect their children to be safe while in school. Is this too much to ask? Every child has the right to be safe in school. When parents drop their children off at school they are giving educators a temporary delegation of parental authority in the absence of themselves. Is there not a standard of "duty of care?"

When we approach our school boards, they say they have this program in place and we're doing the best we can but we're not perfect. Parents and students are not asking for perfection. Here is the response from the Minister of Education, Honourable Leona Dombrowsky she states "as self-governing, statutorily created corporations, boards have responsibilities that include ensuring schools abide by the *Act* and its regulations." Our *Act* is deficient and regulations are not statute. It doesn't contain a definition for what constitutes "bullying", "harm" and "duty of care". As a result of the above, Ontario families have nowhere to turn.

When we approach our politicians they come back with we're sorry but you will have to deal with the school board they have complete autonomy. They then proceed to say, call your elected trustees. If no one is held accountable or can be held accountable then maybe parents should be given the \$10K a year it takes to educate a student and let the parents decide where the student should go to school.

Parents' call your MPP's, school boards, elected trustees and inundate them with questions like why they are passing the buck. Right now the only recourse parents have when dealing with an issue is to either shame the schools/boards in the media and/or sue them. How unfortunate and what a disgrace to public education.

For the sake of all children, not only in our community but the province stand up, let your voice be heard and tell those who are entrusted with our most precious gift that you've had enough and you're not going to take it anymore.

Corina Morrison
Kathryn Wilkins
Co-founders
London Anti-Bullying Coalition
www.londonabc.ca

Many Voices...One Vision to eliminate bullying.



Teen wrote of suicide plan

London-area family sues Thames Valley board, teacher for \$2.45 million over 12th-grader's 2008 death

By JENNIFER O'BRIEN, The London Free Press
April 28, 2011



Jordan Gallant. (Special to QMI Agency)

Days before he committed suicide, a London-area teen submitted a short story to his teacher in which he said he wanted to kill himself, says a lawsuit launched against the Thames Valley District school board and the teacher.

The \$2.45-million suit has been filed by the family of Jordan Gallant, who was 17 and a student at West Elgin secondary school in West Lorne when he took his own life May 14, 2008.

But 12 days earlier, he submitted a short story to his Grade 12 teacher in which he expressed extreme sorrow over a breakup and stated he wanted to kill himself, says a statement of claim filed by Gallant's family.

"What a cry for help. It was so intense, it said how he was going to do it and why," said Jordan's mom, Sonia Gallant, who found the story while looking through her son's e-mails after his death. "I couldn't believe my eyes." The Gallant family filed the lawsuit seven months after the teen's suicide, seeking damages for loss of care, guidance and companionship. They say Jordan's teacher, Jennifer Gilbert, was negligent in not informing them about the story.

The statement of claim contains allegations that haven't been proven in court.

Aggravating the circumstances for the family was that Jordan's dad, Paul Gallant, was also teaching at West Elgin at the time.

"It really hurts. All you have to do is say, 'Hey . . . your son handed this in,'" said Sonia Gallant, who also works for the school board.

Submitted as a piece of fiction, the story began, "I just want to kill myself. I want it to be painless . . ." Jordan's parents say if the teacher had told them about the story, they could have taken action to prevent the suicide. A statement of defence and counterclaim filed by the board and Gilbert denies the suicide was caused or contributed to by any want of care, breach of duty or negligence on their part. It says Jordan's parents were the negligent ones because they were aware their son was depressed and suffered from bipolar disorder, but did not tell any staff at West Elgin.

Also, Sonia Gallant saw a rough draft of the story Jordan had submitted, says the statement of defence, filed Feb. 27, 2009.

"The defendants plead that the Plaintiffs, Sonia Gallant and Romeo Gallant, were in a much better position to assess the mental state of Jordan Gallant and to take appropriate steps to ensure that he did not cause harm to himself than was Jennifer Gilbert," the counterclaim states.

Attempts to reach Gilbert by phoning and attending the school where she now works were blocked by a receptionist who referred all calls to the board.

Board spokesperson Richard Hoffman referred all inquiries to board lawyer David Miller, who did not return messages.

Jordan's parents deny knowing he was depressed and say he was never diagnosed as being so. Sonia Gallant said she and her family decided to file the suit because they wanted the board to take action. "I felt so helpless. My son was gone. What could I do, walk away? I wanted something done," she said. "I just can't sit on my hands. You got to do something as a parent. I didn't want to do it that way, but money is the only thing that gets attention."

Gilbert read Jordan's story on "either May 5 or 6, 2008" according to the statement of defence and counterclaim. By the time she read it, Jordan had already told her he was planning to prepare his story based on one of his favourite songs, "which involved a story about a man, who wanted to hurt himself as a result of a breakup with his girlfriend," says the statement of defence.

Gilbert said the song sounded "a little dark" and asked Jordan to assure her the story was fictional -- which he did, according to the statement of defence.

But a lawyer for the Gallant family said Gilbert's meeting with Jordan was inappropriately short.

"When you get that type of a short story, from my perspective, it's time to explore it," Rob Vitols said. "It's not really the board, it's more the teacher we are concerned with. Obviously she was on the front lines. But the board also has a responsibility as to what type of training and guidance it offers its employees."

On the employee portal of its website, the school board had already posted a section dated Winter 2007 and advising teachers on helping suicidal students. The bulletin says it's important for teachers and counsellors to recognize warning signs, assess risks and know where to refer students for help. Under the warning signs for suicidal risk, the bulletin includes "expressions of suicidal thoughts (verbal or written)," according to court documents.

Eight months before Jordan's death, staff at West Elgin took part in suicide awareness seminars, because of two suicides in West Lorne the previous year.

The night before her son's death, Sonia Gallant found a rough version of the story, but it contained no details other than to say he wanted to kill himself, she said. He hadn't been behaving any differently and she was shocked to see the draft. She asked him about it and he brushed it off as an assignment for school.

"I was planning on talking to his dad about it and bringing it up again the next day. We spent the night watching TV together, and he was asking about what he was going to do for a summer job. He was laughing and watching TV and I went to bed at about 11 that night."

She awoke to find her son dead.

"It's a parent's worst nightmare. It's the worst thing that could happen to any family," she said. "It's overwhelming. I just miss him so much, obviously."

Jordan's younger sister, Samantha, couldn't stay at school, and her mom home-schooled her for awhile. She's now at a London high school.

Board lawyer Miller tried to get the case dismissed on the grounds that public policy prevents survivors of a suicide victim from claiming damages. But Superior Court Justice Alan Bryant dismissed Miller's application in February.

Though launched in December 2008, the lawsuit is still in preliminary stages, Vitols said. He has to interview the teacher and board in a "discovery" process, after which a trial would be scheduled.

The suit names eight plaintiffs: Sonia and Paul Gallant, Jordan's siblings Samantha and Rick and two sets of grandparents.