An Act to Prevent and Stop Bullying and Violence in Schools

Law 19
INTRODUCTION

* Background of the Law
* Definitions
* Components of the Plan
* Duties and Responsibilities of the Players
* Governing Board’s Role
Law 19 defines bullying as:

A 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
Types of Bullying

* Physical Aggression
* Verbal Aggression
* Social Alienation
* Cyber Bullying
* Sexual Harassment
* Racial and Cultural Harassment
* Discriminatory
Violence

Law 19 defines violence as follows:

Any intentional demonstration of verbal, written, physical, psychological, 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.
Types of Violence

* Assault
* Assault with a weapon
* Extortion, theft, threat, blackmail
* Property damage
<table>
<thead>
<tr>
<th>Normal Conflict</th>
<th>Bullying</th>
</tr>
</thead>
<tbody>
<tr>
<td>Equal power usually friends</td>
<td>Imbalance of power</td>
</tr>
<tr>
<td>Happens occasionally</td>
<td>Repeated negative actions</td>
</tr>
<tr>
<td>Accidental</td>
<td>Purposeful</td>
</tr>
<tr>
<td>Not serious</td>
<td>Serious-threat of physical harm or emotional or psychological hurt</td>
</tr>
<tr>
<td>Equal emotional reaction</td>
<td>Strong emotional reaction on part of victim</td>
</tr>
<tr>
<td>Not seeking power or attention</td>
<td>Seeking power or control</td>
</tr>
<tr>
<td>Not trying to get something</td>
<td>Trying to gain material things or power</td>
</tr>
<tr>
<td>Remorse – take responsibility</td>
<td>No remorse – blames victim</td>
</tr>
<tr>
<td>Effort to solve the problem</td>
<td>No effort to solve problem</td>
</tr>
</tbody>
</table>
COMPONENTS OF PLAN

1. Analysis of the Situation
2. Prevention Measures
3. Measures to Encourage Parental Collaboration
4. Procedures for Reporting
5. Actions to be Taken When Observing Bullying or Violence
6. Measures to Protect Confidentiality
7. Supervisory or Support Measures for Victim, Witness, Perpetrator
8. Disciplinary Sanctions
9. Required Follow-Up
Preventative Measures

- Dare to Care
- Peaceful Schools
- Social Skills Programs
- Peer Mediation Training
- Virtues Program
- Circle of Courage
- Love Program
- Kids in the Know
Duties and responsibilities of the players

- Students
- School staff
- School principal
- Governing Board
- School Board
- Director General
- Student Ombudsman
Students

- Conduct themselves in a civil and respectful manner towards peers and personnel
- Contribute to creating healthy and secure learning environment
- Take part in civics and anti-bullying and anti-violence activities held by school
- Take good care of property
- Respect school’s Code of conduct
School Staff

* Must collaborate in implementing the anti-bullying and anti-violence plan
* Must see to it that no student in the school is a victim of bullying or violence
* Collaborate with Principal in presenting rules of conduct and safety measures to students in session held each year
* Collaborate in developing plan and Code of conduct
School principal

* Set up an anti-violence and anti-bullying team
* Coordinate the development, review and updating of the anti-bullying and anti-violence plan
* Propose, to Governing Board, the anti-bullying and anti-violence plan
* Distribute to parents a document explaining the anti-bullying and anti-violence plan
* Present rules of conduct and safety measures to students in civics session held each year
School principal

- Must collaborate in implementing the anti-bullying and anti-violence plan
- Must see to it that no student in the school is a victim of bullying or violence
- Must receive and promptly deal with all reports or complaints concerning bullying or violence
- Must promptly communicate with parents of students directly involved in incident
- Must send summary report to Director General of every incident, including measures taken
Must see to it that all school staff members are informed of the school’s rules of conduct, safety measures and anti-bullying and anti-violence measures, and of the procedure to be followed when an act of bullying or violence is observed.

Must support any group of students wishing to conduct activities conducive to preventing and stopping bullying and violence.
School principal

- May suspend a student if, in his/her opinion, such a sanction is necessary to put an end to acts of bullying or violence or to compel the student to comply with the school’s rules of conduct
- Shall inform the student’s parents of the reasons for the suspension and of the assistance, remedial and reintegration measures imposed on the student
- Shall also inform the student’s parents that, in the event of any further act of bullying or violence, on a request by the principal to the council of commissioners under section 242, the student could be enrolled in another school or expelled from the schools of the school board
- Shall inform the director general of the decision to suspend the student
Approve, by December 31st, 2012, the initial anti-bullying and anti-violence plan, and, after that, any updated version of the plan, proposed by the principal.

See to it that the wording of the document explaining the anti-bullying and anti-violence plan to be distributed to the 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.
See to it that each of its schools provides a healthy and secure learning environment that allows every student to develop his or her full potential, free from any form of bullying or violence. To that end, it shall support the principals of its schools in their efforts to prevent and stop bullying and violence.

Shall enter into agreements with police forces on its territory to determine how their officers will intervene in an emergency and when an act of bullying or violence is reported to them, and to establish a mode of collaboration for prevention and investigation purposes.
Shall enter into an agreement with an institution or another body in the health and social services network for the provision of services to students after an act of bullying or violence is reported. It may also enter into an agreement with a community organization operating in its territory.

Ensure that school transportation contracts require the carrier to adopt measures to prevent and stop any form of bullying or violence during the transportation of students, and to inform the principal of the school concerned of any act of bullying or violence that occurs during transportation. The contract must also require the carrier to make sure, in collaboration with the school board, that the driver completes proper anti-bullying and anti-violence training as soon as possible.
In its annual report, the school board shall state separately for each school the nature of the complaints reported to the director general of the school board by the principal, the measures taken and the proportion of those measures for which a complaint was filed with the Student Ombudsman.
Receive summary reports sent by principals on the nature of the incident and the follow-up measures taken

Receive information from principals when they decide to suspend a student

Send a copy of the agreements signed by the school Board with police forces and health sector agencies to the school principals and the Student Ombudsman

Send a copy of any decision to expel a student made in order to put an end to acts of bullying or violence to the Student Ombudsman
Receive the governing board’s document evaluating the results achieved by the school with respect to preventing and dealing with bullying and violence

Receive a copy of the agreements signed by the school Board with police forces and health sector agencies

Receive a copy of any decision to expel a student made in order to put an end to acts of bullying or violence

Make any recommendation considered appropriate with respect to measures required to prevent and stop bullying and violence
Specific Duties of Governing Board
For Law 19

* The Governing board is responsible for approving the anti-bullying and anti-violence plan and any updated version of the plan proposed by the principal. The governing Board shall see to it that the wording of the document is clear and accessible. (art. 75.1)

* Each year the Governing Board shall evaluate the results achieved by the school with respect to preventing and dealing with bullying and violence. A document reporting on the evaluation must be distributed to the parents, the school staff and the Student Ombudsman. (art. 83.1)

* The Governing Board is responsible for approving the conditions and procedures proposed by the principal for integrating into the educational services provided to the students, the activities or content provided by the Minister in the broad areas of learning. (art. 85)