

DATE July 12, 2012

TO Unit Presidents  
 OTBU Presidents  
 Provincial Executive  
 Secretariat

FROM John Pecsénye, Counselling and Member Services Department

SUBJECT Bill 13 – *Accepting Schools Act*  
 Bill 157 – *Keeping Our Kids Safe at School Act*

On June 22, 2012, you received information from Cheryl Fullerton, Government Relations Department, in respect to Bill 13, the *Accepting Schools Act*. A copy of Bill 13, a Memo to Directors, and an implementation document were provided at that time.

There are two specific dates cited in the implementation document: September 2012 and February 1, 2013.

The legislative requirements for the September 2012 date are as follows:

- Principals' duty to investigate any incident reported under Section 300.2. **Section 300.2 of the Act is amended to require principals to investigate reported incidents of specified activities. The section also requires principals to communicate the results of an investigation to the teacher who reported it or, if reported by another employee, to that employee unless it would not be appropriate to do so.**
- Principals' notification to parent/guardians of students who engaged in behaviour for which the student could be suspended or expelled and which resulted in harm to another student.
- Principals' duty to invite parents of victims and parents of those students who have engaged in any behaviour for which the student could be suspended or expelled and that resulted in harm to another pupil to discuss with the principal the supports that would be provided to their children.
- Support for students who want to establish and lead activities or organizations that promote a safe and inclusive learning environment, the acceptance of and respect for others and the creation of a positive school climate. This may include activities and organizations that promote gender equity, anti-racism, awareness and understanding of and respect for people with disabilities and people of all sexual orientations and gender identities, including organizations with the name Gay-Straight Alliance or another name.
- Requiring organizations using school property to follow standards consistent with the Provincial Code of Conduct.

Local units are asked to monitor these changes to policy and report any anomalies to the Association.

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The following legislative requirements will require a more significant change to board policies and procedures. For this reason, these requirements will be operational for February 1, 2013, and are as follows:

- New definition of bullying.
- Changes to Section 310(1) of the *Education Act* (**Section 310(1) sets out the circumstances in which a pupil must be suspended and considered for possible expulsion**) which now include certain circumstances related to bullying and to activities that are motivated by bias, prejudice or hate.
- Amend board multi-year plans to include goals set out in Bill 13 around positive school climate and bullying prevention.

Bill 13 includes a number of legislative requirements that require changes to Policy/Program Memoranda 144 (Bullying Prevention and Intervention) and 145 (Progressive Discipline and Promoting Positive Student Behaviour). The Ministry has indicated that February 2013 is their target date for completion.

Some of these changes will include but are not limited to:

- Principals' duty to communicate with teachers and where appropriate, other board employees who reported an incident for which suspension and expulsion must be considered, following a principal's investigation.
- Reporting by professionals such as psychologists and social workers.
- Conducting school climate surveys of their students, staff and parents at least every two years.
- Support for students; awareness raising opportunities for parents.
- Professional development programs for teachers and other staff.

Under the current provisions of Bill 157 - *Keeping Our Kids Safe at School Act*, the requirement for our members is to respond to negative behaviours and to report those behaviours that may fall under the suspension and expulsion provisions (Section 306(1) and Section 310(1) respectively) of the *Education Act*, using the Safe Schools Reporting Form Part I.

Members must be reminded to comply with those two provisions. There may be additional requirements from the Ministry by February 2013. The Association will continue to monitor the Ministry's roll out and report to units as required.

JSP/cts