

M A N I T O B A

School Boards

A S S O C I A T I O N

***Bill 18,
The Public Schools Amendment Act
(Safe and Inclusive Schools)***



Introduction

As the provincial voice for Manitoba's 37 autonomous public school boards, we know that, at times, there are limitations on our ability to speak for all of our members. While we strive for consensus in developing policy positions, this is not always achievable. Local school boards represent local communities, and communities across the province are not all the same.

That said, there is at least one area where all of Manitoba's public school boards are in agreement: their primary responsibility is to students, and to their academic, physical, and social development and well-being. And while Manitoba's school divisions and schools have put in place many policies and practices to ensure that schools are safe and welcoming learning environments for students, the public discourse that has emerged since the introduction of Bill 18 suggests that not all children and youth are being afforded equal protection or opportunities in all schools across the province. For this reason, the Manitoba School Boards Association supports the intent of Bill 18.

We would, however, like to speak to two aspects of Bill 18 as it was introduced; these are outlined below.

Bullying broadly defined

The definition of bullying as proposed in Bill 18 is very broad, and as such seems to remove an element of discretion from school boards and school staff. We know from research and experience that zero-tolerance policies are rarely the most effective way of responding to serious situations, yet the definition contained in Bill 18 seems to be advocating for that approach in the case of bullying. Schools already have student codes of conduct in place, and these codes include appropriate consequences for various forms of misbehaviour. Defining an inordinate number of interpersonal conflicts as bullying may be neither appropriate nor helpful in assisting students to develop the interpersonal skills and resiliency so essential to success in life.

Extending responsibility, maintaining confidentiality

A second matter we would like to highlight relates to the proposed new PSA section 41(1.8) which reads, in part, that "A respect for human diversity policy must accommodate pupils who want to establish and lead organizations" As written, this section seems to put the onus for initiating such activities or organizations upon the shoulders of the sometimes-vulnerable individuals who may already be negatively impacted by circumstances at school. This is a particular concern when those activities or organizations relate to "the awareness or understanding of, and respect for, people of all sexual orientations and gender identities." Recent research indicates that LGBTQ students are significantly less likely to feel safe at school than is either the general student population or visible minority students. We would not want to compound this situation by requiring them first to shine a spotlight upon themselves before they can create the support mechanisms that may improve their school experience.

To address this concern, we suggest that the proposed PSA section 41(1.8) be amended to read that “A respect for human diversity policy must accommodate activities and the formation of organizations that . . . ,” and additionally that a statement be added following 41(1.8)(b) to the effect that the policy must include a procedure whereby students or staff can initiate such activities or organizations in a confidential manner. We believe these changes would strengthen the legislation by shifting the responsibility to act from vulnerable students only, and explicitly empowering staff to initiate appropriate action.

Conclusion

In conclusion, I would like to reiterate that the Manitoba School Boards Association supports the intent of Bill 18. It complements the existing commitment of public school boards to the academic, physical, and social development and well-being of all students. We have highlighted two areas where we believe minor amendments could strengthen the bill and ensure that school boards themselves are allowed sufficient flexibility to address issues of human diversity and bullying through the policies developed at the local level.

Thank you for your time.