



Code of Conduct

Administrative Procedure 1.A.030

Board Governance Policy Cross Reference: Policy 2, 3, 16, 17

Legal Reference: Safe Schools Charter, Public Schools Act, Education Administration Act, Appropriate Educational Programming Regulations

Date Adopted: May, 1995

Date Amended: February, 2003; February, 2005; December, 2012; April, 2019

Date Reviewed: March, 2018; January, 2021

“The School District of Mystery Lake will provide a safe and caring environment that fosters and maintains respectful and responsible conduct and behaviours.”

Effective Behaviour Support

A major advance in school-wide discipline is the emphasis on school-wide systems of support that include proactive strategies for defining, teaching, and supporting appropriate student behaviours to create positive school environments. Instead of using a patchwork of individual behavioural management plans, a continuum of positive behaviour support for all students within a school is implemented in areas including the classroom and non-classroom settings (such as hallways, restrooms).

Effective behaviour support is an application of a behaviourally-based systems approach to enhance the capacity of schools, families, and communities to design effective environments that improve the link between research-validated practices and the environments in which teaching and learning occurs. Attention is focused on creating and sustaining primary (school-wide), secondary (classroom), and tertiary (individual) systems of support that improve lifestyle results (personal, health, social, family, work, recreation) for all children and youth by making problem behavior less effective, efficient, and relevant, and desired behavior more functional.

Students and staff must behave in a respectful manner to each other and comply with this code of conduct.

The following are unacceptable in the School District of Mystery Lake:

- Physical assault or threat making.
- Bullying (including cyber-bullying) any person or abusing physically, sexually, or psychologically – verbally, in writing or otherwise.

- Discriminating on the basis of any characteristics set out in subsection 9(2) of *The Human Rights Code of Manitoba*.
- Using, possessing or being under the influence of alcohol or illicit drugs at school.
- Gang involvement.
- Possessing a weapon (defined in section 2 of the Criminal Code of Canada).

Definitions

Cyber-bullying means using the internet or other information, or communication technologies: such as email messages or text messages sent by cell phone or pager, to support deliberate, repeated and hostile behaviour by an individual or group that is intended to harm someone else.

Discipline –effective school discipline seeks to encourage responsible behaviour and to provide all students with a satisfying school experience, as well as to discourage misconduct. School discipline has two main goals: (1) to ensure the safety of staff and students, and (2) to create an environment conducive to learning.

Physical Assault is the act of striking or touching a person with a part of the anatomy or an object, with the intent of causing hurt or harm.

Possession refers to having a weapon on one's person, or in an area subject to one's control, on school property or at a school activity. A student who finds a weapon on the way to school or in the school building and takes the weapon immediately to the principal's office, shall not be considered in possession of a weapon.

Restitution is a collaborative problem-solving process which focuses on making things right and resolving conflicts. Its goal is to help students become self-directed, self-disciplined and able to fix the problems they become involved with.

Weapon means any thing used, designed to be used or intended for use (a) in causing death or injury to any person, or (b) for the purpose of threatening or intimidating any person and, without restricting the generality of the foregoing, includes a firearm.

PARENTS

EXPECT THAT...

- Teachers, as role models for students, will exhibit excellent language usage, display enthusiasm for learning, show respect for others and property, and take pride in their appearance.

- Staff and students will comply with the District and School **Code of Conduct**.
- Staff will communicate promptly with the home.
- Administration will exhibit leadership, provide support, and monitor instruction in the school.
- Students will receive fair and consistent treatment.
- The school will give clear directions concerning extra-curricular activities.
- Teachers, bus drivers, and all support staff will cooperate to create an atmosphere that is conducive to a positive learning environment.
- Teachers will plan and teach assigned courses.

PARENTS

ARE EXPECTED TO...

- Are role models in the home in order to establish in their son or daughter;
 - positive values, and
 - respect for fellow students, school personnel, and property.
- Maintain regular communication with their son or daughter about school matters.
- Encourage their son or daughter to attend regularly and punctually, and to complete all school assignments.
- Attempt to attend their school's events and meetings, and give positive input and support to their school.
- Maintain open communication with staff.
- Cooperate with school staff to ensure their child complies with the school Code of Conduct and student discipline or behaviour management policies.

STAFF

EXPECT THAT...

- Students will attend classes regularly and on time, with homework assignments completed, and with appropriate materials (text, notebook, pen, etc.).
- Students will behave appropriately on school property and at school activities, so as not to interfere with the learning and rights of others.
- School administration will provide leadership and support.
- They will have the positive assistance and cooperation of students, parents and colleagues in the performance of their duties.
- Everyone associated with the school will be treated with courtesy.
- Parents will communicate openly with them about anything that might affect the performance of the student.

STAFF

ARE EXPECTED TO...

- Establish and maintain a learning environment in the school which is pleasant, orderly, respectful and conducive to the students' satisfaction in learning.
- Evaluate student achievement and explain the evaluation procedures to be used in each course.
- Communicate information about student progress, attendance and behaviour to students, parents and administration.
- Provide role models in establishing a positive tone in the school.
- Establish and maintain a pleasant, orderly, respectful environment for students while traveling off school property.
- Maintain open communication with the home and the school.
- Take the responsibility for continuous professional growth.
- Respect and demonstrate consideration for other cultures.

- Treat students fairly and consistently.

STUDENTS

EXPECT THAT...

- All division staff will treat them in a courteous and respectful manner.
- Treatment of students is consistent and fair.
- Clear, relevant lessons are presented, along with explanations for the evaluation procedures to be used in each course.
- They will be able to work in a school atmosphere which is pleasant, orderly, respectful and conducive to their satisfaction in learning.
- School personnel will be accessible to students for extra help concerning courses, assignments, remedial assistance, personal and career decisions, and other school matters.
- Teachers will maintain proper order and discipline in their classrooms and will provide explanations for any disciplinary action.
- Teachers will prepare for class and mark and return assignments promptly.
- School administration will monitor instruction in the school.
- They will be able to participate in the wide range of activities offered in the School District of Mystery Lake.
- Support staff will treat them in a courteous and respectful manner.
- Support staff will help create a positive learning environment.

STUDENTS

ARE EXPECTED TO...

- Attend school regularly and punctually.
- Be prepared for all classes by bringing required materials and completed homework assignments.
- Be responsible for any work missed in classes due to absence.

- Develop self-discipline and show courtesy for all people in the school and in the community.
- Make the most of educational opportunities through active classroom participation and involvement in other school activities, both in and out of class.
- Take pride in their work, their appearance and what they have accomplished.
- Respect and demonstrate consideration for other cultures.
- Resolve interpersonal conflicts and difficulties through discussions with the other person or through seeking assistance from school personnel.
- Take pride in their respective schools within the School District of Mystery Lake and help foster this feeling in other students.
- Show respect for school property and the personal belongings of others.
- Comply with rules, regulations and policies of the school and school board.

Disciplinary Consequences

The School District of Mystery Lake's approach to student discipline is to emphasize positive and proactive strategies before punitive and reactive strategies.

The following are examples of disciplinary consequences that may be used in the School District of Mystery Lake. Although they are not always applied in the order in which they appear they move from proactive to reactive consequences, and are progressive when a student has a previous history of behavioural incidents.

Effective school discipline hinges on a cooperative approach between the school and parents. In the School District of Mystery Lake, we try to involve parents as early as possible, when a student displays questionable behaviour.

The School District of Mystery Lake will provide reasonable accommodation for students who have exceptional learning needs that affect their behaviour. When disciplining the student, will take into consideration the student's ability to comply, and the amount of support required (MR 468/88). (Also see Appendix 2)

Corporal punishment, defined as the planned premeditated application of physical punishment, is forbidden in the schools of SDML. The Board recognizes that the use of force, as a restraint or intervention, may be necessary to protect the safety of students or staff members, for the protection of property or to secure order in emergent situations. Where force is applied under these circumstances, staff members exercising this authority must be governed by reasonable restraint.

“Notwithstanding the following, principals may use discretion in applying disciplinary consequences for students.”

1. Informal Interview
A teacher or administrator talks with the student to reach an agreement regarding the student's behaviour. The parent(s) may be contacted in some circumstances.
2. Restitution
Restitution may be used as an alternative approach where principals believe it will change behaviour.
3. Student Services Involvement
Conferences are held with the guidance counsellor or resource teacher with the goal of developing a plan for changing attitudes and improving student behaviour. Parent(s) may be contacted.
4. Parent Involvement
Parent(s) are contacted to discuss the behaviour of the student and consequential steps to change behaviour. Contact may vary from a telephone conversation to a formal conference at the school with parent(s), student and school staff.
5. Formal Interview
A conference is held with the student, the teacher and an administrator and/or guidance counsellor and the parent(s) to develop a plan for changing the student's behaviour.
6. Withdrawal From Classroom Setting
Where unacceptable behaviour has a negative impact upon the classroom learning environment, the student may be withdrawn to a supervised alternate location to complete assignments. Such withdrawal would normally be temporary, but when a prolonged withdrawal is recommended, the parent(s) would be contacted.
7. Suspension From Classroom
Teachers may suspend students from a classroom for not more than two days. (The teacher must inform the parent(s) and provide a supervised alternate location to complete assignments.)
8. Removal of Privileges
Privileges in the nature of access to playground, cafeteria, library, extracurricular activities and/or bus transportation are removed under certain circumstances. The school administrator may notify the parent(s) when such removal of privileges occurs.

9. Detention

The student is detained at the school for specific unacceptable behavior. Where such detention extends beyond regular school hours, the parent(s) would be informed.

10. Compensation

The student and/or parent(s) are required to compensate for damages incurred. Such restitution may be monetary in nature, but could take alternative forms such as school or community service.

11. Clinical Services

The social worker or school psychologist is involved to assist in the remediation of some unacceptable behaviours. Such involvement may include a level of counseling beyond the school's capabilities. Clinical services are appropriate in the case of unacceptable behaviour or extreme absenteeism. In all cases, parental permission is sought.

12. Behaviour Intervention Plan

Behaviour Intervention Plans or Individual Education Plans are required for ongoing unacceptable behaviour. Behaviour Intervention Plans are usually developed by a team to meet a student's social/emotional and behavioural needs.

13. Threat Assessment

The district will respond to threats by students through administrative action and/or a threat assessment team. The team will identify indicators that suggest a student may be engaging in attack related behaviours against some target, and intervene to decrease the risk, prevent injury to self or others, and assist the student to receive the help he or she needs to address the issues contributing to the high-risk student behaviour.

14. Physical Assault

14.1 The aggressor in a physical assault will receive a consequence greater than the student who responds to the aggression.

14.2 In cases of a student fighting with another student, the principal may suspend the student(s) from the classroom or the building, progressively longer for subsequent offences.

14.3 In cases of physical assault of a student on a staff member, the principal should first consult the staff member. The police may be contacted at the discretion of the principal or the staff member. A school re-entry meeting with student and parent(s) will be required.

15. Weapons

In the case of possession, threat with or use of a weapon by a student, the principal will:

- a) take steps to ensure the safety of students and staff
e.g. evacuation of the building, lock down, hold & secure
- b) confiscate the weapon and release it to either the police or parent/guardian as required by law
- c) take disciplinary action and
- d) conduct a Threat Assessment, if deemed necessary.

16. Suspension

Suspension from school is a serious consequence to student misbehaviour. Suspension may occur for conduct that is considered injurious to the school's welfare or educational purpose. In all cases of suspension, the parent(s) are notified. Principals may suspend for up to five days, but may recommend an extension of up to six weeks to the superintendent. Students returning from suspensions must attend a re-entry meeting if requested. Suspension in excess of five days may be appealed by parent(s).

17. Outside Agency Involvement

Student behaviour may involve violation of the law (e.g. drugs, theft or assault). In such cases the police may be informed by the school administration. Parents are informed immediately of any such action. Other circumstances may result in a referral to Child and Family Services or the Addictions Foundation of Manitoba youth counsellor.

18. Expulsion

Expulsion by the Board of Trustees is the most serious consequence, resulting when a student's continued presence is considered injurious to the welfare of the school. Expulsion requires an official motion by the Board of Trustees in accordance with the Public Schools Act. An expulsion means that the student may not attend any school in the School District of Mystery Lake until such time as the Board of Trustees may remove the expulsion. In all cases of expulsion, parent(s) are to be notified and have the right to make representation to the Board of Trustees.

NOTE: The following definitions & consequences have been adapted from the Toronto District School Board's code of conduct.

Definitions

The following definitions are provided to assist principals and school personnel in assessing incidents.

Bullying: a person is bullied when he or she is exposed, repeatedly and over time, to negative actions on the part of one or more other person, and he or she has difficulty defending himself or herself.

Explosive Substance: includes anything used to create an explosive device or capable of causing an explosion.

Extortion: using threats, accusations or violence or threats of violence to induce any person to do anything or cause anything to be done.

Fighting: when two parties consent to apply force to each other without excessive one-sidedness involved. A school yard scuffle or fight that breaks out between two students that has no aggravating circumstances and no power imbalance, is an example of fighting.

Firearm: any barreled weapon from which any shot, bullet or other projectile can be discharged and that is capable of causing serious bodily injury or death to a person.

Harassment: is often, but not always, persistent, ongoing conduct or communication in any form, of attitudes, beliefs or actions towards an individual or group which might reasonably be known to be unwelcome. A single act or expression can constitute harassment, for example, if it is a serious violation. Harassment may be either subtle or blunt.

Hazing: any action taken or situation created intentionally that causes embarrassment, harassment or ridicule, and risks emotional and/or physical harm to members of a group or team, whether new or not, regardless of the person's willingness to participate.

Hate Material: includes literature, leaflets, posters, graffiti distributed (or sent by electronic means) to incite violence or hatred towards people and/or their property based solely on race, religion, nationality or sexual orientation.

Homophobic Harassment: is a form of sexual harassment/discrimination committed on the basis of one's sexual orientation. Harassing someone because of their sexual orientation or their perceived sexual orientation is homophobic harassment.

Physical Assault: the intentional application of force, directly or indirectly, in any degree at all, to a person without that person's consent.

Physical Assault Causing Bodily Harm: Bodily harm refers to any hurt or injury that is more than merely transient or trifling in nature which interferes with the health or comfort of the person, and includes (but is not limited to) injuries that receive medical attention. Any cut that requires stitches or any breaks or fracture should be considered a serious injury. Serious injury could also include multiple minor injuries.

Possession: occurs when a person has anything in their actual possession or jointly with others, including knowingly possessing something elsewhere.

Possession of Drugs: occurs when a person has an illicit drug or narcotic, as set out in the *Controlled Drugs and Substances Act*, in their actual possession or jointly with others, including knowingly possessing an illegal drug elsewhere.

Possession of Harmful Substances: occurs when a person is in possession of a harmful substance, such as fuel, prescription drugs, biological or chemical hazards.

Possession of a Weapon: means anything used, designed to be used, or intended for use in causing death or injury to any person or to threaten or intimidate any person. It can include objects, which can be used as weapons. Objects such as a pen or a screwdriver, for example, if displayed to threaten or intimidate, become weapons under this definition. Weapon includes a firearm and any device that is designed or intended to exactly resemble or to resemble with near precision a firearm.

Racial Harassment: racial harassment means engaging in a course of vexatious comment or conduct pertaining to a person's race which is known or should reasonably be known to be offensive, inappropriate, intimidating, hostile and unwelcome. Race refers to a group of people of common ancestry, distinguished from others by physical characteristics, such as colour of skin, shape of eyes, hair texture or facial features. The term is also used at present to designate the social categories into which societies divide people according to such characteristics.

Replica Firearm: is any device that is designed or intended to exactly resemble or to resemble with near precision a firearm.

Robbery: when a person uses violence or threats of violence to steal money or other property from a victim.

Sexual Assault: occurs when a person, without consent, intentionally applies force, or intentionally threatens to apply force, to another person in circumstances of a sexual nature such as to violate the sexual integrity of the victim.

Sexual Harassment: occurs when a person receives unwelcome sexual attention from another person whose comments or conduct is known or should reasonably be known to be offensive, inappropriate, intimidating, hostile and unwelcome. It also includes an environment in which sexist or homophobic jokes and materials are allowed.

Theft: the act of stealing money or other property.

Threats of Serious Physical Injury: a threat to cause death or serious bodily harm to a person. The term threat as used here does not apply to situations in which no real threat was intended.

Trafficking in Drugs: means to sell, administer, transfer, transport, send or deliver any illicit drug or narcotic as set out in the *Controlled Drugs and Substances Act*.

Trafficking in a Harmful Substance: means to sell, administer, transfer, transport, send or deliver a harmful substance, and includes the possession of the substance for the purpose of trafficking.

Appendix 1 – Appeal Procedure

The appeal procedure for student disciplinary decisions follows the Divisional Line of Communication (1.A.100). At all steps of the appeal procedure a parent(s) may be accompanied by an advocate and/or supporter.

The Line of Communication is normally as follows:

1. Teacher - Meet with the teacher.
2. Principal - If a meeting with the teacher does not resolve a concern or if the principal was responsible for the disciplinary decision, an appeal may be made to the principal within five working days of a disciplinary decision.
3. Superintendent - If an appeal to the principal does not resolve a concern, an appeal may be made in writing to the Superintendent.
4. Board of Trustees - If an appeal to the Superintendent does not resolve a concern, an appeal may be made in writing to the Board of Trustees. Should an appeal proceed to the Board of Trustees, the Board will address it at their next In-Camera meeting and provide a written response to the appeal.

Appendix 2 – Human Rights Act

Discrimination" defined

9(1) In this Code, "**discrimination**" means

- (a) differential treatment of an individual on the basis of the individual's actual or presumed membership in or association with some class or group of persons, rather than on the basis of personal merit; or
- (b) differential treatment of an individual or group on the basis of any characteristic referred to in subsection (2); or
- (c) differential treatment of an individual or group on the basis of the individual's or group's actual or presumed association with another individual or group whose identity or membership is determined by any characteristic referred to in subsection (2); or
- (d) failure to make reasonable accommodation for the special needs of any individual or group, if those special needs are based upon any characteristic referred to in subsection (2).

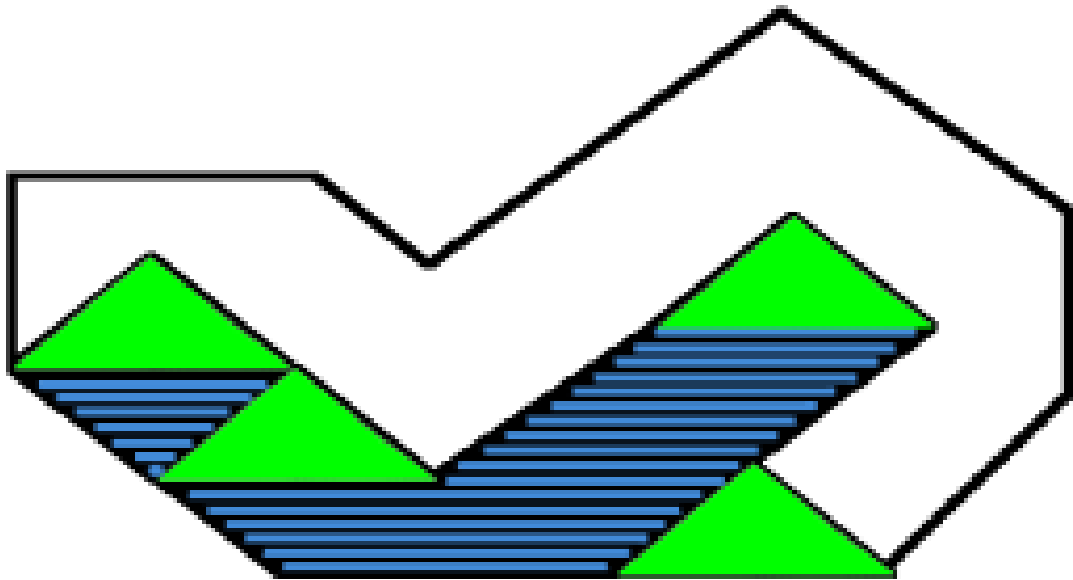
Applicable characteristics

- 9(2)** The applicable characteristics for the purposes of clauses (1)(b) to (d) are
- a) ancestry, including colour and perceived race;
 - b) nationality or national origin;
 - c) ethnic background or origin;
 - d) religion or creed, or religious belief, religious association or religious activity;
 - e) age
 - f) sex, including pregnancy, the possibility of pregnancy, or circumstances related to pregnancy;
 - g) gender-determined characteristics or circumstances other than those included in clause (f);
 - h) sexual orientation;
 - i) marital or family status;
 - j) source of income;
 - k) political belief, political association or political activity;
 - l) physical or mental disability or related characteristics or circumstances, including reliance on a dog guide or other animal assistant, a wheelchair, or any other remedial appliance or device.

The School District of Mystery Lake

Procedures for Dealing with Allegations of Bullying

School District of Mystery Lake



Success for All

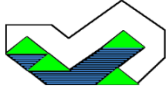


Table of Contents

**Section One The School District of Mystery Lake
Position Statement**

Section Two Definitions

**Section Three The Legislation on Reporting
Bullying**

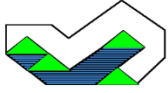
Section Four The Legislation on Cyber-Bullying

Section Five The Reporting Process

**Section Six Checklist for Dealing with an
Allegation of Bullying**

Section Seven Appendix

Thanks to Sunrise School Division for the development of this document.



Section One

The School District of Mystery Lake

Position Statement on Bullying

The School District of Mystery Lake is committed to protecting its students from bullying and believes that all students are entitled to a safe and caring learning experience.

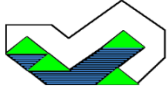
Bullying will not be tolerated and will be just cause for disciplinary action.

This policy shall be interpreted and applied consistently.

“A person is bullied when he or she is exposed, repeatedly and over time, to negative actions on the part of one or more other persons, and he or she has difficulty defending himself or herself.”

The School District of Mystery Lake prohibits the bullying of any student:

1. During any education program or activity sanctioned by the School District of Mystery Lake. This applies to any location, whether on-site or in transit.
2. During any school-related or school-sanctioned program or activity.
3. Through the use of any electronic device while on school grounds, or while on a school district sanctioned activity.
 - a. Through threats using the above to be carried out on school grounds. This includes threats made outside of school hours, which are intended to be carried out during any school-related or school sanctioned program or activity, or in transit.
4. Though an incident of alleged bullying (cyber-bullying or other) may occur off school grounds and may not entail threats of acts to occur during school hours, if a student’s ability to receive an education or a school’s ability to provide an education is significantly impaired, as determined by the school district administration, disciplinary sanctions may be issued.



Section Two

Definitions

“A person is bullied when he or she is exposed, repeatedly and over time, to negative actions on the part of one or more other persons, and he or she has difficulty defending himself or herself.”

This definition includes three important components:

1. Bullying is aggressive behaviour that involves unwanted, negative actions.
2. Bullying involves a pattern of behaviour repeated over time.
3. Bullying involves an imbalance of power or strength.

It is important to remember that children and young people are growing socially and that some incidents may not be bullying, but incidents of poor social skills, misunderstandings or difficulties resolving conflicts and should be viewed as teachable moments. All incidents will be investigated with interventions put in place, but they may not be deemed bullying once an investigation takes place.

Dan Olweus, Bullying at School: What We Know and What We Can Do

Bullying may involve, but is not limited to:

1. Unwanted teasing
2. Threatening
3. Intimidating
4. Stalking
5. Cyber-stalking
6. Cyber-bullying
7. Physical violence
8. Theft
9. Sexual, religious, or racial harassment
10. Public humiliation
11. Destruction of school or personal property
12. Social exclusion, including incitement and/or coercion
13. Rumor or spreading of falsehoods

Cyber-stalking, means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at or about a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

Cyber-bullying means using the internet or other information or communication technologies, such as e-mail messages or text messages sent by cell phone, to support deliberate, repeated and hostile behaviour by an individual or group that is intended to harm someone else.

Bullying, cyber-bullying also encompasses:

1. Retaliation against a student for asserting or alleging acts of bullying, harassment, or discrimination.
2. Retaliation also includes reporting a baseless act of bullying that is not made in good faith.



Section Three

The Legislation

The Public Schools Amendment Act (Reporting Bullying and Other Harm)

Reporting to the Principal

47.1.1 (1) The following persons must, if they become aware that a pupil of a school may have engaged in unacceptable conduct while at school, at a prescribed school-approved activity or in other prescribed circumstances, report the matter to the principal of the school as soon as reasonable possible:

- a. An employee of a school board, school division or school district;
- b. A person who has care and charge of one or more pupils during the prescribed school-approved activity.

Principal to notify parent or guardian

47.1.1 (2) Subject to the regulations, if the principal believes that a pupil of the school has been harmed as a result of the unacceptable conduct, the principal must, as soon as reasonably possible, notify the pupil's parent or guardian.

Content of notice

47.1.1. (3) When notifying a parent or guardian under subsection (2), the principal must provide the following information:

- a. The nature of the unacceptable conduct that resulted in harm to the pupil;
- b. The nature of the harm to the pupil;
- c. The steps taken to protect the pupil's safety, including the nature of any disciplinary measures taken in response to the unacceptable conduct.

Limitation re: personal information

47.1.1 (4) When notifying a parent or guardian under subsection (2), the principal must not disclose the name of or any other identifying or personal information about a pupil who engaged in the unacceptable conduct, except in so far as is necessary to comply with subsection (3).

Additional obligation

47.1.1. (5) An obligation to make a report respecting unacceptable conduct under this section is in addition to, and not in derogation of, the obligation to report unacceptable conduct under any other enactment.

Definition of “unacceptable conduct”

47.1.1. (6) In this section, “**unacceptable conduct**” means

- (a) Abusing another pupil physically, sexually or psychologically, verbally, in writing or otherwise; or
- (b) Repeated or deliberate bullying of another pupil that is of a serious nature, including cyber-bullying as defined in subsection 47.1 (2.1).

Regulations

47.1.1 (7) The minister may make regulations

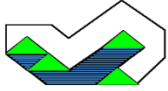
- (a) For the purpose of subsection (1), prescribing school-approved activities and circumstances in which engaging in unacceptable conduct must be reported;
- (b) Governing circumstances in which notice under subsection (2) is not required.

Explanatory Note

Under this Bill, a school employee, or a person in charge of pupils during school-approved activities, must make a report to the principal if they think a pupil has engaged in bullying or other unacceptable conduct.

A principal who believes that a pupil has been harmed by the unacceptable conduct must notify the pupil’s parent or guardian. Exceptions to this requirement may be made by regulation.

Unacceptable conduct is defined to mean abusing another pupil physically, sexually or psychologically and bullying, including cyber-bullying.



Section Four

THE PUBLIC SCHOOLS AMENDMENT ACT (CYBER-BULLYING AND USE OF ELECTRONIC DEVICES)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Manitoba, enacts as follows:

C.C.S.M. c. P250 amended

1. The Public Schools Act is amended by this Act.

2. Clause 41 (1) b.2) is replaced with the following:

(b.2) establish a written policy respecting the appropriate use of the following at schools:

- (i) the Internet,
- (ii) email,
- (iii) cell phones, including cell phones equipped with digital cameras,
- (iv) digital cameras,
- (v) any other personal communication devices identified by the board;

3 (1) Clause 47.1 (2) (b) is amended

(a) In sub clause (i), by striking out “bullying, or”; and

(b) By adding the following after sub clause (i) :

(i.1) bullying, including cyber-bullying,

3 (2) Clause 47. 1 (2) (d) is replaced with the following:

(d) a statement that pupils and staff must adhere to school policies respecting appropriate use of

- (i) e-mail and the internet, including policies that prohibit the accessing, uploading, downloading or distributing of material that the school has determined to be objectionable, and

- (ii) digital cameras, cell phones, including those cell phones equipped with digital cameras, and other personal communication devices identified in the code of conduct;

3 (3) The following is added after subsection 47.1 (2):

Interpretation: cyber-bullying

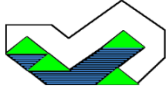
47.1 (2.1) For the purpose of sub clause (2) (b) (i.1), “cyber-bullying” means using the internet or other information or communication technologies, such as e-mail messages or text messages sent by cell phone or pager, to support deliberate, repeated and hostile behaviour by an individual or group that is intended to harm someone else.

Coming into force

4 This Act comes into force on the day it receives royal assent.

Explanatory Note

Under this Bill, schools must include in their codes of conduct a statement that cyber-bullying is unacceptable. Also, school boards must expand their policies about the appropriate use of e-mail and the internet to include digital cameras, cell phones, cell phones equipped with digital cameras, and other personal communication devices.



Section Five

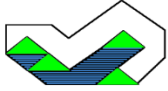
Bullying Reporting Process

1. After it has been determined by an administrator that bullying has occurred, an investigative file will be opened immediately and will be concluded in a timely manner.

- a) An investigation will include the notification of the parents/guardians of all parties directly involved.

In conducting an investigation, it is advised that you follow the Checklist for Bullying sheet that is attached to this document. (**Section Six**)

- b) The name of the reporting person does not need to be disclosed to the parties directly involved.
- c) The name of the person being bullied may be shared with those directly involved.
- d) A detailed record of the steps taken by school administration will be kept at the school level.
- e) Notification of a confirmed incident of bullying will be e-mailed to the Superintendent's office.
 - i) It is not needed to inform the Superintendent's office of the result of the investigation, but again, detailed notes must be kept on file for one (1) calendar year from the date of the incident. These notes may be requested by the Superintendent's office if the situation goes beyond the school level.
- f) If it is determined that bullying did occur, intervention plans for those directly involved may be accompanied by consequences; as per the School District of Mystery Lake Code of Conduct and the school's Code of Conduct.



Section Six

Checklist for Bullying

This checklist is to be used when a case of bullying is confirmed. This form is to be kept along with the notes that are being kept with regards to the situation. It does not need to be sent to the Superintendent's office.

Name of School: _____

Date: _____

Name of student (s) being accused of bullying: _____

Name of student (s) making the allegation: _____

Name of the person (s) allegedly being bullied: _____

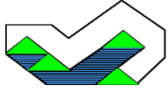
- 1) _____ Notes of the allegation have been taken and filed for future reference.
- 2) _____ The student who is being accused of bullying has been interviewed.
- 3) _____ The student who is being bullied has been interviewed.
- 4) _____ The parents/guardians of all those involved have been notified

a. Date of contact with the alleged bully's parents or guardian.

b. Date of contact with the alleged person being bullied parents/guardian.

- 5) _____ An e-mail about the alleged bullying situation has been sent to the superintendent's office.
- 6) _____ If applicable, an intervention plan has been developed for both the bully and the person being bullied.
- 7) _____ The situation has been dealt with and it is now considered closed.
 - a. The parents/guardians have all been notified of the closure of the situation. Please note Section Three of this document **Content of Notice** when speaking to the parents once you have concluded your investigation.
- 8) _____ The notes dealing with this situation are attached to this check-list and are being filed at the school.

Notes of the Alleged Bullying Situation



Section Seven

Appendix

Signs of being bullied

Some possible examples that may indicate a student is a victim of bullying may include but are not limited to:

- Being frightened of walking to and from school
- A change in their usual route to and from school
- No longer wanting to come to school
- Negative change in their school performance
- Becoming withdrawn, starting to stammer, lacking confidence
- Becoming distressed and anxious, stopping eating
- Threatening or attempting suicide
- Having possessions go missing
- Asking for money or stealing
- Continually 'losing' their pocket money
- Refusing to talk about what's wrong
- Having unexplained bruises, cuts, scratches
- Beginning to bully other children, siblings
- Becoming aggressive and unreasonable
- Giving improbable excuses for any of the above

All School District of Mystery Lake staff and parents should be aware of these signs. This list is not all inclusive, and you may/will see other signs. If you suspect that there is an issue with a student, you must begin the reporting process outlined in this document.

Please be aware that some of the above examples may be signs of other concerns, such as anxiety disorders.