

Alberta's Amended

# SCHOOL ACT

Welcoming, caring, respectful and safe learning environments

## INFORMATION FOR SCHOOL STAFF

Amendments to the School Act as part of Bill 10 (in force June 1, 2015) set out responsibilities for all partners in the education system, including students, parents, and school boards. All partners have a responsibility to do their part to ensure welcoming, caring, respectful and safe learning environments.

### DEFINITION OF BULLYING

**Section 1.1(b.1) of the School Act defines bullying as:**

*“Repeated and hostile or demeaning behaviour by an individual in the school community where the behaviour is intended to cause harm, fear or distress to one or more other individuals in the school community, including psychological harm or harm to an individual’s reputation.”*

Bullying can take different forms:

- Physical – pushing, hitting
- Verbal – name calling, threats
- Social – exclusion, rumors
- Cyber – using the computer or other technology to harass or threaten

Bullying is not a normal part of growing up and it does not build character. Bullying is a learned behaviour – children and youth often learn bullying behaviours when they either experience being bullied or see it happening to others.

When bullying behaviours go unchecked, the implicit message is that the behaviours are acceptable. Therefore it is important that when bullying behaviours are observed and reported, they are addressed and resolved as soon as is reasonably possible.

Bullying is different from conflict. Conflict is defined as a disagreement or struggle over opposing beliefs, needs, feelings or actions and is a normal part of life. Students as well as adults can benefit from learning how to resolve

conflict peacefully and recognizing the difference between a conflict and bullying. All inappropriate and hurtful behaviour needs to be addressed and it is important to identify what the behaviour is in order to resolve the situation effectively.

### SECTION 45.1

### RESPONSIBILITIES OF BOARDS (AND SCHOOLS)

**Section 45.1(1)** states that a board has the responsibility to ensure that each student and staff member has access to a welcoming, caring, respectful and safe learning environment that respects diversity and fosters a sense of belonging. This requires an intentional focus on the environment within schools and classrooms. Simply having processes and consequences in place when something goes wrong is no longer enough. Research shows that an ‘anti-bullying’ program alone is not the answer. Creating and maintaining this environment takes a comprehensive school-wide approach.

**Section 45.1(2)** requires the establishment of a policy reflecting the boards’ obligation to provide a welcoming, caring, respectful and safe learning environment which includes a student code of conduct. Input from stakeholders including staff, parents, students, and community leads to more meaningful and effective policy. The Alberta School Boards’ Association (ASBA) has created resources to support policy development in this area available at [www.asba.ab.ca](http://www.asba.ab.ca).

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### SECTION 45.1

## RESPONSIBILITIES OF BOARDS (AND SCHOOLS), *continued*

**Section 45.1(3)(d) of the Act** sets out that the student code of conduct should include the following elements:

- A statement of purpose – Why have this code of conduct? This provides an opportunity to describe the ‘ideal’ environment and the critical role environment plays in optimal learning. Brain research tells us that children/youth can’t learn if they don’t feel safe and cared for. A positive learning environment is as important as world class programs of study, instructional strategies, and assessment.
- Statements that address the prohibited grounds of discrimination in the *Alberta Human Rights Act* ([www.albertahumanrights.ab.ca/services.asp](http://www.albertahumanrights.ab.ca/services.asp)). This means that the code of conduct sets out that discrimination on the basis of race, colour, ancestry, place of origin, religious belief, gender, physical or mental disability, marital or family status, source of income, or sexual orientation will not be tolerated.
- Statements about what is acceptable and unacceptable behaviour, whether or not it occurs within the school, during school hours or by electronic means. These statements should be broad so as to avoid becoming a laundry list of do’s and don’ts. To reflect the proactive tone in the *Act* this section, focus on supporting welcoming, caring, respectful and safe learning environments, and on the importance of creating relationships and a sense of belonging.
- When incidents take place away from the school building (including by electronic means), but affect the school by being injurious to the physical or mental well-being of others in the school, school staff have the right and the obligation to address the incident/behaviour. This does not mean that schools are responsible for resolving every community issue. Evidence informed interventions such as restorative processes have proven effective in resolving these type of incidents.
- Statements about the consequences for unacceptable behaviour. Consequences must take into consideration a student’s age, maturity and individual circumstances. This is a move away from ‘zero tolerance’ policies which have been proven ineffective. Each individual child must be considered and each situation must be resolved based on the specific circumstances of the situation and what is known about those involved. For example, a student new to Canada may not understand some of the cultural contexts or the language and may misread situations or use strategies that worked for them in a previous environment. This needs to be taken into consideration. A child who has been provoked numerous times and then retaliates cannot be ‘dealt with’ in isolation from those involved in the provoking behaviours. A child with a mental health or behaviour issue needs to be supported differently from a child who does not have these challenges.
- The code of conduct “must ensure that support is provided for students who are impacted by inappropriate behaviour as well as for students who engage in inappropriate behaviour.” Boards and schools will need to examine the continuum of supports that are currently available. While suspensions and expulsions are an option to address unacceptable behaviour, they would not typically be used in isolation of other supports or as an initial consequence. Support could take various forms depending on the individual student’s needs. Mentoring and restorative practices are examples of effective evidence-informed strategies for students who are targets of bullying as well as for those who engage in bullying behaviour. Mentoring can be formal or informal. Regular ‘check-ins’ with a trusted adult is another form of support.

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SECTION  
12

and

SECTION  
16.2

### RESPONSIBILITIES OF STUDENTS AND PARENTS

**Sections 12 (responsibilities of students) and 16.2 (responsibilities of parents) of the Act** also have an impact on boards and schools.

**Section 12(h)** requires students to refrain from, not tolerate and report bullying behaviours. Does your district/school have clear reporting procedures? If so, do students know what they are and do they feel safe reporting? How do you know? Have students been involved in creating the reporting procedures?

All staff need to be prepared to receive reports openly and know how to respond. This may include asking more questions to determine if this is a bullying situation or something else (e.g., a conflict). Either way, the situation needs to be addressed.

**Section 12(e)** requires students to be accountable to teachers. How do you ensure students understand what this means and that they are supported in being accountable?

**Section 12(i)** requires students to contribute positively to their school and community. In order for students to fulfill this responsibility, they need opportunities to help out in the school and the community. Peer mentoring, showing leadership, service learning/volunteering opportunities are some examples.

**Section 16.2(b)** states that parents have a responsibility to ensure their conduct contributes to a welcoming, caring, respectful and safe learning environment. Like students, parents may also require examples of what positive contributions could look like. Examples are provided in our companion guides on Alberta's *School Act: Information for Students* and *Information for Parents & Guardians*.

For further information about supporting welcoming, caring respectful and safe learning environments, please visit: [www.education.alberta.ca/caringschools](http://www.education.alberta.ca/caringschools).

### NATIONAL BULLYING AWARENESS WEEK

The *Act* draws attention to **National Bullying Awareness Week (NBAW)** on the 3rd week in November, with the purpose of promoting awareness and understanding of bullying and its consequences in the school community.

What can schools, parents, communities do? Look for opportunities within your community and your school. Perhaps parents, families, students and community partners could help with ideas and planning.

For ideas on how to recognize NBAW visit [www.bullyfreealberta.ca](http://www.bullyfreealberta.ca) and [www.safeandcaring.ca](http://www.safeandcaring.ca).