



ISSN 1710-9477

**Legislative Assembly
of Ontario**

First Session, 40th Parliament

**Assemblée législative
de l'Ontario**

Première session, 40^e législature

**Official Report
of Debates
(Hansard)**

Monday 14 May 2012

**Journal
des débats
(Hansard)**

Lundi 14 mai 2012

**Standing Committee on
Social Policy**

Accepting Schools Act, 2012

Anti-Bullying Act, 2012

**Comité permanent de
la politique sociale**

Loi de 2012 pour
des écoles tolérantes

Loi de 2012 sur la lutte
contre l'intimidation

Chair: Ernie Hardeman
Clerk: Katch Koch

Président : Ernie Hardeman
Greffier : Katch Koch

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Hansard Reporting and Interpretation Services
Room 500, West Wing, Legislative Building
111 Wellesley Street West, Queen's Park
Toronto ON M7A 1A2
Telephone 416-325-7400; fax 416-325-7430
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation
Salle 500, aile ouest, Édifice du Parlement
111, rue Wellesley ouest, Queen's Park
Toronto ON M7A 1A2
Téléphone, 416-325-7400; télécopieur, 416-325-7430
Publié par l'Assemblée législative de l'Ontario

LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON SOCIAL POLICY

COMITÉ PERMANENT DE LA POLITIQUE SOCIALE

Monday 14 May 2012

Lundi 14 mai 2012

The committee met at 1400 in room 151.

ACCEPTING SCHOOLS ACT, 2012

LOI DE 2012 POUR
DES ÉCOLES TOLÉRANTES

ANTI-BULLYING ACT, 2012

LOI DE 2012 SUR LA LUTTE
CONTRE L'INTIMIDATION

Consideration of the following bills:

Bill 13, An Act to amend the Education Act with respect to bullying and other matters / Projet de loi 13, Loi modifiant la Loi sur l'éducation en ce qui a trait à l'intimidation et à d'autres questions.

Bill 14, An Act to designate Bullying Awareness and Prevention Week in Schools and to provide for bullying prevention curricula, policies and administrative accountability in schools / Projet de loi 14, Loi désignant la Semaine de la sensibilisation à l'intimidation et de la prévention dans les écoles et prévoyant des programmes-cadres, des politiques et une responsabilité administrative à l'égard de la prévention de l'intimidation dans les écoles.

The Chair (Mr. Ernie Hardeman): Good afternoon, ladies and gentlemen. We'll call the meeting of the Standing Committee on Social Policy to order. We are reviewing Bill 13, An Act to amend the Education Act with respect to bullying and other matters, and Bill 14, An Act to designate Bullying Awareness and Prevention Week in Schools and to provide for bullying prevention curricula, policies and administrative accountability in schools. We are holding public hearings on that.

ONTARIO GAY-STRAIGHT ALLIANCES COALITION

The Chair (Mr. Ernie Hardeman): The first delegation, at 2 o'clock, is the Ontario Gay-Straight Alliances Coalition. I presume that's the people who are already ready for the meeting who are at the end of the table, so we welcome you on behalf of the committee. Thank you for coming in. As you make your presentation, first thing, would you introduce yourself for Hansard so we can keep a record of those who spoke at the meeting.

The floor is yours. There will be 15 minutes for each presentation. You can use any or all of the 15 minutes for

your presentation. If there's time left over at the end of your presentation, we will have questions from our members of the committee. So, with that, we turn the meeting over to you.

Ms. Marilyn Byers: Good afternoon, and thank you. My name is Marilyn Byers and I'm the chair of the Ontario GSA Coalition. Our coalition is a diverse coalition of 19 member organizations, representing over one million Ontarians from all walks of life, dedicated to securing a safe education for LGBT youth. A full list of our members is set out in appendix A of our written brief.

I represent PFLAG Canada within the coalition. PFLAG is a national organization with 88 chapters, supporting friends and family members of LGBT persons as well as LGBT persons. I am also a retired Catholic educator and the proud mother of a gay son.

Presenting for the coalition this afternoon is Rev. Deana Dudley of the Metropolitan Community Church of Toronto, and lawyer Douglas Elliott. I'd ask Rev. Deana to speak first.

Rev. Deana Dudley: Good afternoon. I'm Rev. Deana Dudley, as she said, from the Metropolitan Community Church of Toronto. I'm here actually to respond to some of the things that you may have heard from other people of faith who were speaking in opposition to the anti-bullying bill, and I'm here to speak in support of it.

You've probably already noticed that people of faith don't agree on very many issues, so why should this one be different? I'm here to tell you that people of faith really do not speak with one monolithic voice on the issues that this bill addresses. There are many, many people of faith whose beliefs call us to more inclusion, not less; more justice, not less; and there are people of faith who follow the dictum that we're to extend ourselves to care for those who are outcast or oppressed—to those who have been, in a word, bullied.

For those of us whose faith calls us to follow Jesus Christ, we're called to give food to the hungry and water to those who thirst, to visit the prisoner, to welcome the stranger, to clothe the naked and care for the sick, and it's that kind of belief that also compels us to support Bill 13 because we feel called to help support young people who've been bullied for the sake of their sexual orientation or gender identity.

As a church, we've seen first-hand the devastating damage of bullying in the lives of young people. We've seen far too many teen suicides, and we know that there

is a huge need for stronger action to create a safer and more inclusive environment in all schools, and we think this legislation is a positive step forward.

Indeed, the Metropolitan Community Church of Toronto provides space in our church for the Triangle program, which is a program in the Toronto District School Board that is Canada's only high school program for LGBT youth, and it exists because the kids in it did not feel safe in many traditional schools, specifically because of anti-gay bullying. We are happy to provide a safe space for them, but that's not the answer. As a society, we need to make all schools safer and more inclusive for all people, regardless of sexual orientation, gender identity or any other status.

I'm told that some folks have come to you and claimed that this bill would infringe on their religious beliefs, and as people of faith we do not agree. We've studied the bill and we know that it doesn't require us or any other religious institution to change our beliefs or our teachings. After the passage of this bill we will all still be free to believe any darned thing we want. The only thing we won't be able to do is use religion as an excuse to deny basic human rights, and we think that's a good thing. Thank you.

Ms. Marilyn Byers: And now Douglas Elliott.

Mr. Douglas Elliott: Good afternoon. My name is Douglas Elliott. I'm a partner with Roy Elliott O'Connor in Toronto and I'm the lawyer for the Ontario GSA Coalition. You have our written brief, and I want to state emphatically that we base our brief on the scientific evidence and the relevant international constitutional and statutory legal provisions that should govern your deliberations on these bills. Our detailed comments on the language of Bills 13 and 14 can be found in our brief and we'll be happy to assist the committee in any way as you move forward on clause-by-clause consideration of the bill, but this afternoon I would like to make four points.

First, there is a need to focus on the issues affecting LGBT youth. We do not doubt that students are bullied for a variety of reasons that are unacceptable. However, some people go much further and claim that kids are not bullied because of their LGBT status or that LGBT students are no more likely to be bullied than their straight counterparts. That view is contrary to all the known evidence.

Egale, one of our coalition members, conducted a study of these issues, published last year, called *Every Class in Every School*. The extent of the problem this report reveals is staggering. LGBT students and students with LGBT parents experience much higher levels of verbal, physical, sexual and other forms of discrimination, harassment and abuse than other students. Almost two thirds, 64%, of LGBT students reported that they feel unsafe at their school.

One item of good news from the report is that there are some effective tools at our disposal to tackle this problem. Students from schools with GSAs are much more likely to agree that their school communities are supportive of LGBT people, are much more likely to be

open with some or all of their peers about their sexual orientation or gender identity and are more likely to see their school climate as becoming less homophobic. Gay-straight alliances make a difference. The kids themselves are telling us that they work.

Second, it is our position that students already have a right to form LGBT-focused clubs. Students have a right to a safe educational environment that is free from discrimination, pursuant to sections 7 and 15 of the Charter of Rights. They have freedom of association guaranteed by section 2(d) of the charter.

Banning gay-straight alliances constitutes a substantial interference with the rights of LGBT students to pursue their collective goal of creating a safe environment in their schools. Given that the health and safety of students is at stake, there can be no justification for this infringement. The religious scruples of parents or boards cannot justify permitting intolerance and a hostile environment in our schools for LGBT youth, as we know from Supreme Court of Canada rulings such as *Chamberlain* and *Ross*.

Third, the students have a right to choose the name of their club, including the name "gay-straight alliance." We support choice. The students have the right to name the clubs and to use the word "gay" if they choose to do so, and that is guaranteed by section 2(b) of the charter—freedom of expression. Forcing LGBT persons to be invisible, to go back in the closet, is a blatant form of discrimination that violates section 15 of the Charter of Rights. The word "gay" is not obscene or offensive to public policy and it is in common, everyday usage in our society. The word is a core part of our LGBT identity for many of us—a word we have fought for in the streets and in the courts.

No one would seriously suggest that the Roman Catholic church would not experience discrimination if it was allowed to carry out its activities but was not allowed to use the word "Catholic." We feel the same way about being forced to give up the word "gay."

Fourth, and finally, there can be no religious or cultural justification for refusing these rights. We know that there are people who hate us. We know that there are people who condemn us as sinners. We hear from them all the time. We do not seek to force them to give up their beliefs or to stop expressing their beliefs. We know that we cannot force them to love us or to approve of us.

However, we do insist that they tolerate us in our publicly funded schools. We demand a safe educational environment for LGBT youth. It is their right under international law, under our Constitution and under the laws of this province.

In a recent Supreme Court of Canada ruling, *S.L.*, the Supreme Court again stressed that there is a difference between something that offends your religious beliefs and something that interferes with your religious beliefs. No parent has the legal right to block GSAs in our schools just because the name of the club or the existence of such clubs offends their religious beliefs.

Even if the existence of these clubs did somehow interfere with the religious beliefs or cultural traditions of

others, how could that trivial interference possibly outweigh the safety of children in our schools? Is religious sensitivity more important than a black eye? Is cultural tradition more important than suicide? The UN says no and Canada says no. There is no religious exemption in our law for assault and no cultural free pass for psychological harassments. Our schools should be safe for everyone.

1410

We urge you to move forward with Bill 13 as soon as possible and to blend in the best parts of Bill 14 as we have suggested in our written brief. Most of all, we urge you to do your duty to protect the health and safety of our youth. Their lives are depending on you. Thank you.

The Chair (Mr. Ernie Hardeman): Thank you very much. We have about three minutes left, so we'll start with the government—the opposition.

Interjections.

Mr. Douglas Elliott: Was that a moment of wishful thinking, Mr. Chair?

The Chair (Mr. Ernie Hardeman): My apologies; I was looking at both sides at the same time.

Mr. Bob Delaney: Ernie, you get away with that once.

The Chair (Mr. Ernie Hardeman): It actually was the government that should start first. This is the third day of hearings, so it should be the government first.

Mr. Bob Delaney: So which one of us is it?

Ms. Lisa MacLeod: Which government is it?

The Chair (Mr. Ernie Hardeman): Mr. Delaney, we'll turn it over to you.

Mr. Bob Delaney: Did you have anything you wanted to ask?

Ms. Tracy MacCharles: I'll ask a question. First of all, thank you for your presentations today. We appreciate you taking the time to come in and sharing your viewpoints with us.

Just so we're clear, your group, and I believe others— if a group of students were to approach a principal, as contemplated under this act, where it's initiated by the students, not top down from the administration, and they wanted to form a group for aboriginal youth or children with disabilities or they were gay, could you just confirm what your position is if students approach administration on any of those types of examples?

Mr. Douglas Elliott: Yes. They would all have the right. Those are all groups that are protected under section 15 of the Charter of Rights. In our view, their associational rights give them the right to pursue the objective of joining together in a peaceful fashion to pursue the goal of equality. That is their right under our charter.

Ms. Tracy MacCharles: Thank you for clarifying the position.

The Chair (Mr. Ernie Hardeman): Thank you very much. Do you have another question?

Mr. Bob Delaney: We're done, Chair. Thank you.

The Chair (Mr. Ernie Hardeman): Okay. Did you have a question?

Ms. Lisa MacLeod: I just want to say thanks to the deputants for coming in today. I've thanked everybody for coming in, because this has become sort of a sensitive issue and it's really important that we hear both sides and we respect everyone for coming in with a variety of different views. I really appreciate the legal background that you provided today, and I wish you well. Thank you very much for coming.

Mr. Douglas Elliott: Thank you, Ms. MacLeod, and thank you for your support.

The Chair (Mr. Ernie Hardeman): Thank you very much for your presentation. The next round, when the opportunity arises, will start with the third party.

Mr. Douglas Elliott: We're happy to help the committee in any way, Mr. Chair.

The Chair (Mr. Ernie Hardeman): Thank you very much.

MR. JOE GRIECO

The Chair (Mr. Ernie Hardeman): The next delegation is Joe Grieco.

Mr. Joe Grieco: Grieco.

The Chair (Mr. Ernie Hardeman): When it comes to pronouncing names, I always stand to be corrected. Thank you very much.

The clerk will pass out your presentation. If you want to take a chair, and, as with the previous delegation, you will have 15 minutes to make your presentation. You can use any or all of it. If there's any time left at the end of the presentation, we will start the questioning from the committee with the third party.

With that, just before you start your presentation, if you would repeat your name again into the microphone for Hansard, I would much appreciate it, and then the floor is yours.

Mr. Joe Grieco: Okay. My name is Joe Grieco and I'm from the Owen Sound area of Ontario. I would have liked to have been here with my family, but I am here alone today. I've written this as a family member, but it's the whole family that's writing this. Just to let you know, I'm dyslexic, so if I stumble a bit, if you can just be patient with me.

We are writing jointly as parents of a child who, we are alleging, was bullied for eight months by her teacher and whose life was painfully and devastatingly altered by those experiences. We are also writing as representative complainants in a multiple family lawsuit; to date, the largest lawsuit ever filed against an Ontario school board. Finally, we are writing as members of BC for E, Blue-water Citizens for Education, an organization that exists to support local families in crisis due to bullying issues, and also our school board, in making positive changes to ensure students are safe in Bluewater schools.

With more than four years invested in bullying issues, we have paid close attention to recent education news coverage, including the tabling of the Liberal Bill 13 and the PC Bill 14, and the debate of the two bills in the Legislature. We have also read about the scandalous,

though not surprising, exposé of the Ontario College of Teachers last fall.

Unfortunately, we have also witnessed how our elected officials have selfishly used this issue to further their own personal and political gain, quite possibly undermining the safety of each and every child in this province. This selfishness has given rise to a possible multi-tiered safe school policy and other serious flaws to the proposed new bill.

Having carefully looked over both bills, we have grave concerns that, although there appears to be a desire to reduce the impact of bullying in Ontario, the proposed additions and amendments to the Education Act are not comprehensive enough and will not lead to the necessary outcome: safer schools, safer students and improved learning success for all Ontario students.

It is vital to the success of our education system and the well-being of generations of children and young adults to reduce the incidence and impact of bullying. Without informed decision-making and effective legislation, every Ontario student, teacher, administrator and school board employee remains at risk. Based on the shared experiences of our group of concerned parents in Bluewater, along with other safe school organizations throughout the province, and with thought given to proposals in both Bills 13 and 14, we respectfully present the following crucial considerations for inclusion in any final bill. The following points I'm making will be condensed from the written information I have given you.

(1) All-encompassing: Bullying is not limited to only students. Any definition or definitions related to bullying—Bill 14 has a thorough one; Bill 13 does not provide one—must be all-encompassing, pertaining to all members of the school communities, including teachers and administrators and other employees.

(2) Easy access to information: Students, parents, guardians and any other member of the public must have easy access to all information that is provided and gathered for and by school boards as a means to assist in dealing with bullying incidents.

(3) Tracking and reporting: Improved data collection, tracking and reporting is needed to truly understand the impact of bullying in Ontario schools. All schools should be required to keep a quantitative and detailed record of all reports of bullying throughout each school year.

(4) Support for all: Bills 13 and 14 both recommend offering support, assistance and remedial programs to both targets and aggressors. The damage done by bullying is not, however, limited to the bully's chosen victims. It is far more wide-reaching than that, as its effects are felt by family members as well. Bill 14 identifies support options but falls short in recommending that these resources be offered, free of charge, to all parties affected by an act of bullying, for as long as is deemed necessary by an impartial medical professional or counsellor.

(5) Comprehensive policy for all school boards: Bill 13 would seem to suggest that school boards must each establish their own policies and guidelines regarding

bullying, prevention and intervention, and that these policies must be approved by the Minister of Education.

1420

Inconsistent policies and guidelines in different boards across the province lead to confusion, mismanaged time and too little accountability.

(6) Third party oversight: If there is to be a true and effective change to bullying challenges in Ontario's education system, there needs to be consistent and effective oversight. Extended jurisdiction of the Ombudsman—by the way, the private member's bill, Bill 183, was defeated by the Liberals, which would have included the education system as part of the MUSH group of—sorry, the word escapes me—to include third party oversight of school boards.

(7) Integrity, responsibility and whistle-blowing: In a similar vein, teachers' unions seem to be impenetrable fortresses that protect their own at all costs, even the physical or emotional well-being of a child—even a child's life.

(8) Absolute accountability: In reading over Bill 13, there is repeated use of the phrase "The minister may." In our experience, policies and procedures that incorporate the use of the word "may" or similar words are virtually worthless to parents advocating for their broken children.

Although all eight considerations are important, we feel that if these next four were in place five years ago, the outcome for our daughter and our family would have been different: third party oversight, either the Ombudsman or some other independent third party; integrity, responsibility and whistle-blowing; all-encompassing legislation to include not just students, but teachers, administrators and other employees; and tracking and reporting.

Our family has seen first-hand how a dysfunctional, unaccountable education system can destroy lives, and we are not alone. If the powers that be had consulted the experts on the issue of bullying, many of us would not be here today. The definition of "expert" that we are using comes from the word of one of the most influential Canadians in a generation, Malcolm Gladwell. He wrote, "In fact, researchers have settled on what they believe is the magic number for true expertise: 10,000 hours." The grassroots safe schools organizations that have sprung up across the province and have spent countless volunteer hours are the bullying experts in Ontario. Sadly, our provincial government has all but ignored these experts in the field and failed to consult with them before drafting Bill 13.

I'd like to end with a quote from a trustee in Bluewater. He said the following: "A child's right to an education does not trump another child's right to safety." Thanks.

The Chair (Mr. Ernie Hardeman): Thank you very much for your presentation. We have about five minutes and we will start with the third party.

Ms. Cheri DiNovo: Thank you very much for your presentation. It actually included some items that we haven't heard heretofore, so thank you for that.

Just a reminder: We're the party that has always called for Ombudsman oversight over the MUSH sector, so thank you for that.

Mr. Joe Grieco: Yes. You're welcome.

The Chair (Mr. Ernie Hardeman): Government?

Ms. Tracy MacCharles: I just want to say thank you for taking the time, for your thoughtful input and presentation today. No further questions.

The Chair (Mr. Ernie Hardeman): Thank you very much. The opposition: Ms. MacLeod.

Ms. Lisa MacLeod: Thank you very much, Mr. Grieco. I really appreciate your coming here today to speak to the committee. I generally try not to comment. However, I often do.

When you spoke about the process—and I guess this is what mostly concerns me—I think in a minority government we could have done something pretty revolutionary with this and that maybe we could have had public hearings at the very beginning of the process, much like they used to in the early 1980s with select committees—

Mr. Joe Grieco: Agreed.

Ms. Lisa MacLeod: —and we did once with the mental health one.

I'm just wondering, from your process—I mean, you are an engaged parent; you're with an anti-bullying coalition. I take it you were with the coalitions that met on the weekend in Guelph.

Mr. Joe Grieco: Yes, I was.

Ms. Lisa MacLeod: Would it not have lent more credence and credibility to moving ahead on anti-bullying legislation had we done this process earlier on a big social issue like this one?

Mr. Joe Grieco: Absolutely. I think me and a lot of the other members of the coalitions felt that the amount of hours we put in and the knowledge could have helped out the Legislature in drafting a much stronger bill. Right now, we're running short in time if we want to get it ready for September. Unfortunately, I don't believe that we're going to find that we're going to have a bill that is as powerful as it should be.

Ms. Lisa MacLeod: Are you worried that if a bill passes this Legislature that's not strong enough, we won't have another opportunity to bring in stronger legislation?

Mr. Joe Grieco: Absolutely. I think issues tend to come and go and especially the media will probably put this issue aside, that it's done and over with. But in the meantime, I think a lot of children will continue to suffer.

That's one of the reasons why I strongly feel that the Ombudsman or another independent third party, just for education, if that's how you want to make it—if all parties can't agree that the Ombudsman should expand his or her jurisdiction over all the MUSH areas, then at least for education. It's important that the school boards have some oversight, third party independent oversight.

Ms. Lisa MacLeod: Joe, I just want to say that a lot of parents have come in over the past two days now. I suspect in the next couple of weeks we're going to see

the same thing. It takes an awful lot of courage to speak to a lot of professional politicians. I want to say thank you very much for taking the time to present to us.

Mr. Joe Grieco: You're quite welcome.

The Chair (Mr. Ernie Hardeman): Thank you very much for your presentation. That concludes the time allotted. We thank you again for coming in and making your presentation.

Mr. Joe Grieco: Thank you for having me.

LONDON ANTI-BULLYING COALITION YORK REGION ANTI-BULLYING COALITION

The Chair (Mr. Ernie Hardeman): The next delegation is the London Anti-Bullying Coalition, Corina Morrison, executive director. Good afternoon and welcome. Thank you very much for coming in. As with the previous delegations, you have 15 minutes to make your presentation. That 15 minutes is for you to use as you see fit. If there's any time left at the end of the presentation for questions from the committee, we will have questions from the committee.

With that, if you would start your presentation by introducing yourself into the microphone so Hansard could record it, and then the floor is yours to proceed with your delegation.

Ms. Corina Morrison: Thank you. My name is Corina Morrison and I'm with the London Anti-Bullying Coalition. I am here representing 500 members from the London area and I'm also here presenting on behalf of the York Region Anti-Bullying Coalition.

Thank you for the opportunity to speak with you today. I am speaking to you as a community leader and a mother of two sons who dealt with bullying for over four years.

Today I'm here to ask that you consider amendments and have one bill strictly devoted to anti-bullying. We feel any anti-bullying legislation should ensure the following: (1) every child has the right to be safe at school; (2) safe schools lead to safe communities; (3) everyone has a role to play in building a safe community.

As you know, a great deal of work has been done with regard to anti-bullying legislation. While we appreciate the purpose of Bill 212 and Bill 157, they didn't quite get the job done, and that's why we are here again today.

We are pleased that so many of you are genuinely concerned over the well-being of our youth. To have two bills before us demonstrates the desire to ensure safety for all children. In our package, you will find an analysis of both Bills 13 and 14, clause-by-clause, with our comments in red. A chart of pros and cons for both bills is also included for you to peruse at your convenience.

1430

In our opinion, Bill 13 is vague and lacks detail. We would prefer a bill strictly devoted to anti-bullying. We are pleased to see that Bill 14 includes: a clearer definition of "bullying"; early intervention incorporated into

the curriculum; a ministry model for prevention and intervention plans; the development of detailed school board prevention plans; the provision of services for victims and perpetrators, though not the families; ongoing professional development; parental and community education; the publicity of anti-bullying initiatives and policies; the reporting of incidents and prompt investigations; the tracking of incidents of bullying and reporting to the public; and ongoing supports for both the victim and perpetrators.

Although a positive step, Bill 14 is not perfect either. We feel the following need to be included in Bill 14. There are a number of definitions when it comes to the word “bullying.” We feel the word “bullying” is too soft and actually assists at diminishing what a child is experiencing. In an adult world, it is called “assault,” “harassment,” “stalking” and “sexual assault.”

It is imperative that wording of any anti-bullying legislation be clear, exact and concise. A clear definition is required and must be all-encompassing.

Hold school boards accountable when they fail to uphold their responsibilities under legislation.

Provide a meaningful mechanism of recourse if the bullying issues are not effectively and promptly resolved at the local level.

The above inclusions would be a positive step forward in filling the gaps of what Bill 212 and Bill 157 failed to do. These inclusions speak to the safety of all students and must be included in anti-bullying legislation.

To date, our government has spent \$234 million on safe schools while, at the same time, failing to ascertain whether these programs do anything at all in reducing the problem or even assisting those youth who require supports.

It would be most prudent if data is tracked, collected and summarized, which we believe to be paramount in making sure what works and what doesn't. We often say, “If you can't measure it, you can't manage it,” which is the foundation of any successful business.

When serious and long-term aggression takes place, not only does it affect students involved, but it also impacts the extended family. Resources and/or services should be readily available to these families. They should not be left to fend for themselves as a result of administrative failure.

The London and York anti-bullying coalitions believe in an educational system in Ontario that will foster equality among all students, mutual respect for one another, and a culture of fairness devoid of racism and violence. In order to achieve this result, we must all take responsibility over what transpires in our communities and, more specifically, the emotional and physical well-being of our children. However, when it comes to keeping our children safe while at school, we are failing.

As parents and from personal experiences, we would like to mention the total ineffectiveness of what mandates and policy memorandums represent. They cannot be relied upon in a court of law. They are nothing more than words written on a piece of paper, and their usefulness is

only determined by the conscience and integrity of the adults who implement. Where are the consequences for those charged to keep our children safe?

As proposed by Bill 13, we do not believe in suspensions. It is too punitive, and we want supports for the bully put in place.

Bill 14 offers supports for all students. We believe in remedial assistance, but we also believe in equal supports for the child at the receiving end of the aggression, which for the most part remains non-existent for the families who contact our coalitions.

The focus of both Bills 13 and 14 deals with the unacceptable behaviour of our youth and what to do about it. What is of most importance is, neither bill offers up consequences of any kind for adult failure to protect a student. Accountability for the failure to protect students is one of the most important factors of any kind of anti-bullying legislation.

In conclusion, if there is to be true and effective change to bullying challenges in Ontario's education system, there needs to be consistent and effective oversight. With that in mind, we are asking that you define bullying that encompasses all students. Hold schools and school boards accountable when they fail to uphold their responsibilities under legislation. Provide a meaningful mechanism of recourse if bullying issues are not effectively and promptly resolved at the local level.

Extending the jurisdiction of the Ombudsman to include oversight of school boards is an option that needs to be revisited for several reasons. As is evidenced by the increasing number of lawsuits against school boards, parents are not finding the responsibility and accountability they expect from their school boards. The vast majority of these lawsuits are centred on bullying incidents and inadequate responses to keep students safe. Autonomous school boards are not serving their students and families nearly well enough in this area. There is a clear need for third party oversight in order to hold school boards to account.

Thank you for this opportunity to speak, and I welcome any questions that you may have.

The Chair (Mr. Ernie Hardeman): Thank you very much for your presentation.

It'll start and stop on its own.

Ms. Corina Morrison: Sorry.

The Chair (Mr. Ernie Hardeman): We have about four minutes left. We'll start with the government. Mr. Delaney?

Mr. Bob Delaney: Ms. MacCharles?

Ms. Tracy MacCharles: Thank you.

Interjection.

The Chair (Mr. Ernie Hardeman): We started the last one with you, didn't we?

Ms. Lisa MacLeod: I think we're starting where we—to the person who we ended with last. We ended with me, so they go.

The Chair (Mr. Ernie Hardeman): Okay, go ahead. Ask your questions and then we'll go there and do there,

and the next time we'll get it all straight. Thank you very much.

Ms. Tracy MacCharles: Okay. First of all, thank you, Ms. Morrison, for being here today and for providing a very comprehensive package on behalf of your organization as well as York region. We do appreciate the time, and you've highlighted a number of thoughtful points for our consideration.

I just want to say, as a mom with a son who has been bullied because of his disability, I have great empathy for the comments you made, and I want to thank you for sharing your personal story with us as well as the representations you're making on behalf of hundreds and hundreds of members. It's always good to hear from many voices in these kinds of undertakings, and we appreciate your advice.

Similar to the question I asked someone earlier—and one of the things we're trying to talk about in Bill 13 is the provision that allows students to approach the administration if they want to form a club. The example I asked before was an aboriginal youth club, a group with disabilities and, if asked, a group for gay students. Can I get your feedback on that provision of the bill, please?

Ms. Corina Morrison: According to the Education Act, the principal is in charge of their school. They have all the discretion and authority that they want, so if a principal wants to have a gay-straight alliance or an aboriginal group or a group for Tourette's, then it's up to the principal.

Ms. Tracy MacCharles: So just to be clear, in this legislation, it provides for students who want to form a group of any number of topics to approach the administration.

Ms. Corina Morrison: Absolutely.

Ms. Tracy MacCharles: I just wanted to clarify that and get your reaction to that.

Ms. Corina Morrison: Yes.

Ms. Tracy MacCharles: Thank you again for your time today.

The Chair (Mr. Ernie Hardeman): Mr. Tabuns.

Mr. Peter Tabuns: Thank you. Ms. Morrison, thank you for coming today. It's nice to meet you in person.

Ms. Corina Morrison: Thank you.

Mr. Peter Tabuns: The question of holding schools and school boards accountable—and I haven't read through your brief, but could you talk a bit about the mechanism that you see in order to make that a real thing?

Ms. Corina Morrison: It actually was your bill that Rosario Marchese brought forward—I don't know how long ago; maybe a year or two ago—Bill 83, which included school board investigations through the MUSH factor.

Our parents—what they report to us is that they go to the teacher, they go to the vice-principal, they go to the principal, they go to the superintendent, they go to the safe schools superintendent, all the way up to the ministers. I even bugged Mr. Hardeman quite a bit over the years on this, because there is nowhere where the buck

stops. We need either the Ombudsman to be able to investigate these situations or a third party to investigate, because right now parents are not getting the solution that they need to keep their child safe.

1440

We have children at home as we speak today who have not been in school for five weeks because they are too afraid to go, and they have not been contacted by anyone from the school board. That is a shame and that should not be happening. We have kids on suicide watch. Parents don't know where to go.

That's why a coalition was formed. We just keep pushing along, quietly from behind the scenes, for a change. We don't want any more suicides. We've had six since September.

Mr. Peter Tabuns: No. None of us want that.

Ms. Corina Morrison: We want a bill that is strictly devoted to anti-bullying for all students.

Mr. Peter Tabuns: So the proposal by Rosario Marchese in Bill 83 to extend the power of the Ombudsman to schools, you see as a critical piece of this?

Ms. Corina Morrison: Absolutely.

Mr. Peter Tabuns: Okay. Thank you.

The Chair (Mr. Ernie Hardeman): Thank you very much for your presentation. That concludes the time. We thank you very much for coming in and wish you well. You can keep bugging Mr. Hardeman—

Ms. Corina Morrison: Thank you.

ONTARIO PRINCIPALS' COUNCIL

The Chair (Mr. Ernie Hardeman): Our next delegation is the Ontario Principals' Council. Thank you very much for coming in. As with the previous delegations, you're allotted 15 minutes to make your presentation. If there's any time left at the end of the presentation for questions or comments, we'll give the opportunity to the members of the committee. Starting the next round—we started on the right, but in the next one the official opposition will start.

With that, before you speak, if you would just put your name on the record for Hansard, we'd very much appreciate that. The floor is all yours.

Mr. Colin Fleming: Colin Fleming.

Mr. Naeem Siddiq: Good afternoon. My name is Naeem Siddiq. I'm the president of the Ontario Principals' Council.

Once again, good afternoon, and thank you for the opportunity to appear before you today. My name, as stated, is Naeem Siddiq and I am the president of the Ontario Principals' Council and a secondary school principal. With me today is Colin Fleming, who has been an elementary school principal and a safe schools principal with the Toronto District School Board.

During our time today, we will address the bills, but we've also prepared a more thorough leave-behind.

The OPC is the professional association representing more than 5,000 principals and vice-principals in Ontario's public secondary and elementary schools. Let me

start by saying we welcome both Bill 13 and Bill 14 as ways to further address bullying and promote safe and inclusive school environments.

We also support the inclusion of school safety as a stated purpose of school discipline. This important element has been missing from the legislation to date, and has caused some people who advocate for students facing disciplinary action to argue that the safety of victims and other students is not relevant to disciplinary determinations. We are pleased that this legislation supports a more balanced approach.

We need to acknowledge that bullying is a societal concern, not just a school concern. We all have to consider how we treat others and model behaviour for students in our homes, on the roads, on the playing field and in our workplaces. Respect for one another, even in difficult circumstances or situations of conflict, is essential modeling for impressionable young people.

The definition of bullying proposed in Bill 13 is similar to the one currently in PPM 144 and therefore already in use in schools. We would strongly encourage you to take this opportunity to further refine that definition, with the goal of enhancing clarity and improving protection for students facing bullying.

To achieve greater clarity and empower principals to deal with all bullying behaviour, we recommend that you remove the qualifiers “repeated” and “aggressive” from the definition as these limit the principal’s discretion to identify certain conduct as bullying. We also have some concerns about the required evidence of a power imbalance.

By including references to “repeated,” “aggressive” and “power imbalance,” you are depriving principals of the opportunity to teach those students that their behaviour amounts to bullying, and to respond to it accordingly. It also creates a disconnect for victims, who certainly will view such behaviour as bullying.

The word “repeated” in this definition has the practical impact of excusing some behaviour that should be dealt with as bullying, and such a limitation does not align with the purposes of this bill. The word “aggressive” limits the principal’s ability to identify such subtle examples as bullying and to deal with them accordingly. As well, the requirement for a power imbalance can be problematic, given that bullying alone can shift the balance.

In the alternative, if you feel strongly that you cannot remove these qualifiers, please consider restoring the word “typically” to the definition presently in PPM 144, because this will at least invest principals with the discretion to act upon one-time or non-aggressive acts of bullying when necessary.

In a poll of school principals from across the province, the most significant factor that they cited for their decision not to suspend a student for bullying was that it was unclear whether the behaviour amounted to bullying. It is essential that a strong, fulsome and definitive definition be included in the bill so that teachers, principals, students and parents know exactly what constitutes bullying.

The most important way to prevent and address bullying in schools is to establish caring, safe, accepting school environments by creating a positive culture in the school. If principals were given the time and the resources to do this one thing, it would make a significant difference in the number and severity of bullying incidents.

One of the most effective tools for establishing caring, inclusive school communities and preventing bullying is the presence of an adequate number of adults to supervise and interact with students. We have to increase all forms of supervision so kids are safe. Students who bully try to avoid detection by the adults, and most bullying takes place in areas of the school that are undersupervised. The safety of kids in our schools is too important to be left to the bargaining process, and we are confident that parents would agree that additional supervision resources are required.

According to a study by Rona Atlas, Debra Pepler and Wendy Craig, teachers only intervened in 14% of classroom bullying episodes and 4% of playground episodes. To understand why it is happening, we need to look at a related study that asked teachers to indicate why they did not intervene in a bullying incident. Almost 82% said they were not aware that the situation constituted bullying. That study makes it clear that teachers and principals need more and better training to understand what bullying is so that they can prevent it and intervene when necessary. That is why we have focused on simplifying the definition of bullying and are calling on the government for leadership in developing a province-wide anti-bullying program. It is important that everyone in our school community—teachers, principals, students, parents and trustees—receive education and training to recognize bullying and deal with it appropriately.

While principals have the ability to suspend students who engage in persistent dangerous or inappropriate behaviour, we are often discouraged or even prevented from using this tool. Principals have been under increased pressure not to suspend students and to get suspension numbers down. For students with special needs or in cases involving mitigating factors, we are often prevented from suspending altogether. While suspensions are not the first step or even the preferred way to deal with bullying, sometimes the behaviour in question leaves no alternative, and a strong message needs to be sent to the bully, the victim and the school community. We should not face political pressure to keep the number of suspensions down to an extent that this disciplinary tool becomes unusable.

After reviewing the bill, here are our recommendations:

(1) The definition of bullying needs to be revised by removing the qualifiers “repeated” and “aggressive,” and restoring the word “typically” to ensure principals have the discretion to deal with all types of bullying behaviour. The requirement for a “real or perceived” power imbalance should be reconsidered.

(2) Principals need the ability and discretion to assign supervision to the adults in the school to prevent bully-

ing, intervene when necessary, create safe learning environments and ensure student safety.

(3) We need a province-wide bullying prevention plan, supported by research.

(4) Bullying prevention and acquiring social skills need to be a priority for our students, embedded in the curriculum.

(5) Training must be made available to teachers so they can recognize and respond to bullying. Principals need the funding and authority to ensure this training takes place.

(6) Trustees need better training, more understanding of the school culture and better awareness of the complexity of these issues, as they will continue to make decisions around suspension appeals and expulsions. They are not in schools every day and have difficulty understanding the seriousness of the more subtle, yet very damaging, verbal and social bullying faced by students.

We thank you for the opportunity to appear before you today and would be pleased to provide any further assistance to this committee to ensure a strong, workable, definitive piece of legislation that addresses bullying in schools.

Colin and I would now welcome any of your questions.

The Chair (Mr. Ernie Hardeman): Thank you very much. Did you want to make a presentation too?

Mr. Colin Fleming: No.

The Chair (Mr. Ernie Hardeman): You're just here to answer the tough questions?

Mr. Colin Fleming: Yes, sir.

The Chair (Mr. Ernie Hardeman): Very good. Thank you very much.

We have about six minutes left. We'll start with the opposition side.

Ms. Lisa MacLeod: Thank you very much, Mr. Hardeman. Thanks very much, Naeem. It seems like just a few days ago we were together in Niagara Falls at your convention, which of course it was. At the time, last Thursday, many of the principals in your organization talked about supervision with teachers. That's not something that's probably going to appear in legislation, but negotiations are coming up. Do you have a message for the government with respect to supervision?

Mr. Naeem Siddiq: Well, when it comes to supervision, our concern always has been that when people have discussions about minutes and about details of supervision, student safety cannot leave that discussion. If minutes of supervision is lessened for any person in the system, perhaps teachers, the students still need to be supervised, and we need to understand that if we want to decrease bullying, we're going to have to increase our presence—presence where the kids are and how the kids perceive our presence to be.

1450

Our message to any government is that all these things are related and you can't talk about them in isolation. When you talk about supervision or school culture, you

in essence are talking about bullying, because it's the adults in that place who need to reinforce that culture as they see it. And the more places we are, the better.

Ms. Lisa MacLeod: I appreciate you just clarifying that for us. Is there anything else that you wanted to add? I just want to obviously say thank you very much for presenting here today and for your thoughtful presentation. Is there anything else you would like to add?

Mr. Naeem Siddiq: I think one of the concerns we have is—we recognize the need for accountability, but we're concerned that if coming from this bill was just a series of reports that principals write in their room about bullying, it's not going to address the issue. The solution is to get out in the hallways and be with the kids and to know them very well.

Accountability can come in many forms, but results come in different forms. Results mean when students perceive their school cultures are changing. Me writing reports on how I respond to bullying without having an impact on it may make me feel accountable, but doesn't make me feel effective.

Ms. Lisa MacLeod: So the best way to change school culture is to ensure that you have the tools to do your job and that we change the definition of bullying to give you more power to do your job, as well as making sure that there are more teachers in the hallways and in the playground or the play area, particularly for younger schools.

Mr. Naeem Siddiq: Yeah. I've always felt that, in my opinion, every adult, when they arrive at school, is managing the school culture. The more adults who feel comfortable, trained and visible to manage school culture in the building all the time, the more likely that school is going to be a safe and caring environment.

Ms. Lisa MacLeod: Have you talked to the government about this yet?

Mr. Naeem Siddiq: We've talked to the government, yes, about what it is we believe that can move schools forward. We've suggested ideas even around this bill, and I think many people in our organization have actually put forward models that holistically have moved school cultures in a positive way which, hopefully, this bill will give more focus to; because I think there are other principals who, with proper supports, would do the same kinds of things in their school.

Ms. Lisa MacLeod: Okay. Thanks very much, Naeem.

The Chair (Mr. Ernie Hardeman): Questions from the third party?

Mr. Peter Tabuns: Naeem, thanks very much for the presentation. Thank you both for being here. I'm going to go to this question of training for teachers. What sort of resources are we talking about here? What sort of frequency are we talking about when we talk about training for teachers?

Mr. Naeem Siddiq: Well, we recognize very well that we're in a situation where resources are very limited right now in education. We're very cognizant of that reality. We do believe that many of the initiatives that have come

forward have had positive impacts on school learning. But perhaps it's a time to refocus some of the existing monies and existing times on to school culture-building.

What we're asking for is the opportunity and the will, sort of, to decide, if we're getting more money for PD and resources and time, to dedicate it to this problem and dedicate it to the discussion. I would like to empower my school staff to be school teachers and talk about what it is beyond just being classroom teachers and to have the time to work with them through professional development. To be able to control that professional development I think would allow me to build a school culture. That's what I'm hearing from all the members in the province.

Mr. Peter Tabuns: When you talk about changing the curriculum so that we're addressing social skills and bullying amongst the students, are you talking right through elementary and secondary in every year? Do you have a clear picture of what that would be like?

Mr. Naeem Siddiq: Yeah. I think the curriculum has done an amazing job in the past to change student perception and student cultures—societal values, perhaps: The way we've taught human rights, the way we've taught environmental concerns are great examples of our curriculum using, whether it be science or primary school education, to do that. The same can be done in bullying. If you look in elementary levels, relationship building and relationship growth need to be part of our school curriculum. They're sometimes not measured in test scores and EQAO results, but they're very important for our learning in the future. As you get into secondary, I've personally found in a secondary school that a school lacking that cultural basis doesn't know how to treat each other.

Classrooms, hallways, gymnasiums and auditoriums are all the places you deal with school culture, which helps create a norm of behaviour. But you have to be aware, because if you see bullying happen, you have to respond to it. So you have to have a combination of activities with responsible adults watching the behaviour while they occur.

Mr. Peter Tabuns: Okay. Thank you.

The Chair (Mr. Ernie Hardeman): Thank you very much, and we thank you very much for your presentation. We much appreciate that you took the time away from your other things to come here and help us out with these bills. Thank you very much.

Mr. Naeem Siddiq: You're welcome. My pleasure.

GUELPH ANTI-BULLYING COALITION

The Chair (Mr. Ernie Hardeman): Our next delegation is the Guelph Anti-Bullying Coalition. Thank you very much for being here. As with the previous delegations, we will allot 15 minutes for your presentation. You're entitled to use any or all of that time for your presentation; any time that's left over we will ask the committee if they have any questions. The next round of questioning will start with the government side of the committee, and we will go from there. Thank you very much again for being here, and the floor is yours.

Ms. Lisa MacLeod: Chair, I think we should note that this is, I think, the first occasion that we've actually had students appear before the committee on these two bills.

The Chair (Mr. Ernie Hardeman): Exactly.

We do ask you that each person as they're going to speak—and if some of the youth that are here are not going to speak, if you would introduce them anyway for the record to tell Hansard that they are here. Thank you very much.

Ms. Lynne MacIntyre: Can I begin?

The Chair (Mr. Ernie Hardeman): The floor is yours.

Ms. Lynne MacIntyre: I don't know if I'm more nervous or them.

Good afternoon. My name is Lynne MacIntyre, and I'm the founder of the Guelph Anti-Bullying Coalition. I am pleased to make this submission today to the Standing Committee on Social Policy.

I'm here today as the mother of a child who has been mercilessly bullied at school. The bullying that he has endured for the past nine years involves verbal insults, threats, physical assaults and a terrifying incident involving a knife. Words can't begin to describe what horrific acts have been thrust upon my son, as much of it is too foul and too painful to repeat.

This has obviously had a profound and negative impact on my son and our family. Sadly, his experiences are not unique.

Because the school system is not equipped to deal with bullying, and the current legislation is flawed, a change is needed. It is my belief that we all have a responsibility to make an effort to be part of a growing movement to talk about and stop bullying.

Here are some other things that I do know. Bullying is a learned behaviour. It is a cyclical problem, and if not addressed in childhood, it will burden our medical, policing and social service programs with hurt and hurting adults. Simply put, bullying costs time, money and literally lives.

Because current legislation allows for too much inconsistency in responding to bullying, we have a patchwork of anti-bullying approaches across the province. As a result, we have inconsistency from school to school, board to board and city to city. Bullying has become such a prevalent part of school life that anti-bullying measures cannot be buried in a larger piece of legislation.

This is a non-partisan issue, and it is my expectation of all MPPs to look at the issues today and keep their focus on all of our children. In fact, I will challenge all of you to look at that the opportunity before you today. It is probably one of the few times that all parties can set aside their political beliefs and convictions and work together to create the most meaningful piece of legislation in Ontario and, in fact, in Canada—a law that will protect all kids from all bullying.

Currently, we have better legislation in place to protect adults in the workplace than we have to protect children in our schools. School has become a battleground, and it is open season on those who are vulnerable and different from the rest.

The following children have endured horrendous torment and were repeatedly let down by the system, and their only choice was to continue taking it or to take their own life: Christopher Howell, age 17; Brendan Deleary, age 15; Bryten Brown, age 13; Jamie Hubley, age 15; and Mitchell Wilson, age 11. These children were bullied because of a disability, because they were gay or just because they were a little bit different from the rest.

If you pass legislation that creates the perception of a hierarchy of targets, my fear is that my son will not be protected, and other children will fall through the cracks. Which one of these children that I just mentioned wasn't worth protecting? Is the school system equipped to have safe rooms or clubs in the schools for kids with a disability, with green eyes, that run a little funny, who like to play by the rules or who do well in school?

1500

If we fail to have meaningful awareness legislation in place before the fall, I firmly believe more lives will be lost. We owe it to those children whose lives have been impacted or lost due to bullying.

After nine years of constant harassment, physical assaults, unbearable torment and even threats on my son's life, he doesn't want to go to school anymore. Instead of learning, he spends his time in class listening to snickering and name-calling, and recently they rolled up pieces of paper and smashed them with a badminton racquet off his face for an entire one-hour class. Not once did the teacher lift his head or notice, and therefore they didn't stop. With multiple paper cuts all over his face, I'm sure it was most humiliating and certainly most painful.

Every day I get in my car to go to work and I'm frustrated with myself because I spent the last hour begging him to go to school. The whole time I was riddled with grief and guilt because I know I'm sending him back to take more torment. How can any mother ask their child to go to school to be treated like an animal? I have little confidence that the people who are there to be responsible for his safety will do so. Every day I sit at work and I wonder, "What are they doing to him now?" Every day I wonder when I get home, "Will I still have a son?"

My son is not gay; my son does not have a disability; my son is kind and he plays by the rules. My son is just a boy.

I'd like to call on Briar MacDonald, a 12-year-old from Guelph, Ontario.

Ms. Briar MacDonald: Good afternoon. My name is Briar MacDonald. I am 12 years old and I go to St. Michael Catholic School in Guelph, Ontario. I am honoured to have the opportunity to speak to you today.

I have a friend, and his name is Mack. Mack is 14 years old and this past September Mack started high school here in Guelph. Last year, he wrote something that really made me think, and I hope that it will make all of you think too.

"I Am Just a Boy," by Mack.

"I am just a boy who didn't have any choices about the hell I have endured.

"I am just a boy who couldn't wait to go to school and learn and be liked.

"I am just a boy who wanted to make friends.

"I am just a boy who didn't get to realize this dream.

"I am just a boy who would walk around the playground alone and sad as I watched other kids play soccer and wished they would call me over to join in—just once.

"I am just a boy who never got picked for a team and was always last picked in gym class.

"I am just a boy who was teased for lacking in athletic ability and mocked for the way I run.

"I am just a boy who wanted to be accepted for my differences but liked more because of them.

"I am just a boy who doesn't understand why subtle yet constant badgering isn't considered bullying, yet it hurts just as much.

"I am just a boy who is tired of waiting for it to stop, waiting for adults to make kids accountable.

"I am just a boy who loves life, and laughter, and all the things that other kids like, and for that I am not different.

"I am just a boy who wonders if they think about the cruel things they say, the cruel things that they do."

Can you believe that? That is only a small part of Mack's thoughts and feelings. Can you imagine if you felt this way every single day?

How does this happen? How do we allow this to happen? Some 77% of students say they have been bullied. Bullying: We hear that word all the time, but do we ever really stop to think about what it means? Bullying means when a person is exposed over and over to negative action by one or more people and the person has a hard time defending himself or herself. Bullying is about power.

There are many forms of bullying, such as verbal—name-calling; social—leaving a person out; physical—kicking or hitting; cyber—using email or social networks to threaten someone; racial—saying bad things about a person's culture; religious—saying jokes about a person's religious beliefs; sexual—treating someone badly because of their gender; disability—making comments about someone with a disability.

We can stop bullying. We have the power. In fact, it's very simple. Some 77% of students say they have been bullied. Look around at all of the people in this room. That would mean that more than three quarters of us have been bullied.

We are all different. We all have things that make us unique. Should our differences make us the target? Among bullies, does this mean that it is bad to be different?

If we are tall, short, skinny or fat, should we be victims? No. We can stop bullying; we have the power. In fact, it's very simple. We just need to learn to accept everyone for who they are. That is the solution. If we could do that, there would be no bullying. Think about it. Kids are bullied because of size, looks, clothes, intelligence and athletic ability. If we could accept everyone

for who they are, then there would be no need to bully or pick on anyone.

If someone wanted to wear a green shirt with pink polka-dotted pants, let them. If someone wanted to sing out loud, let them. If someone wanted to dance around like a fool, let them, and join in.

If we took the time to think about how it would feel to not be accepted, we would realize that liking everyone for who they are is the right answer. Acceptance is the solution.

Have you been bullied? Has someone made you feel bad about yourself? Or maybe you're the bully. Acceptance is the solution. So, next time, think about it, because Mack is my friend and maybe, just maybe, if someone had thought about it, Mack would never have had to write that poem.

Ms. Lynne MacIntyre: Twelve years old.

Now I'm going to ask Kaleigh MacIntyre, my daughter, who normally fights with her brother, but she also loves him very much. Kaleigh.

Ms. Kaleigh MacIntyre: Hi. My name is Kaleigh, and I need your help. I'm sure everyone here today has been bullied at some point. In fact, I am sure that most of you have probably bullied someone, too.

But when I saw what was happening to my brother, I promised myself to never bully anyone, ever. I promised to help those who are being bullied because bullied kids need friends.

My brother has been through a lot, and my family has been through some really tough times because my brother has been the target of bullying for many years.

Sometimes my brother and I fight, but he doesn't deserve to be treated like this, especially by kids who don't even know him. Sometimes I worry he will give up, and that would be horrible.

I wish he could have those years back, so he could enjoy the things that most kids like to do, like sleepovers and birthday parties. But I know that can't happen.

So what would make me happy is to see that the anti-bullying act is passed. I don't really know what needs to happen to change the law, but I know that things need to change so it will get better for my brother and other children.

Will you, please, pass the bill to help my brother and other kids have a better chance of childhood?

Ms. Lynne MacIntyre: In closing, I would strongly recommend that you review all the recommendations before you today and throughout the week and pass anti-bullying legislation that provides the following: a clear definition of bullying; a law that protects all kids from all bullying; a law that is clear, concise and consistent; has clear accountabilities to those who are in power to keep our children safe; third party oversight to measure the successes and gaps; and appropriate measures and responses for the bully, the bystander and the victim.

On behalf of my son and the thousands of targets of bullies across Ontario, thank you for this opportunity.

The Chair (Mr. Ernie Hardeman): Thank you very much for your presentation. It does conclude the time for

the presentation. I wanted to say earlier when you came in that it was suggested that we mention the age of the presenters, but obviously it had nothing to do with the quality of the presentations, because I sure wish I had a friend like Mack had.

Ms. Lynne MacIntyre: Thank you.

The Chair (Mr. Ernie Hardeman): So thank you very much for being here.

THE MISS G PROJECT FOR EQUITY IN EDUCATION

The Chair (Mr. Ernie Hardeman): The next delegation is the Miss G Project for Equity in Education. Thank you very much for coming in. We welcome you. As with the other delegations, you have 15 minutes to make your presentation. You can use any or all of that time. If there's any time left at the end of the presentation for questions, we will start this round of questions again—since we didn't get to do it last time, we will start with the government side in questions.

1510

When you start your presentation, if each one of you would introduce yourself for the Hansard so we can put it in the record as your being here. With that, the floor is yours, and so is our attention.

Ms. Alison Fisher: Thank you for the opportunity to present today. My name is Alison Fisher and I'm a doctoral candidate in the faculty of education at York University. I'm also a secondary school teacher, currently on temporary leave from the Toronto District School Board. I'm here today with Dr. Dominique Rivière, who is a research officer at the Centre for Urban Schooling at the Ontario Institute for Studies in Education at U of T; and Rebecca Roach, curriculum leader of student success and secondary teacher of English literature with the Toronto District School Board. We're here today as representatives for the Miss G Project.

The Miss G Project for Equity in Education is a grass-roots feminist organization working to combat all forms of oppression in and through education, including sexism, homophobia, racism, classism and ableism. With a focus on education and especially curriculum reform, our mandate is to provide young people with the opportunity, support and resources necessary to critically engage with the world and become active citizens on issues that affect their lives and futures.

The Miss G Project works closely with Ontario students and has facilitated workshops with hundreds of high school students across the province. We also work closely with teachers, administrators, professors of education, teachers in training, parents and other stakeholders by building networks, hosting conferences and providing teacher resources, among our other activities.

In January 2012, the Miss G Project struck an advisory panel of teachers, lawyers and education experts to examine the strengths and weaknesses of this proposed anti-bullying legislation, particularly Bill 13. Our report has been provided to the Standing Committee on Social

Policy and, in general, the advisory panel of the Miss G Project felt that Bills 13 and 14 are important steps in the right direction. We applaud all members of Parliament who have advocated for action on the serious issue of school violence and we support their efforts with these bills. We are pleased with the bill's explicit goal of supporting equity and inclusivity within Ontario schools, as stated in the bill's preamble, but that said, we are very concerned that without some serious revisions, the bill that is eventually passed may negate its positive outcomes by subjecting many students, including those it purports to help, to greater harms.

Our full 20-page report has been provided, but today we have chosen to highlight three main issues within our report and corresponding recommendations to the committee on these issues. Firstly, I will speak briefly to the issue of vagueness in language within Bill 13, which could lead to misinterpretation, rendering the bill both ineffectual and possibly even harmful. I will also speak to the need for the bill to situate school violence within part of a broader social context where systems of power and privilege circulate; Dr. Rivière will be speaking to the need for the government to ensure that adequate resources are provided for schools and communities to sufficiently address the issues of equity, inclusivity and violence in schools, as outlined in these bills; and, finally, Rebecca Roach will be addressing our recommendation that this legislation needs to emphasize preventive and proactive responses to school violence rather than punitive responses. Then I'll conclude with some final words.

I'll begin in speaking to our review of Bill 13 and the fact that many members of the Miss G advisory panel were concerned with the use of the term "bullying." The term "bullying" derives from psychological and behavioural understandings of conflict in schools. Thus, two students fight, and their behaviour is deemed inappropriate or requiring modification. By focusing solely on conflicts and behaviour between individuals, we miss important elements of school violence; and it is our belief that in missing these elements, we cannot properly address school violence.

As the deaths of Mitchell Wilson and Jamie Hubley demonstrated, school violence is often triggered by prejudicial or discriminatory attitudes in relation to social identities, such as ability, sexual orientation and gender identity, among other social locations.

The language of the bill must be modified to address this issue. Therefore, we suggest using terms such as "harassment" rather than "bullying" to underscore the seriousness of the issue and better acknowledge the social context in which incidents of school violence occur.

Schools are situated within broader communities, so school environments reflect the challenges that we face within our communities and societies, including issues of systemic discrimination and oppression. In this way, school violence and harassment are problems for all of us, not just for the groups of students who may be involved directly in an incident on school grounds. Thus,

Bill 13 and Bill 14 must acknowledge this reality and definitions regarding what constitutes school violence.

Additionally, our group is also concerned with section 303.1 of Bill 13, which acknowledges the need for school boards to support student actions on issues of equity in schools. Specifically, we are concerned with the word "or", which has been placed in between parts (c) and (d) of section 303.1. We believe that misinterpretation could arise with the section, whereby school boards must support student groups who raise awareness on issues of gender equity, anti-racism and disability rights, but they could potentially choose to support student groups who wish to raise awareness on issues of sexual orientation and gender identity. We believe this option is created with the use of "or" in between (c) and (d), and we recommend that that word be taken out of the document.

Moreover, we are also concerned with the word "or" as it is used in section 303.1(d). Here, school boards are asked to support students who wish to create student groups and organizations "with the name gay-straight alliance or another name." Again, we feel that this "or" should be taken out of Bill 13. Students have the right to create groups of their choosing and call it what they will, as long as such groups are in keeping with the Ontario Human Rights Code and the charter of human rights and freedoms.

Groups like GSAs are extremely important in raising awareness and support among students about issues of homophobia and heterosexism in schools and combating discrimination relating to sexual orientation. In keeping with the Ontario Human Rights Code and the Canadian Charter of Rights and Freedoms, schools must provide spaces for students to combat discriminatory attitudes and beliefs. Thank you.

Dr. Dominique Rivière: Thanks very much, Alison. As Alison mentioned, my name is Dominique Rivière, and I am the research officer at the Centre for Urban Schooling at the University of Toronto.

I'm going to speak more specifically about the kinds of assumptions the bill seems to make with respect to the resources and the ability of schools to implement this policy in a meaningful fashion. In particular, I was concerned that the bill assumes the neutrality of schools and that staff are already well equipped and/or know how to support and care for students who may be experiencing harassment or other forms of school violence.

Our idea is that we would like the policy to be able to empower school staff and students within the school community as a whole to create a safe and equitable school culture and care for students in a more productive way. To that end, we have a number of recommendations that we would like to see taken up in future drafts of the amendment.

First, we would like there to be equity resources for teachers and all school staff to be developed and made readily available to any school or school district who wishes to use them.

We would like to see the formation of a school equity committee that includes both students and teachers and

other school staff in order to address proactively the kinds of equity issues that may arise in their school.

We would like to see an additional equity-focused PD day for teachers. Currently, they only have four, which we think, just across the board, is not enough. We would like to have another one that deals specifically with equity issues and how to integrate these across all aspects of school culture and school operations.

We would like to see an equity officer in each school, such as what is currently in place in terms of student success teams. We think that it makes sense to have a student equity or school equity team in place as well.

Finally, we would like to see some direction with respect to having foundational and integrated education in faculties of education across Ontario so that pre-service teachers themselves can also develop the skills and language around school violence and harassment they will need to be able to respond appropriately and effectively when they come across these issues when they begin their teaching careers.

I realize that's a very long list. I would just also like to advocate that the ministry invest in the kinds of training and resources that will be necessary for teachers to be able to make these become a reality. Thank you.

Ms. Rebecca Roach: I'm Rebecca Roach. I'm a secondary teacher with the Toronto District School Board.

Our third of the recommendations that we'll be addressing today focuses on the concern that the bill's responses appear to be punitive, mostly, in nature. We would like to see this dovetail nicely with progressive discipline, and we suggest to the honourable members Keeping our Kids Safe at School Act, Bill 157, as a historical context for this bill and where Bill 13, the Accepting Schools Act, comes from.

We recommend, therefore, the use of restorative practices, conflict resolution and other anti-oppression methods rather than suspension and expulsion. We're firm believers that discipline in school needs to be reflective of the fact that the root word of "discipline" is Latin for "learning," that schools are not places for laying blame and dishing out pain, and that schools are, in fact, the best place for students to learn and flourish in an environment that promotes learning and discipline as learning, instead of punitive.

1520

Studies also show that it is young men of colour with learning exceptionalities who face exclusion from school in disproportionate numbers. We believe the bill itself is about education, and that separation of policy and curriculum is not useful—that we need to create pedagogical spaces for equity and safety. Schools are absolutely the best place in a community to work on this. We believe the bill needs to focus its energies on community-building and staff support.

We finally want to just emphasize that both of these bills came out of the concern for the safety and learning of all students. We need to keep the moral imperative present in this bill forever at the forefront of our minds.

Ms. Alison Fisher: I just want to conclude, in ending the presentation, by reminding all of us in this room that

these bills were brought forward partially as a result of the death of 15-year-old Jamie Hubley, a self-identified gay student who was harassed and bullied since grade 7 for his sexual orientation. This harassment culminated in Jamie taking his own life as a result of the harassment, which was not properly addressed. If we really want to protect students like Jamie Hubley in public schools across the province of Ontario, we must seriously address violence that stems from homophobic and heterosexist attitudes and discrimination in schools. If we continue to make education on homophobia optional, this bill will fail in its promise to protect Jamie Hubley and students like Jamie across Ontario schools. Thank you.

The Chair (Mr. Ernie Hardeman): Thank you very much. We have about three and a half minutes left. We will go to the government side. Ms. MacCharles.

Ms. Tracy MacCharles: Thank you all for your presentation today and your thoughtful comments. We always hear new ideas from each delegation that comes in. I'm speaking as someone who has chaired school community councils for years and worked closely with the school board in my community. I also know it's hard to understand all the different things we've set up, and we do have a number of committees, as you may know, involving curriculum. We have a student advisory council to the minister and so forth. I'm just wondering, on your recommendation for a school equity committee, if your recommendation is that we stand alone, or could it be integrated in with some of the other committees and advisory councils that are already in place that may not have the same mandate, but some similar mandates?

Dr. Dominique Rivière: I can answer that. I would say, just as a quick response, it absolutely should be integrated, because equity is an issue that touches all aspects of the school. It's not something that can be hived off into a particular day or particular week or even a particular half-day. It touches curriculum, it touches policy, it touches pedagogy; it touches what happens on the playground in terms of which students organize themselves; it touches what happens in the lunchroom, depending on how students sit together and how students don't sit together. So absolutely, it has to be something that is integrated into the very foundation of the operation of the school. Otherwise, it does become meaningless over time.

Ms. Rebecca Roach: We see this bill as a real opportunity for shared leadership and changed leadership. We think, involved in that, that means making those community connections rather explicitly. Again, it's an exciting bill and it's a bill that we think really opens the opportunity to make equity responsibility something that we prioritize in our classrooms, and the way that we do that is through support and education of our school staff.

Ms. Tracy MacCharles: Thank you.

The Chair (Mr. Ernie Hardeman): Thank you very much for your presentation. It's much appreciated. Thank you for taking time out of your busy schedule to be here with us today.

Ms. Rebecca Roach: Thank you.

CANADIAN CIVIL LIBERTIES
ASSOCIATION

The Chair (Mr. Ernie Hardeman): Our next presentation is the Canadian Civil Liberties Association. Thank you very much for being here today. As with the previous delegation, you have 15 minutes to make your presentation. You can use any or all of the time that you have. If there's time left over for further questions from the committee, this round, we will start with the official opposition for the questions. We'd ask you to state your name into the microphone for Hansard to record and with that, the floor is yours, as is our attention. Thank you very much.

Ms. Noa Mendelsohn Aviv: Thank you very much, Mr. Chair. My name is Noa Mendelsohn Aviv. I'm the director of the equality program for the Canadian Civil Liberties Association. Mr. Koch is kindly handing out a summary of our recommendations. There will be a full submission arriving within the next few days.

I'm here with Natalia Makuch and Mallorie Malone, who are with CCLA.

I want to start by stating what I think is the obvious for everybody, and that is that we are happy to see this initiative. We applaud the spirit and the intention of Bill 13, and that's the most important point: that we should be protecting vulnerable students from the kind of bullying and harassment that they experience, bullying that can transform an important educational and development experience into a terrifying and traumatic experience. We're happy that the bill is seeking to offer students some of the resources and the protections that they need when they are the subject of bullying.

At the same time, there are certain concerns that we have with Bill 13—and our emphasis will be there—in that it may curtail unwanted student behaviour in a way that may impact students' fundamental rights in unnecessary and overreaching ways. The good intentions of the legislators should be carefully crafted in order not to create overly restrictive provisions and unjustifiable restrictions.

It should be pointed out, Mr. Chair, that these bills, and Bill 13 in particular, are addressing two relatively recent developments. It is fairly recent that legislators are taking on the task of trying to define and respond to and prohibit bullying. It is also fairly recent that schools are feeling the need to control and respond to off-campus behaviour and, in particular, online behaviour.

So we would urge this committee and we would urge this House to tread carefully when going into new territory, be mindful of the countervailing considerations and the fundamental rights of students, and not overreach in an attempt to do the good that this bill is trying to do.

While we recognize that schools are, of course, special places and that students need to be protected, there may be a space to limit student rights in certain circumstances where there is a material or substantial interference with learning. However, we also know that students in schools are also people in Canada under the law and, as such, are

entitled to the same basic rights and freedoms that all of us here in this room are, regardless of our age, and that includes the right to freedom of expression; freedom of association; freedom of thought, belief and opinion, life and security of the person; and the fundamental right to equality. I haven't listed all the rights in the charter, but all of those are implicated in Bill 13.

The rights and freedoms in the charter, the ones I've just mentioned, are essential for a healthy and functioning democratic society, and they're also essential in the education of our youth, who are going to be, with any luck, healthy and functioning democratic citizens. This has been affirmed in the Supreme Court of Canada in the case of A.M. They said that learning respect for those rights is essential to our democratic society and should be part of the education of all students. These values are best taught by example and may be undermined if the students' rights are ignored by those in authority.

I'll jump ahead now to the issue of gay-straight alliances, which, of course, takes us to the rights to freedom of expression and freedom of association.

It is a very sad but also very well-known fact that LGBTQ students are often the target of horrendous bullying, and more so than many other students in our schools. It is also a tragic and well-established fact that LGBTQ students have a disproportionately high rate of teen suicide, approximately four to seven times that of heterosexual teenagers. It is likely this that has led the Ontario ministry to create policies that explicitly mention GSAs and that has led to the mention of a group like a GSA in Bill 13.

As you've likely heard from several others—but I do feel the need to say it—the inclusion of the clause “or another name” is problematic. Certain school board trustees have already said that they will interpret this little phrase to mean that they will not allow students to choose the name of their clubs. This statement is consistent with the current situation in Ontario's Catholic schools and it is consistent with the recommendations made fairly recently by the Respecting Difference guidelines, produced by the Ontario Catholic School Trustees' Association.

1530

How a student club is named is a matter of fundamental rights, and barring any justified educational restriction, members of that club should be making the name of their club. It's a matter of autonomy. It is a matter of student empowerment, which is particularly important for a disrespected, often powerless, group. It is a matter of practicality of marketing and outreach. It is a matter of safety for those who need to know that there is a club available for them. It is a matter of sensitivity to the needs and nuances of the club, whether students want to call it the rainbow club to include transgender students, for example, or a gay-straight alliance. To prohibit students or not allow students to use their club name in itself sends a discriminatory and intolerant message.

But all of that is an aside because what we come down to at the end is that students have the fundamental and

constitutionally protected right to freedom of expression and freedom of association, as I said earlier, and it is not a choice for schools, boards or even for this honoured Legislative Assembly.

At the end of the day, it is the responsibility of this House to protect the safety and the freedoms of young people in schools. If certain school boards are violating student rights, as reportedly they are, if they are singling out LGBTQ students for discriminatory treatment, as reportedly they are, it is the responsibility of this Legislative Assembly to rectify the situation, to protect the youth and to protect their rights. For these reasons, we recommend the simple deletion of the words “or another name.”

We also note that in Bill 13, although there are several references to homophobia and sexual orientation, there is only one mention—in clause 9, the GSA clause—of gender identity. There is no mention of transphobia, yet it is trans students who are at an even greater risk of verbal, physical and sexual harassment than other sexual minority students. Bill 13 should be amended to include the terms “transphobia” and “gender identity” where relevant.

Next, I’d like to get on to the definition of “bullying” that is present in Bill 13. Because Bill 13 sets out disciplinary measures that may flow from the definition of bullying, we would ask this committee to consider carefully the definition. In this case, the definition contains many needed constraints, such as the need for repeated and aggressive behaviour and the important element of a power imbalance between bully and victim.

However, there are other elements, in particular the terms “fear” and “distress,” which could lead to the disciplining of students who wish to engage in discussions on matters of importance to them, just as we wish to engage in discussions on matters of importance to us.

For example, in a class discussing same-sex marriage in the United States, there may be a student with a sincere religious belief that homosexuality is wrong. If that student repeatedly and forcefully maintains their position in the context of that debate, that student’s statements might be construed as bullying under the current definition. Conversely, a student supporting equality rights for LGBTQ peoples could also be accused of bullying if they wish to repeatedly and forcefully raise allegations against certain religious organizations, such as, for example, the allegation that some religions institutions are exporting homophobic movements to Africa and South America. Debate clubs may get into trouble for debating contentious issues. Social studies classes may not be able to talk about Israel, Palestinians or the Middle East. All of this, if forcefully and repeatedly discussed, if it causes fear or distress to students in a minority position, could lead to discipline. Even in the schoolyard, a student talking to friends could face discipline for forcefully and repeatedly criticizing her own religion. All that is required is another student who is a minority and who experiences distress or fear.

So CCLA will recommend that the definition of bullying be revisited, at least with respect to discipline. The

definition should be sensitive to minority voices and to unpopular views. It should protect students’ basic rights, and it should make explicit mention of the rights of students to freedom of expression, association and equality.

But this does not mean that teachers, administrators, staff, educators and school boards should not act when behaviour and speech falls short of the punishable activity. There are a great deal of educational and behavioural approaches that an educator can and should employ in order to address negative behaviours. In fact, CCLA submits that it should be incumbent on school boards, administrators, social workers, teachers and staff to use various educational methods, even when the speech in question is not subject to discipline.

Educators should be alert to and obliged to consider intervening, like teaching, in situations that do not approach this threshold, such as situations when the speech may not be aggressive, it may not be targeted, but it might be insensitive and it might create an uncomfortable environment. It would not be inappropriate for a teacher to teach, if they heard use of the word “gay” as a pejorative term, for example.

In addition, with respect to definitions, “bullying,” in our submission should, only refer to behaviour affecting a pupil, as is the case in Bill 14.

Finally, I want to speak to penalties and disciplinary measures as proposed by Bill 13. Without repeating what I stated above, I want to add that schools should be encouraged to consider preventative and rehabilitative strategies and should not be requiring mandatory suspensions. There are a variety of technicalities that lead to the fact that students engaging in certain kinds of speech, certain kinds of activities, could find themselves subject to mandatory suspension in circumstances that we would find unacceptable, unthinkable.

For example, take the student I mentioned earlier standing with her friends on the playground repeatedly and aggressively discussing a situation that happened to her personally, criticizing her own religion for reasons that are truthful. If this causes harm or distress or fear to another student in a minority position, and if this speech can be viewed as an expression motivated by bias or hate based on religion—and it is not an implausible interpretation—this would result not in the possibility of suspension, but in mandatory suspension and all the harsher consequences that flow from section 310 of the Education Act, as amended by this bill.

CCLA is concerned that the proposed disciplinary measures, in particular, mandatory suspensions, are overly punitive. They do not preserve the educator’s discretion to respond to situations based on circumstances. Harsher penalties are known not to be effective deterrents and, in any event, there are many situations of real-life bullying that will not meet the threshold of punishment and that must be addressed.

Finally, Mr. Chair, I’d like to speak to the issue of the disproportionate impact on minority groups. I recognize, again, that this committee has likely heard something on this matter, so I will say very briefly that the proposed

disciplinary measures here are especially worrying in light of the potential impact on certain minority groups, in particular, as we know, racialized students and students with emotional or developmental disabilities, and all of this is exacerbated in the context of mandatory suspension.

As a result, I will re-emphasize that this House should tread carefully in creating these new disciplinary and, in particular, mandatory disciplinary measures. In light of these potential risks, the Canadian Civil Liberties Association submits that in introducing disciplinary measures for bullying, Bill 13 should also provide for a requirement that schools monitor how students from minority groups are impacted and whether there is in fact a disproportionate impact on certain groups.

I'll conclude, Mr. Chair, simply by restating that measures against bullying are welcome. Those measures don't have to be disciplinary in total. They certainly shouldn't be mandatory. There are many things that educators and administrators can and must be doing and this should be written into the bill to protect students, and those protections—and this too should be written into the bill—should include their fundamental charter rights and freedoms. Thank you.

The Chair (Mr. Ernie Hardeman): Thank you very much for your presentation. You had it right on the 15 minutes, so we thank you very much for your presentation.

Ms. Noa Mendelsohn Aviv: Thank you.

The Chair (Mr. Ernie Hardeman): We do appreciate you coming in and making the presentation to help us with our deliberations. So thank you again.

BLUEWATER CITIZENS FOR EDUCATION

The Chair (Mr. Ernie Hardeman): Our next delegation is Bluewater Citizens for Education. Thank you very much for coming in. As with the previous delegation, you have 15 minutes for your presentation. You can use any or all of it. If there's any time left at the end of the presentation, we will start with the opposition side in turning the floor over for questions and answers.

1540

If you will be so kind as to, at the start of your presentation, give Hansard your name for the record. With that, the floor is yours and we anxiously await your presentation.

Ms. Lesa McDougall: My name is Lesa McDougall. I represent Bluewater Citizens for Education and today, we're pleased to make this submission to the Standing Committee on Social Policy. We want to start by congratulating the government on their acknowledgement of the importance of legislation that would protect children.

I am a parent, a teacher and an advocate for public education that puts students first. I represent Bluewater Citizens for Education, a coalition that provides advocacy, support and access to information. We strive to promote accountability, transparency and open communication with all partners involved in a child's education. In

our advocacy, our goal is to promote a more positive relationship between ministry, school boards, communities and families, resulting in a safer school environment more conducive to excellence in education. We believe that all children have a right to be educated in an environment that is free of fear and harassment; indeed, the right to be safe and feel safe at school.

As advocates for safe schools, we share both bills' concern for strong public education that is the foundation of a productive and caring society. We also agree that bullying is an increasing problem that has dire consequences; further, that all partners have a role to play in creating a positive school climate and a safer school experience.

Overall, we'd have to say we're supportive of both bills' stated purpose to protect children; further, that bullying is a serious problem that requires a serious response. We're encouraged by the acknowledgement in both bills that current legislation falls short and that government needs to do more to ensure the safety of our children.

We're particularly pleased that both bills include:

- a belief that all students should feel safe at school;
- an understanding that students cannot reach their full potential when they feel insecure or intimidated;
- a recognition that a whole-school approach is required—government, educators, staff, parents, students and community;
- acknowledgement that there is a need for strong action to create safe environments and supports for all students;
- a definition of bullying; and
- the express desire to prevent bullying.

BC for E supports legislation that is all-encompassing and comprehensive as it pertains to creating safe and supportive environments for students in Ontario. We would like to see all parties working together in a spirit of cooperation to create safer schools for all our students. Together, we share this responsibility, and all of us need to be held to account. Parents, students, staff, administration, ministry—we're all partners in the business of promoting safe and healthy environments. The entire system and all of us need to be accountable to ensure the safety of our children.

I'm a parent, a teacher and an advocate. I didn't start out being an advocate; I started out being a teacher. Then I became a parent, and then I became an advocate. Bluewater Citizens for Education was born out of a sad realization for me personally and professionally that our system is broken and it needs to be fixed.

My son was assaulted on school property beginning in 2006, and for over a year and a half, it became a very, very overwhelming situation. I cannot adequately express the shock of realizing that my child was in a school in Ontario and unsafe; and that the adults who were in authority knew this, yet failed to judiciously apply the acts and laws that would have ensured his safety.

Ultimately, we removed our child from the only school he ever attended, out of the school that I attended,

out of the school where I taught in as a new teacher and served as chair of the parent council. I knew the protocols. I knew what should be done and what the protocols were supposed to accomplish and I followed them—to no avail.

As parents, we send our kids to school and expect them to be safe. Schools are in a position where they are surrogate parents with a duty of care. Yet the reality is that if a student is harmed while on school property, there is a risk that acts, policies or laws may or may not be implemented. School boards are autonomous, duly-constituted corporations that I have learned are accountable to no one.

In theory, school boards represent their constituents and, according to the ministry, are responsible for your child's education. But the role of trustee is a complex one that has been further eroded by Bill 177, and children are lost in the balance. School board governance is broken. It needs to be fixed.

The greatest irony in this sad traverse for our family is that the safest place for someone who is intent on wanting to inflict harm on a child is on school property. The rules just don't apply in the microcosm of the school community. An assault on school property might be "kids being kids" or dismissed as bullying, and done so at the discretion of the principal. To me, this was a revelation that I am still grappling with.

To be sure, Ontario does have some of the best teachers in the world. We have a great system. Our criticism is not of them; it is of the system and its failures.

As a parent, I've learned that I have to be my child's best advocate, but the system is such that the safety of children, though, is being left to the discretion of a few who, Lord willing, will apply the regulations, the acts and laws. However, there is a disconnect between what ought to happen in some cases and what, in reality, does happen in some boards. The safety of children should not be left to the discretion of those in a position of authority.

So we have some general recommendations today. Overarching them is the principal recommendation, which is that the current system needs to be accountable. The existing system is not. You're only as strong as your weakest link. The legislation currently allows for weak links.

There's no place for a parent in Ontario to go, should they believe their child is unsafe and their school board does not agree with them. As duly constituted corporations, school boards self-govern. This is not a bad thing in theory. However, as we have witnessed in Bluewater, the potential for crisis becomes reality when there is an absence of will to be accountable. Only after MP Larry Miller weighed into the debate, calling for "transparency, accountability, and good governance," and then-chair Yenssen declared the board "in crisis" did then-Minister Wynne send in supports. We've learned the system cannot self-police; even the Mounties don't do that.

The Ontario College of Teachers, mired in their own crisis, will merely direct parents back to their school boards. Of note here is the fact that the Ontario College

of Teachers has no appeal process. Even the College of Physicians and Surgeons of Ontario has such.

Second, the legislation must be clear and concise, and we've heard today a call from many groups that it must define "bullying." Call it what it is—assault, discrimination, a hate crime, whatever. Our submission offers a fuller definition drawing on the more comprehensive definition of Bill 14.

Further, the legislation must not create a hierarchy. The act must be for all, against all forms of bullying. The contentious nature of the language of Bill 13, section 303.1, leads not to unity in the battle against bullying, but a hierarchy. "When you name something, you exclude something else," said James Hubley's father, Allan Hubley—who committed suicide last fall.

Thirdly, we would agree that here needs to be Ombudsman oversight. This has already been discussed, but we would reiterate that there needs to be objective, arm's-length, third party oversight.

The legislation, too, must apply to all, not merely to pupils. We've learned of several situations, sadly, in our board where it wasn't pupils who were bullying others. Staff, administrators and the system need to be accountable as well within the legislation.

There need to be recommendations, as in Bill 14, that track the incidence of bullying. We would agree this is an important piece of the puzzle. You can't manage what you are not measuring, and sadly, that is the case in Ontario up to now.

On this point of Ombudsman oversight, Washington state has an education Ombudsman which provides a model as alternative to extending existing Ombudsman jurisdiction. They claim to resolve most of the complaints that enter into their realm and they do say that they resolve these complaints at a savings to the citizens of their state.

In conclusion, a society is only as strong as its commitment to protecting its most vulnerable; or as Dietrich Bonhoeffer once said, "The test of the morality of a society is what it does for its children." Let us demonstrate morality by doing what is right for children, by ensuring they, our most vulnerable and precious, are protected. It is our moral obligation, indeed, our duty, to do nothing less.

1550

We've given specific suggestions in the body of our submission, and I do hope that you will be able to take some time to look at those suggestions, too.

The Chair (Mr. Ernie Hardeman): Thank you very much for your presentation. We have about three and a half to four minutes, and we will start with the opposition.

Ms. Lisa MacLeod: Thank you very much, Chair. Lesa, on a number of occasions you have appeared at Queen's Park on behalf of small business and on behalf of your son and on behalf of other parents. I just want to say thank you for putting so much effort into your presentation today. I think everyone heard you.

You know what is really impressive to me? When the parents come to Queen's Park. It's so easy for a lobby

firm or a GR person to prep somebody, but to me it's the authenticity that you and the other anti-bullying coalition parents brought today to talk about your kids' stories and what you're doing to make things a bit better in your own corner of the world and how we can help you on the ground do a lot better. I place far more credence in the moms and dads that come here. No offence to those with the slick lobby firms, but at the end of the day, I really like the people that come in and tell us what's going on, where the system is broken and how we can fix it. I just want to say thank you for doing that today.

Ms. Lesa McDougall: Thank you.

The Chair (Mr. Ernie Hardeman): Do we have any further comment from the third party?

Mr. Peter Tabuns: Lesa, thanks again for coming in today and presenting. It's quite a distance to come.

The whole question of saying the minister "shall" establish policies makes a lot of sense to me. Do you want to expand on your thinking there about how ministers respond when they can or must do something?

Ms. Lesa McDougall: We've made a recommendation in our submission today that that language gets tightened up. Language like the ministry "may" require school boards to do something, the ministry "may" ask that this happens, leaves weak links in the system that need to be tightened up. We have suggested in our submission that language like the ministry "shall" not only holds school boards to account, it holds ministries to account as well. And while I appreciate that most politicians want their life cycle at Queen's Park here to be one of longevity, that's not always the case, and advocates for kids and for safe schools don't want to have to rely on the next round of politicians to come in and rewrite legislation that tightens that up.

So, yes, you're right, Mr. Tabuns. We do want to see it tightened up so that the ministry holds school boards to account and, moreover, themselves to account.

Mr. Peter Tabuns: And you've seen instances where, in fact, that permissive language resulted in inaction?

Ms. Lesa McDougall: Yes.

Mr. Peter Tabuns: Could you talk to us about that?

Ms. Lesa McDougall: Well, not only did it lead to inaction, it led to bullying incidents that we've become aware of that have continued. In our board—we were a board in crisis, self-described crisis by our chair—there was an incident, more than one incident, of teacher-on-student bullying; assault, really, is what it was. And it was not dealt with as it would have been had it happened in a shopping mall, had a child been assaulted.

What we have learned is, even though police did get involved, that school board administration dealt with it and told the school they dealt with it, and the police allowed them to do whatever they wanted to do in that case. In fairness, I think the police thought that it was going to be handled appropriately.

As a former teacher, I certainly believed that our profession was one of integrity, and I still do believe that, but I do believe that we need to protect, with language, and it's vital to do so. If you leave a lapse, that's where

there's going to be a disconnect, and kids fall through the cracks.

Mr. Peter Tabuns: Okay. Thank you very much.

The Chair (Mr. Ernie Hardeman): Thank you very much for your presentation. Much appreciated.

Ms. Lesa McDougall: Thank you.

MR. JASON GOLLOHER

The Chair (Mr. Ernie Hardeman): Our next delegation is Jason—

Mr. Jason Golloher: Golloher.

The Chair (Mr. Ernie Hardeman): Golloher. Thank you very much. Jason, if you'll come forward. As with the previous delegation, you will have 15 minutes to make your presentation. You can use some or all of the time; if there's any time left over, we will have questions from the committee. We will start with the official government side.

If you could take the chair, because if you don't sit we can't hear the voice on the Hansard.

Mr. Jason Golloher: No problem.

The Chair (Mr. Ernie Hardeman): If you could also express your name for Hansard.

Mr. Jason Golloher: Jason Golloher.

The Chair (Mr. Ernie Hardeman): Very good. Thank you very much. With that, we'll turn the floor over to you for your presentation.

Mr. Jason Golloher: Sure. My name is Jason Golloher. I'm a forklift operator. I work 11 to 7. I have three kids. I'm here because of my kids, really.

I voted Liberal three times, and I'm also a Christian, which is a paradox. But I'm not a fan of Bill 13, and I'll tell you why: because I honestly believe that reverse discrimination is not the answer to the problem of discrimination. I honestly believe that. I honestly believe that it actually makes the problem worse, really worse. I believe that approaching bullying with bullying is not the way to go. I believe that Bill 13, at least the parts about putting criminal legislation for having a differing opinion from the government, is not good with me personally, or for my kids, the reason being that I think in the long run we're going to hurt our kids, we're going to hurt parents, and we're going to hurt the gay and lesbian community. I'll begin my presentation with that.

See, I honestly believe that—you know, we're trying to protect the gay and lesbian community, right? We have zero tolerance in our schools to deal with bullying, so I don't think that's so much the issue, because any kind of bullying is bad, whether it be for red hair or—I got bullied for having brown skin. I lived in Oshawa and there weren't very many black people in Oshawa at the time. I got beat up every day. It's not acceptable, for obvious reasons. That's a no-brainer, right?

If we infringe upon the rights of other communities, say, a Christian community, a Muslim community, a Punjabi community—and they all have beliefs about this subject, right? They all have beliefs on this subject, and if we endorse just one belief, then we insult the rest of

them. If we close down the debate by legislating only one opinion, a single opinion, then you're going to insult a lot of parents who don't agree with that opinion. You're going to shut down a debate. Punishing people who don't want to endorse or participate in the debate only polarizes them against whatever opinion you're trying to force upon them.

I honestly believe that we should endorse a free and open society with free and open debate. I think there should be gay clubs, I think there should be Christian clubs, I think there should be Muslim clubs, I think there should be Hindu clubs; and I honestly think one of the other reasons I'm here is because I may not agree with someone's opinion, but I'm here to fight for their right to say it, because free speech and free thought is really important. It's one of the hallmarks of having a multicultural society. It's the reason why a lot of the immigrants who are here in Toronto—and there's a lot of them from different backgrounds, and most of them voted Liberal or NDP; most of them voted Liberal—came here, to get away from that: having a government or an institution force their opinion upon them. I honestly believe that their opinions are valid and they have things to contribute; at least that's what we told them. I believe that personally, that multiculturalism is important, and through discriminating against other ethnic or cultural communities' opinions on any subject, especially within the forum of a public school, that actually causes the person not to want to participate in the debate. It will polarize them, solidify them in their opinion. I believe it'll cause a backlash against the government and the gay community. I honestly do.

1600

Second of all, I believe that our kids should have access to all information and all opinions. They should have the right to form an opinion for themselves, with all the information available to them, not just one opinion and one set of information being pushed on them through legislation; okay? That's where I stand. They should be able to freely think, freely debate, freely participate or freely not participate in any opinion that we have within our sphere of society or within our province that's created by all spheres of society.

As a society, we should come to a consensus about subjects. The only way to come to a consensus about subjects is to actually have the freedom to be able to talk about it.

My kids will be robbed of that. I had that freedom, but my kids won't have it. They'll be robbed of that. They'll be totally robbed of the opportunity to think about something and speak freely about it. Parents will be robbed of their opportunity to have input into their kids and protect their kids from opinions that they don't—or even debate with their kids about it.

Basically, I think that they should have choice. They should have information. Kids should be empowered and so should the parents. If not, what's going to happen is, I really believe that there will be a huge backlash. The gay and lesbian community and the government will hurt because of it.

I'm sorry, I'm not so eloquent and I don't know all the legal terms; I really don't. I'm not going to pretend to. But I do know this. This is what I would like to see happen: two things.

I would like to see kids have the right to form their own opinion on any subject, including, especially, sexuality. I think the best way to do that is, if we have to have the curriculum, maybe we should have it out of the public school so they can learn about reading, writing, arithmetic and being a kid, because I really want to protect my kids' innocence and my kids' childhood. I want them to have a wonderful, awesome childhood where they don't have to be mired in subjects that they have nothing to do with, because they don't have the physical capacity to even question sexuality because they haven't even received it yet, until at least the age of 13 or 14, which would make it high school. They would be forced to rely either on their parents or the school, or both, to form their opinion because they can't physically or mentally form an opinion, and what they would find is a clash. They would find confusion. They would find anger. They would find discord. And they would have to choose between one camp or another. Either way, it will bring hurt to a kid. Either way will bring hurt to a community and hurt to a family, if that makes sense.

I think the other way you can do it is, you allow parents the right to pull their kids out of this. I don't think that's the best way, but at least maybe they can protect their kids till the point where they feel their kids are ready to enter into such a debate, if that makes sense. But I honestly believe that if we cause someone else's opinion or one community's opinion that's different from all the others to become legislation or a hate crime, we're on a really slippery slope, because what are we going to legislate next that people can't say or feel or think? What's next? Maybe we don't like the Muslims' opinion. Maybe we don't like the Christians' opinion. Maybe we don't like—who knows? I know that in Germany and Russia, it led to really dark places.

That's basically my opinion. Allow our kids to have the mental and physical capacity to debate such a question. Give them all the information and empower them. When you empower our kids, you will empower communities within a public forum. Because if not, I know a lot of parents who are already debating withdrawing their kids from the school. A lot of them are talking about moving province, too.

You won't accomplish anything except for more prejudice, more hurt, more pain and more strife between communities, especially against the gay and lesbian community, because they will be the focal point of all the rest of the communities' anger at having their right to their opinion taken away from them. That's all I have to say.

The Chair (Mr. Ernie Hardeman): Thank you very much for your presentation. We have about a minute and a half left. I'll ask the government if they have any questions. Mr. Delaney.

Mr. Bob Delaney: Well, Jason, let's start with what we have in common. I'm also a Liberal and a devout

Christian, so let's see if we have something else in common. Have you read the bill?

Mr. Jason Golloher: Yes. Most of it.

Mr. Bob Delaney: Okay. One of my colleagues will pass you a copy of the bill. Would you please tell me where in the bill, to use your own words, is "reverse discrimination" mandatory? I'd like to know that.

Mr. Jason Golloher: Hang on. I have a comparison here. I actually read the parts of the bill about four or five months ago—actually, not even; a month ago. It says here—where is it? You know, I would need some time to look over the bill and find out exactly where it was that I read the part of the bill that says that they're going to remove parental rights by the words "sexual orientation" inside the Education Act, by making it a legal matter of discrimination of parents on the subject.

Mr. Bob Delaney: So with the bill in your hands—and you're pretty much running out of time—would you care to write us back and let us know what specific sections of the bill you're opposed to?

Mr. Jason Golloher: I would love to.

Mr. Bob Delaney: Okay. Thank you very much.

Mr. Jason Golloher: I would love to. I have this thing that my friend sent me about the bill, and it quotes what the bill says, but it doesn't actually say where it says it inside the bill. If you want to see it, you can.

Mr. Bob Delaney: Now you have the bill, and I'd like to hear that from you.

The Chair (Mr. Ernie Hardeman): Thank you very much for the presentation. We very much appreciate the time that you took to come here and talk to us about your version of the bill. We appreciate that presentation, and we appreciate the help you've given us in our deliberations. So, thank you again for coming in.

Mr. Jason Golloher: Thank you very much.

PAN-ORTHODOX ASSOCIATION
OF GREATER HAMILTON
EASTERN ORTHODOX CLERGY
FELLOWSHIP OF TORONTO

The Chair (Mr. Ernie Hardeman): Our next delegation is the Pan-Orthodox Association of Greater Hamilton and Eastern Orthodox Clergy Fellowship of Toronto, if you would come forward. Thank you, gentlemen, for being here. We very much appreciate your participation.

As with previous delegations, we will have 15 minutes for your presentation. You can use any or all of that time. If you do leave time at the end of the presentation for questions, the next round of questioning will begin with the official opposition.

We'd also like to ask you, as you do your turn with speaking, if you would introduce yourself prior to speaking for the Hansard so we can record it into the panel. Thank you again for being here, and the floor is yours.

1610

Father Geoffrey Korz: Thank you, Mr. Chairman. Members of the committee, good afternoon. Please

accept our thanks for allowing us to speak before the committee on Bills 13 and 14.

My name is Father Geoffrey Korz and I am the dean of Ontario for the Orthodox Church in America and general secretary of the Pan-Orthodox Association of Greater Hamilton. With me are Father William Makarenko, the former chancellor of the Ukrainian Orthodox Church of Canada and president of the Pan-Orthodox Association of Greater Hamilton. To my right is Father Alexei Vassiouchkine of Christ the Saviour Russian Orthodox Cathedral, here in Toronto. Unable to be with us today is Father John Koulouras of the Greek Orthodox Metropolis of Toronto, president of the Eastern Orthodox Clergy Fellowship of Toronto.

Our clergy associations represent Eastern Orthodox churches from around the Golden Horseshoe, with about one quarter million faithful, about 2.5% of the province's population, almost all of which live in urban ridings.

Orthodox Christian communities across Ontario draw our members from a wide variety of cultural and linguistic groups, from Greece to Russia, North and Central Africa, the Middle East, Ukraine, Romania and the Far East, as well as a wide variety of other cultures.

I believe the members of the committee would agree that it is widely accepted that bullying is a genuine problem for students in Ontario schools. In every study one can find, a majority of students—often a vast majority—report being victims of some type of bullying. Yet the official data on the targets of bullying and violence paint a very different picture than the one we see in the preamble to Bill 13.

The preamble of the bill takes pains to outline each and every type of sexual self-identification that can be identified as a reason for being bullied. However, it does not elaborate in such a way about particular racial or cultural groups, nor about particular faith groups which may suffer targeted bullying. The emphasis of the preamble to Bill 13 certainly seems to reflect a preoccupation with bullying based on sexual self-identity.

In contrast to the proposed bill, Statistics Canada in their 2011 report on hate crimes indicates that bullying against religious groups is more than twice as common as bullying against self-identified gays and lesbians. Stats Canada further reported that the largest increase in that year was in attacks directed against people of traditional faiths, which increased 55% over two years.

Racially motivated bullying, not unexpectedly, was reported to be even more frequent than all other types of attacks. In fact, in 2009, Stats Canada reported that it was three Ontario cities—Ottawa, Toronto and Kitchener-Waterloo—that accounted for most of the increase in incidents of such attacks across Canada.

We must ask, why then does Bill 13 make repeated, special mention of LGBT anti-bullying initiatives, when such incidents represent only a fraction of the reality of bullying in Ontario schools?

In our communities, one can already see the impact in schools of initiatives and attitudes which have taken their cue from the introduction of Bill 13. For example, the

Hamilton-Wentworth District School Board anti-bullying resource document denigrates the traditional Christian view of sexual morality, calling it homophobic. In the same board, as part of the anti-bullying initiatives inspired by Bill 13, staff have already received talking points to counter parents who object, based on their faith, to LGBT-framed anti-bullying initiatives. I'd be pleased to provide that handout that the teachers received for the members of the committee.

The Toronto Catholic District School Board caved under pressure from its own staff to reject Roman Catholic teachings—in formal votes—and to adopt a number of anti-Catholic initiatives in anticipation of the guidelines proposed under Bill 13.

Anyone who has walked through the halls of an Ontario secondary school over the last year or so has also seen the sexually explicit pro-homosexualist posters being used in the name of combating bullying. Yet it is just this kind of material—this kind that emphasizes again and again the sexualization of young people—which is our concern when it comes to the impact of Bill 13.

We have already seen anti-bullying initiatives in local schools adopting strategies that have grown directly out of gay activism. In schools from Niagara to Hamilton to Kitchener to Toronto, pink T-shirt days, gay alliances, and stickers and poster campaigns designating gay-friendly classrooms are already underway, and Bill 13 enshrines them in law. Where I live, we have even seen one local elementary school host a cross-dressing day to oppose bullying against students who are confused about their gender.

All these initiatives have the very clear side effect—perhaps intended—of putting a spotlight on those who do not subscribe to their agenda and to undermine teachings from home, church, mosque, synagogue or temple that might teach something different about how we understand sexual identity.

By adding section 303.1(d), the establishment of gay-straight alliance clubs, or GSAs as they're known, the proposed Bill 13 rejects the traditional approach to human sexuality, marriage and modesty around sexual issues that is held by virtually every traditional culture around the world. It suggests that the views of one culture—a tiny, urban, liberal, white, elite subgroup of North American culture—are somehow entitled to trump the values and faith of almost every other faith and culture that make up our province. In these short but critical sections, Bill 13 reflects a very myopic, elitist, Western-centred view of the world and seems to be ideologically committed to imposing its own narrow doctrines on virtually every other cultural and religious group outside its own small circle.

Further, and perhaps most importantly, the establishment of gay-straight alliance clubs is an important part of the strategy to shift the centre of influence in the lives of struggling students away from the guidance of families and faith groups to the counsel of same-age teen peers. What does such a step say to the families with traditional faith and belief regarding sexual lifestyles?

Let me be clear: GSAs are not designed to combat bullying. They're designed to provide emotional support and affirmation for a variety of sexual lifestyles that contradict the path of virtually every traditional faith, including Orthodox Christianity.

As clergy, we must regularly deal with spiritual and personal counselling. As parents, it is truly frightening to us to imagine that our tax-funded schools would provide a forum in which the teachings of traditional faiths are undermined, and faith-based efforts to counsel our young faithful are contradicted in a public school by staff and guest speakers.

Just a few months ago in a secondary school in Dundas, Ontario, a woman who identified herself as a lesbian rabbi was brought in by school staff as a featured speaker at a school-wide anti-bullying assembly. Her purpose was not simply to speak out against bullying in general, or even to speak against the bullying of self-identified gay students. Her message was to attack the Old Testament, the scripture sacred to Christians and Jews, as an outdated, absurd document, and to tell students not to accept the beliefs of anyone who would follow it. Members of the committee, Bill 13 emboldens this kind of anti-religious attack, and this is the reason that any anti-bullying bill passed by this Legislature must not include any emphasis on one group over another, lest these small references be used as a hammer against people of faith.

Bill 13 in this respect is nothing new. It simply enshrines in law a variety of existing, highly ideological initiatives that exclude from public dialogue a wide spectrum of traditionally minded cultures and faiths.

Our task as spiritual leaders is to guide our faithful into lives that fully reflect the millennia-old teachings of our faith. Why on earth would members vote for a bill that would collide head-on with these efforts? Why would you undermine us?

As Orthodox Christians, most of our faithful come from places which experienced anti-religious persecution within living memory. I heard just the other day the story of a 94-year-old Serbian Orthodox woman living in our community who during the Second World War hid in a cave in a concentration camp in Yugoslavia while fascist soldiers searched outside, waiting for their chance to force her to deny her Orthodox Christian faith or die. You see, her faith was the problem for that government, just as it has been for Orthodox Christians living under the Ottoman Turks or the Communists or in countless other regimes. As priests of the Orthodox Church, we beg members, do not make our faith a target in Ontario's public schools under Bill 13.

Again, let me be clear: Orthodox Christians and others know how it feels to be targets. Any true and faithful Orthodox Christian would be the person most willing to stand up to protect the physical and emotional safety of a self-identified gay student. This is simply Christian mercy, but it is not agreement. With the provisions of Bill 13 allowing our faith and the traditional faiths of others to be labelled "homophobic" and "bigoted," On-

tario schools would actually undermine the positive contribution to our school communities of people of traditional faith and values. How can this be a positive step toward humanizing and civilizing our schools?

Most of the Orthodox Christian faithful in Ontario come from immigrant families, many of whom do not speak English, and most of whom are unlikely to speak up about this issue. They are working families who will not write letters, nor will they call their MPP or school trustee. But one thing they will do, almost invariably, is vote.

1620

Please ask yourselves, what will you say to families in your constituency of traditional faith who discover that their 14-year-old has been part of a GSA for months without parental approval?

What will you say to constituents who are concerned that Bill 13 and related regulations offer no exclusion for families who do not want their kids involved in GSA clubs, or from related curriculum in class?

What will you say to a voter at the door whose child has rejected their faith and cultural community because something they learned in a school club dramatically shifted their sense of faith and values against their family?

What will you say to faith leaders in your community who must, in their local high school Christian club, provide a variety of contrary world views but who would never be invited to speak at a high school assembly because this bill labels them “homophobic”?

Should Bill 13 pass with the inclusion of these inequitable sections favouring LGBT activism, members will also be faced with the question of how they will answer these concerns at the doors when they are circulated through the ethnic and religious media in the months ahead.

Let me urge the members, whatever bill you pass, please ensure it makes no distinction between the type of victim of bullying or the type of club that would support them. You have a good model in Bill 14, and I pray that you will take this opportunity to unite Ontario students and not to divide them.

Thank you.

The Chair (Mr. Ernie Hardeman): Thank you very much for your presentation. We have just a little over a minute left, so do we have any questions from the official opposition? Ms. MacLeod.

Ms. Lisa MacLeod: Thank you very much. I appreciate the opportunity you took today to speak to all of us. It was very kind of you to mention Bill 14, which is under my name but of course was drafted by Elizabeth Witmer, the former member from Kitchener–Waterloo.

I’m wondering if you could provide us with the Statistics Canada 2011 report on hate crimes. I would really like to see that, and provide and circulate it through our clerks so that we’re all able to see it.

Father Geoffrey Korz: It’s available online in a simple search, and I am circulating already the handouts

that were used in the Hamilton–Wentworth school board giving staff talking points against religious parents.

Ms. Lisa MacLeod: Okay. Thank you very much.

Father Geoffrey Korz: You’re welcome. Thank you.

The Chair (Mr. Ernie Hardeman): Thank you, gentlemen, for your presentation today. We very much appreciate your coming in.

YORK REGION ANTI-BULLYING COALITION

The Chair (Mr. Ernie Hardeman): Our next delegation is the York Region Anti-Bullying Coalition.

Ms. Karen Sebben: Hello.

The Chair (Mr. Ernie Hardeman): Hello.

Ms. Karen Sebben: Hi. Good afternoon. Can everybody hear me?

The Chair (Mr. Ernie Hardeman): Yes, we hear you.

Ms. Karen Sebben: I’m not hearing you as well. You’re coming through a little quiet. I don’t know if anything can be done about that.

The Chair (Mr. Ernie Hardeman): It’s hard to believe that this committee is that quiet, but that is exactly what happened. We do hear you very well.

Ms. Karen Sebben: Okay, I’ll begin, then.

The Chair (Mr. Ernie Hardeman): Okay, very good. Thank you.

Ms. Karen Sebben: Thank you. My name is Karen Sebben, and together with my son, we are the co-founders of the York Region Anti-Bullying Coalition.

I’m going to get straight to the point: Aggression between our students takes place because adults allow it to. Whether it’s a child’s parent, their teacher or a school administrator, the job of keeping our youth safe is ours.

On that first day of kindergarten, we drop them off at school and entrust the emotional, academic and physical well-being of our children to complete strangers. We do this because giving our children an education falls within the natural order of things, and therefore we just trust. We send them to school and we trust. We also do this because the law says we must educate our youth.

Raising a child does not come with an instruction manual. We use our best judgment and experiences from the past to do the best that we can. I taught my boys empathy, compassion, respect and manners, but when I was faced with a situation where the parents of other children did not do the same thing, we found ourselves in a dilemma.

When my youngest was in grade 8, he found himself in a situation where the adults in control were non-reactive or -receptive to a situation that my son found himself at the receiving end of. He was bullied by the same five peers for three school years. The reason this took place is because at that particular time policy wasn’t worth the paper it was written on, policy was interpreted to protect our administrators, and the consequences chosen did not change the negative behaviour of his aggressors.

My son was 14 at that time and couldn't understand why adults did not feel he was worth protecting. He is 21 years old today, and if you ask him what stands out the most during those three years, he will tell you that he doesn't care about the five boys that pursued him so aggressively. He will tell you that he doesn't trust adults—the very people I taught him to go to for help if I was not around. My son turned to cutting his skin and self-medication because adults didn't do their job. There is no accountability built into our educational system.

My son was not identified as an LGBT youth, yet he was suicidal. What explicit protections will be built into this legislation to protect a child like him? Would a child like him have the same benefits as a LGBT youth through an alliance? Is anyone suggesting that he was not at risk for being bullied because he wasn't LGBT? Yet he suffered terribly for three years, was diagnosed with post-traumatic stress which ultimately led to social development and mental health issues, the same issues that a child who identifies as being LGBT might have. Would he have received the same legal counsel that Mr. Elliott is providing this clearly defined group of youth? I respectfully submit, how dare anyone suggest that one child's existence is more important than that of another child based on category?

I don't know if any members on this committee have experienced the social issue of bullying, but I'm going to ask if anyone actually knows what it feels like to exist on a daily basis wondering if your child will take his life while you're at work—and what's even worse, as a parent you kept sending him into that battle zone without protection of any kind. If you did, only then would you really realize what any kind of anti-bullying legislation should look like.

I have watched, read and listened to what has transpired in the House over the past few months, and I'm ashamed to be an Ontarian. Unless you have been in our shoes, or the shoes of a parent who has lost a child to suicide because of being bullied, I respectfully submit you have no idea.

My colleague Corina Morrison presented earlier today. We are like-minded, on the same page, and I do not want to repeat here what Mrs. Morrison had to say. But one thing is clear: Families like mine in this province are finding each other. This is taking place because so far the system has failed us miserably. We are growing in numbers, our voices are growing stronger and we will no longer tolerate being marginalized taxpayers. We are hard-working, taxpaying citizens who have the absolute right to be heard and not brushed off by our government.

Just to recap, anti-bullying legislation must include supports for all involved, including readily available resources for those whom we entrust our children to, data collection to see what actually works and to ensure fiscal responsibility of spending our hard-earned tax dollars, detailed prevention and safety plans, community education, a clear definition of bullying including duty of care, non-categorizing of our youth—because they are all at risk—and finally, supports for all involved, and accountability to those whom the system fails.

Thank you for the time. If there are any questions, I'll be pleased to answer them.

The Chair (Mr. Ernie Hardeman): Thank you very much, Karen, for the presentation. We do have about nine minutes left, so with that, we will start with the New Democratic Party for questions. Ms. DiNovo, do you have any questions?

Ms. Cheri DiNovo: Thank you, Mr. Chair. Thank you, Karen, for the presentation. I have no questions.

The Chair (Mr. Ernie Hardeman): For the Liberal side, Mr. Delaney? Ms. Damerla?

Ms. Dipika Damerla: Thank you, Chair, and thank you, Karen, for that presentation. As a mother of a child who once said to me, "Mom, nobody plays with me," I completely understand how hard it is as a parent to deal with a child who's being bullied.

I did have one very quick question, and that was, you say in your presentation, "Is anyone suggesting that he was not at risk for being bullied because he wasn't LGBT?" I just wanted to know, which part of our legislation do you think suggests that a child who's not LGBT is not considered at risk?

1630

Ms. Karen Sebben: No part of the legislation suggests that. That statement was made in reference to the mandatory implementation of gay-straight alliances. I refuse to be defined as homophobic simply because I do not agree with the implementation of GSAs. I was trying to make a comparison of a non-gay child to a gay student, and the risks associated with both those kinds of students who are being bullied for whatever reason.

My son was suicidal. We almost lost him. That's the only reason I made that reference. I feel that if you start categorizing a reason that our children are being bullied, such as GSAs, it opens the door to—how can I word it? If you label one and permit something, it takes away from another student. That's the best way I can explain that.

Ms. Dipika Damerla: Okay. Thank you.

Ms. Karen Sebben: Thank you for your time.

The Chair (Mr. Ernie Hardeman): Thank you very much. We now go to the official opposition and Ms. MacLeod.

Ms. Lisa MacLeod: Thanks very much, Karen. It's great to hear from you today. I want to quickly say thank you for an excellent presentation, but also for your advocacy in York region against bullying. You've done a great job.

You talked a little bit about accountability. Earlier today, the Ontario Principals' Council was in here to talk about supervision and minutes and things like that. It's not really something that we would address here, but I guess it's more or less something that would happen with negotiations in collective bargaining. Do you have a message for the Liberal government with respect to that?

Ms. Karen Sebben: Yes, I do. As with our own situation, it has been reported to me by many other parents that when they were going through the process of dealing with their teachers and administrators to resolve a situa-

tion of long-term aggression, nine out of 10 times, the parents came back to me and they were told that records were not kept of what transpired between the kids in question.

Without data collection, without record-keeping, without tracking, how can you effectively resolve one particular situation, and, at the same time, how can you track what is working and what is not working?

Our school boards are self-governing corporations. Corporations—you have to measure your commodities. You have to track where they go, cost etc. in order to do good business. We're not doing that with aggressive situations, and I think it must be done.

There are thousands and thousands of programs out there being implemented on taxpayers' dollars, and what works in one school might not work in another school. But if you're not tracking if they're even working, then it's money down the drain and it could be spent much better elsewhere.

Ms. Lisa MacLeod: Karen, just quickly, I know under Elizabeth Witmer's previous bill, which is now under my name, you had spoken in support of it. I'm wondering, if you had the ability to write your own bill today for the Ontario Legislature to review, what would it include?

Ms. Karen Sebben: It would include everything that Bill 14 has, and I would make the recommendation that Bill 13 be turned into an inclusive equity-type of legislation.

Ms. Lisa MacLeod: So you're suggesting, I guess—

Ms. Karen Sebben: There's some overlap between the two bills, of course, and I find that positive. But I am fearful of putting GSAs into legislation. Setting aside LGBT youth—if that same piece of legislation had been presented, for example, as being bullied because of colour, I would make the same argument.

Ms. Lisa MacLeod: Thanks very much. I appreciate it, Karen.

Ms. Karen Sebben: Thank you.

The Chair (Mr. Ernie Hardeman): Thank you very much again for your presentation. We obviously will take your comments into consideration as we continue deliberations on these two bills. Thank you very much.

Ms. Karen Sebben: I thank everybody on the committee for their time. Have a good day.

CATHOLIC STUDENTS FOR GAY-STRAIGHT ALLIANCES

The Chair (Mr. Ernie Hardeman): The next delegation is the Catholic Students for Gay-Straight Alliances. Come forward. Welcome this afternoon. Thank you very much for being here. As with other delegations, you will have 15 minutes to make your presentation. You can use any or all of that time. If you have time left over at the end of your presentation, we'll open the floor if there are any questions. We will start with the third party this time around for the questions.

With that, thank you again for being here. We appreciate the fact that—as we mentioned earlier, we had some young people here, and we appreciate that the students from secondary education would be here too. So thank you very much for being here.

Ms. Leanne Iskander: No problem. My name is Leanne Iskander, and I'm here today representing Catholic Students for Gay-Straight Alliances, which is made up of students from various Catholic schools across several boards in Ontario.

All of the students in our organization recognize the importance of safe spaces like gay-straight alliances in all schools. All of these students have stories about the difficulties of coming out in a school environment, of being bullied and of trying to form gay-straight alliance groups, and of facing resistance from board and administration as they attempt to form these groups. So today, I'd like to share with you my story.

I came out at my school when I was 15 years old, at the end of grade 10. When I came out, I didn't have any other queer friends at my school, so the pushback I got from other students—the remarks, the comments and the insults—were difficult to deal with. A month or so after coming out, I met another gay student at my school and, with his support, along with the knowledge that I wasn't alone, it made everything so much easier to deal with.

In my 11th year, I befriended another queer student. She was going through a difficult time dealing with her family's lack of acceptance, and she told me that she feared her parents would kick her out of her home. I remember that in one conversation about this, she told me that what she really needed and wanted was a safe space in her school for LGBT students. Because of her family situation, she did not feel that she could start this group herself, and so I, wanting to support her, and knowing how much support I'd gotten from having just one other gay friend, decided that I would go ahead and try and start a club like that in our school.

The next day, I approached a teacher and asked how to go about starting a club. I gathered students interested in joining the group, sought out teacher support and wrote a proposal.

It was extremely disappointing when I learned that our proposal had been denied. The principal at my school had called me down to her office to explain that she could not allow me to form a group for queer students because it was not in line with Catholic teaching, because it would somehow be discriminatory against other minorities that did not have their own clubs, and that supports like guidance counsellors would be sufficient.

After the news spread about our group not being able to form, most teachers who had previously been supportive no longer wanted to be involved in pushing for the group out of fear for their jobs. Bullies, encouraged by our school's lack of acceptance towards us, targeted our group and the students in it. But despite the bullying, I am confident that the majority of students in my school support me in my efforts to form a GSA. This is also affirmed by the 2011 survey by the Ontario Catholic

student trustees' association, which shows that 88% of all students currently attending Catholic schools in Ontario believe that a student who wishes to form a gay-straight alliance should be able to do so.

My principal retired last year and has since expressed to me that she really wanted to allow us to form a gay-straight alliance, but the board would not permit her to. She said she felt terrible, as though she had failed to support us when she prevented us from forming a GSA, even though she was only following what the board had told her to do.

In my school, we were lucky. Because we had a principal who cared so much, she gave us more than the board had permitted her to. She allowed us to form a group for LGBT students, but she did not allow us to call it the name of our choosing. Instead, the group had to go by the more generic name Open Arms. The students in our group are still pushing to be able to call our group a gay-straight alliance, because we feel that that's important in signifying not only what the group is, but also that our school is accepting of queer students.

My point is that no one in my school community wants gay-straight alliances to be banned—not my teachers, not my principal and not the students. My teachers want to support gay-straight alliances, but can't overtly do so for fear of losing their jobs. My principal wanted to support queer students, but was under instructions from the board not to allow a group that would provide support. The students at my school want and need a support group, of the name of their choosing, but were deprived of that.

A week before the beginning of this school year, the superintendent from my board called my parents and I to a meeting. At the meeting, she insisted that the group we now had at our school was not a group specific to LGBT students and their allies, but instead it was a general equity group. She said that the group could not be student-run and that it was not to be a support group, because it should only be the responsibility of counsellors and trained personnel to support queer, trans and questioning students. She told me that Catholic schools and school boards are not permitted to allow gay-straight alliances because the bishops prohibit it. She tried to discourage me from talking to the media and she threatened that if I continued to advocate for a gay-straight alliance, the school would take disciplinary action against me.

1640

I'm certainly not the only student in a Catholic school who's gotten pushback from boards and administration for trying to form a support group for queer and trans students. My girlfriend, who goes to another school in my board, faced adamant resistance from her school when she tried to form a group; and after she went to the media to share her story, the chaplain at her school yelled at her in front of her class and tried to turn other students against her. Students at another school in my board were given only a general equity group after asking for a gay-straight alliance for several years. The school has threat-

ened that if students try to start a gay-straight alliance, they will shut down the group that they currently have, depriving the students of what little support they're currently getting.

There must be specific protections for students who wish to form groups like gay-straight alliances in schools because students are being prevented from starting these groups, sometimes even punished for doing so, and they need these protections. No student in any school should have to fight their board and administration in order to have a safe space like a gay-straight alliance. That should be something that schools must allow.

It is also very important that students be able to choose the name of their group. Basically, if support groups are assigned generic names by the board, like ours was, then the groups will be less accessible to students who need that support because the group will be less recognizable as a support group for queer and trans students. Giving school boards an out by letting them determine the name of the support groups that students form is to allow school boards to continue to silence queer and trans students.

Bill 13 must pass with the protections for student groups like gay-straight alliances in it, and this must be amended to guarantee that students be the ones to name their groups. Thank you.

The Chair (Mr. Ernie Hardeman): Thank you very much for your presentation. We have about eight or nine minutes left, so we'll start with the third party. Ms. DiNovo.

Ms. Cheri DiNovo: Thank you, Leanne, for yet again coming down here. I just want to, from our party, the New Democratic Party, and from our leader, Andrea Horwath, commend you for your incredible courage and bravery in putting yourself forward, not just once but twice here, and before the press. So thank you and thank you for all that you do.

I also wanted to direct your attention: Just before you came here to depute, the Canadian Civil Liberties Association deputed before us and pointed out that students have the right to choose the name of their club based on their fundamental and constitutionally protected freedoms in the charter and that the decision as to how a student club is named should, barring any justified educational restriction, be determined by the members of that club—that these are charter rights, as is your charter right to freedom of assembly.

That's some pretty compelling evidence. I'd certainly advise that you pick this up in your further endeavours and use that, because these are your charter rights under the charter, independent of what kind of school you go to.

I just really wanted to ask you how you could see this committee helping you in doing the brave work that you're doing. How would you see us operating to perhaps bring together these Bills 13 and 14 or to amend Bill 13 to assist in your endeavours? How would we go about doing that?

Ms. Leanne Iskander: In order to help us, we definitely have to have those protections for gay-straight

alliances in there, because there are so many students in our organization and just across Ontario who are being blocked from forming these groups. We're getting a lot of pushback from schools, so it's important that we have that protection. It's also really important that we be able to name our group what we want to. I think it should be amended to allow the student who wants to form the group the right to choose the name for their group.

Ms. Cheri DiNovo: Just to go back to the testimony we heard earlier, the same Canadian Civil Liberties Association suggested—and I'm not suggesting that we would bring this forward as the specific amendment, but they suggested removing “or another name” from that segment.

I know that there has been some concern that has arisen from Queer Ontario, from Ontario gay-straight alliance support groups and yourselves that that might water it down a little bit much and allow school boards some wiggle room. What do you think about that?

Ms. Leanne Iskander: Yeah. Students should be the ones who choose their name and not all students are going to want to go with the name “gay-straight alliance,” so it should be “and another name” as determined by students, so you're not forcing a name of a group on the students.

Ms. Cheri DiNovo: Right. But you should be allowed to call it that if you want.

Ms. Leanne Iskander: If we want to, yes.

Ms. Cheri DiNovo: Thank you very much.

The Chair (Mr. Ernie Hardeman): Thank you very much. The government: Mr. Delaney.

Mr. Bob Delaney: Thank you very much. You're a student at which school?

Ms. Leanne Iskander: St. Joseph Secondary School in Mississauga.

Mr. Bob Delaney: That's the one on Creditview?

Ms. Leanne Iskander: Yes.

Mr. Bob Delaney: Okay. Well, you're in my riding. Are there any other support groups in the school that help some of the kids get together and discuss some of their common issues?

Ms. Leanne Iskander: I think our group right now is the only active social-justice-type group in our school. I know other schools do have, like, general equity groups, but students don't find them as effective as having a gay-straight alliance would be.

Mr. Bob Delaney: Okay. I think Mr. Flynn has a few questions for you.

Mr. Kevin Daniel Flynn: Thank you, Mr. Chair.

Leanne, thank you for what you're doing. Certainly I think some admiration has been expressed, and let me extend my own admiration to that.

There have been a lot of adults who have come before us over the past few days when we've had hearings, and a lot of spiritual leaders, a lot of members from organizations that I think are fairly large; some of them appear to be small. A lot of them have been speaking on your behalf or have been speaking about you. You deal

with the reality of what is the essence of a portion of this bill on a daily basis.

One of the views that has been expressed is that somehow if we pass Bill 13 as is, a portion of that bill would teach their children a homosexual agenda. Do you have an answer to that? You deal with this on a daily basis. You've got a club that's already formed. Is this something that you see at St. Joseph's?

Ms. Leanne Iskander: No. There are very few students who oppose what our group is doing. There are very few teachers who oppose what our group is doing. It's generally supported in our school community. There hasn't been any pushback. There haven't really been any students who have come to us and told us—like, there have been a few, but there haven't been any who told us to stop doing what we're doing because they think it's negatively affecting them in any way. Some people disagree with us on religious grounds, but we're not doing anything that would affect them.

Mr. Kevin Daniel Flynn: There are some people who have come forward with some very—they've become pretty emotional about it. They feel that it offends their faith. They feel that it offends their religious beliefs.

What happens at a typical meeting? Presumably it's after school or it's at lunch or something and everybody gets together in the same room. What happens?

Ms. Leanne Iskander: We just talk about whatever issues are facing students that they feel like they need to be talking about, whether it's dealing with difficulties at home or dealing with bullying, and then we also sometimes plan events just to raise awareness about bullying in our school.

Mr. Kevin Daniel Flynn: Okay. Do straight kids attend your meetings?

Ms. Leanne Iskander: Yes.

Mr. Kevin Daniel Flynn: Okay. And are they getting something out of it? Are they saying, “I didn't know this. I didn't know you were dealing with this”?

Ms. Leanne Iskander: Yes, definitely. We've definitely gotten, like, a lot of students—some of them who said they used to be homophobic but our group has changed their minds. It's definitely been great. Half our group is pretty much straight students, and they get as much out of it as we do. It's a very good kind of group for the whole school.

Mr. Kevin Daniel Flynn: Okay. As you said earlier, it took you a little while to get this accepted in the school or even allowed in the school. Is there anybody who jumps out at you, who comes to mind as somebody that may have changed their mind as a result of seeing this in practice, somebody who said, “You know, I've learned something from this,” or “I was opposed to it at the start, but now I think it's something that actually serves a purpose”? You said some of the straight kids perhaps before this experience had been homophobic themselves or thought perhaps they could be perceived as that. Is there any one event or any one person that sticks out in your mind?

Ms. Leanne Iskander: There was one grade 12 student last year who was in our group—he didn't join our

group; he was just helping us make videos and stuff, because he made a video about anti-bullying, and after working with our group he said that he used to be homophobic and that he felt that our group had really changed his mind.

Mr. Kevin Daniel Flynn: Okay. There were some people—I think they were perhaps misinterpreting the intent of the bill, but they felt that their kids or the students at the school would be compelled to attend these meetings; they'd be forced to attend. How do the kids find out about it, that there is a gay-straight alliance and that they're able to attend if they want to?

Ms. Leanne Iskander: Actually, at our school we had difficulty making our group accessible to people just because it's given such a generic name. When you hear, like, there's an "Open Arms" meeting on the announcements, you don't know what that is. So, for us, it would be better if we could say it's a gay-straight alliance so that students who need the support would be able to come to our meetings and know that the support is there. We also just do what every other club does: We advertise at the club fair; we have posters sometimes. But we're not forcing people to join. It's totally optional. It's just like any other club.

1650

Mr. Kevin Daniel Flynn: This issue—

The Chair (Mr. Ernie Hardeman): Thank you very much.

Mr. Kevin Daniel Flynn: That's it?

The Chair (Mr. Ernie Hardeman): Your time's up. Do the opposition have any questions?

Ms. Lisa MacLeod: Thanks. Kevin, do you have a few more questions?

Mr. Kevin Daniel Flynn: Just one.

Ms. Lisa MacLeod: Can I just say thank you, maybe, and then you go ahead?

Thanks very much for coming, Leanne. It's never easy to sort of look at all of us and do a presentation. How old are you?

Ms. Leanne Iskander: Seventeen.

Ms. Lisa MacLeod: Seventeen. You got through it and Kevin's given you some hard questions here. So I'll let Kevin finish asking the questions.

Mr. Kevin Daniel Flynn: Final question.

Ms. Lisa MacLeod: Yeah. He's got some really tough ones against Liberal cabinet ministers every couple of days.

Mr. Kevin Daniel Flynn: Obviously, you didn't get to this stage without a battle, without having to take on some people that students aren't supposed to take on typically. I'm sure there were some concerns expressed within the school community itself and within the faith community. Any response from parents that perhaps was negative at the start and is still negative, or was negative at the start and is now positive: any parents of friends, any opinions you've heard from the adults?

Ms. Leanne Iskander: From all the parents that I know, mostly the parents of students in our groups, they're really supportive of what we're doing and they

were really upset when the school didn't allow us to form a GSA. So directly from our school I haven't heard of any parents who have been opposed to this.

The Chair (Mr. Ernie Hardeman): Thank you very much for your presentation. That does conclude the 15 minutes. We thank you very much for coming forward, and not only coming forward but answering the questions so well. It will be of great assistance to us in our deliberations.

Ms. Leanne Iskander: Thank you.

TORONTO DISTRICT SCHOOL BOARD,
CARING AND SAFE SCHOOLS AND
GENDER BASED VIOLENCE PREVENTION

The Chair (Mr. Ernie Hardeman): Our next delegation is the Toronto District School Board, Caring and Safe Schools and Gender Based Violence Prevention. As we're preparing, as with other delegations, you have 15 minutes to use, all or any. If there's any left at the end of your presentation for questions, the next round we will start with the New Democrats.

Mr. Ken Jeffers: Thank you very much, committee members. My name is Ken Jeffers, and I am the coordinator for gender-based violence prevention at the Toronto District School Board. My colleague Ted Libera, the central coordinating principal for safe and caring schools, was supposed to join us this afternoon, but I'm afraid he was called away at an urgent school matter, so I will fill in Ted's parts for him.

I'd like to just start my remarks today by giving you some context of the work that I do in Toronto schools. The office I work in, gender-based violence prevention, deals with a whole range of issues in our schools, K to 12, across the entire system, and as you can imagine, it's everything from name-calling to sexual harassment, homophobia, up to and including very, very aggressive behaviours like sexual assault. So we're dealing with a wide range of issues and pieces of policy, and, of course, that includes putting prevention programs in place in schools, as well as ensuring that there is support for students who are victims of gender-based violence and so on.

But I also belong to a central committee at the school board, our positive school climate committee that has been in operation for the last couple of years, really since Bill 157 passed. That includes members across our system, a central team that collaborates regularly on building positive school climates in all of our schools in the TDSB, and that would include folks like our safe and caring schools, our social work, our psychology department, guidance, health and physical education, mental health, social work and so on. It's in that context that I really speak to you, that much broader context, today.

This term "bullying": I'm sure you've heard quite a bit about it by now, but in education speak it's become a bit of a nebulous morass that a whole bunch of assumptions are made about and behaviours are characterized about. I think the only thing that everyone probably would agree

on is that there are no quick-fix solutions to bullying. It has several underlying issues, and bullying oftentimes is a symptom of a number of those underlying issues. It's that underlying or foundational piece that I think Bill 13 really attempts to address, and I'm going to focus the majority of my comments on Bill 13.

I believe Bill 13 recognizes the fundamental connection between social grouping in society and those perceived to have less power and who are disproportionately affected by bullying and harassment. I also believe that the intent is to build on existing legislation and policy to ensure that positive school climates persist, and that would better ensure prevention better than any piece of discipline or any single program that we could deliver to students.

Really, I think the bill presents an excellent framework. In fact, I would say it's an opportunity in education to have a pivotal shift in our consciousness as educators and as an education system. But I think there are some key components that need to be amended to ensure this happens, and I just want to touch on a few of those.

Language changes: I see that in the current definitions of bullying in the bill, there is a bit of a move away from the way that bullying is currently defined in PPM 144, which has been in use for the last two and a half years by our administrators. I would really ask the committee to reflect that it's important we keep current language consistent. Our administrators would be responsible for investigations of bullying, and the key factors laid out in PPM 144 are that bullying is repeated, it's intentional and it involves an imbalance of power. I would really ask the committee to make sure that, as much as possible, the definition within Bill 13 reflects what the current definition is within the PPM so that it is easy for administrators to make the transition when the legislation becomes law.

I would also suggest that there is a need to define harassment much more clearly. There is an implication of it currently, and it's kind of confusing and mixed in the definition of bullying. I see and deal with harassment on a daily basis in our schools, and it is different—subtly different—from bullying. If you think of bullying as being intentional, involving an imbalance of power and being repeated, then think of a harassing event as a student who walks down the hallways, who is not particularly the target of any negative language, but who may hear terms like “fag” or “bitch” or “dyke” or “fat” or “retard” as peer groups joke around with one another. This language has become so pervasive within many of our schools, our hallways, cafeterias, playgrounds and so on that it has become background noise to day-to-day school activities. It is still a poisoned environment for students who identify as members of those social communities, and yet it would be captured under our current understanding of bullying.

So I would really, again, reinforce a recommendation that harassment be defined as it is already for all workers in Ontario under the Ontario workplace safety act. Bill 168 changed that language for us, and of course the

Ontario Human Rights Code also defines harassment, so it's a protection we already have in place for citizens of Ontario. I would think that it would only make good sense that we ensure our students enjoy the same protections.

I'd also recommend that the language from Bill 14 on cyberbullying, or much of it, be used in Bill 13. Although there is a passing reference to communication by electronic means, I think that Bill 13 much more clearly illustrates for our administrators, who would be the ones responsible for conducting investigations of allegations of cyberbullying, exactly what it is they would be looking for. And I would suggest that in that definition, it twins together a combination of bullying and harassment, and, really, throughout the entire Bill 13, if we understand the subtle differences between bullying and harassment. It's important to have those repeated throughout the document wherever bullying appears so that there is coverage for the unintentional and yet impactful behaviours as well as the intentional and repeated behaviours.

Lastly, under the area of language, I think it's also important to include transgender and gender non-conforming students and staff by ensuring that transphobia appears wherever homophobia appears in Bill 13 and that gender identity and gender expression appear wherever gender appears in the bill.

On the topic of professional development, which I see as a key piece to this legislation and ensuring that we're able to provide the programs and supports to successfully prevent bullying and harassment in schools, I would suggest that there is this notion, since Bill 157 passed, that all school-based staff in our systems are responsible for both responding to and reporting any incidents that they feel would be a breach of the code of conduct in a school. Yet we do not mandate any kind of professional development on any of our common professional development days on equity inclusion or, for that matter, on bullying and harassment prevention. I would think that it is key to put the tools in the hands of staff if the expectation is that they are to respond and report.

1700

I'll give you a very clear example. I was in a high school two months ago doing an assembly of students on bullying and sexual harassment in their school. There were 400 students assembled, and I asked them, “How many of you have witnessed in the last month an incident of sexual harassment or bullying in your school?” All 400 students put up their hands. Then I asked them, “How many of you have seen a staff person intervene?” One student put up their hand.

I don't think it's a lack of our staff caring; I think sometimes our staff are just not knowledgeable enough or perhaps not comfortable enough to take up the issue because they don't have the tools necessary to do it. I think the professional development is key to putting those tools in their hands.

Further to that, I would ask that faculties of education in the province of Ontario have mandatory credit courses on equity inclusivity curriculum and bullying prevention

and harassment strategies. That currently is voluntary in our faculty of education programs. Furthermore, the Ontario College of Teachers should be offering additional qualification credits for both teachers and supervisory officers to ensure those staff that are currently practising have a minimal amount of education to be able to do the job we're expecting of them.

On compliance and accountability, which I think, again, is another key plank, there seems to be a bit of a disconnect. I know Bill 13 mentions the school climate survey, and I know Bill 14 mentioned a couple of key pieces of data collection already existing in schools. That is, of course, Bill 157 reports—that's the report I just spoke about that staff are responsible for—and any safe schools suspensions or expulsions or interactions with police—violent incident reports. All schools collect this information. However, for some reason, we don't collate it, and the ministry doesn't obligate the boards to turn the information over to them or to publish it to the public.

I think we have a rare opportunity with all of these different pieces of data collection. The school climate survey finds out exactly how students are feeling in the school, the Bill 157 reports get at what staff are seeing and the suspension/expulsion data gets at what administrators are doing as a result. For example, very quickly, we could determine if you had 40% of a student population reporting that on a daily basis they're being bullied or harassed at school, and you had 200 staff Bill 157 forms filled out saying the exact same thing, yet we only had two suspensions that year, it would be very clear to us very quickly that that's a high-priority school to do some work in. I would think that the minister should collect this data on an annual or biannual basis and make regular reports to the Legislature so that the public is aware of how we are succeeding or not succeeding in terms of building positive school climates for all of our students.

Lastly, I want to talk a bit about student voice. I think too often in education and bullying and harassment prevention work, it only becomes part of the classroom discussion after an incident has happened. Even then, it's rarely given the same importance as subjects that relate to curricular expectations. Yet we know that empowering students with education and engaging them to take leadership among their peers can have a powerful impact on creating positive school climates. This education and engagement must be mandated for every student and provided for staff preventively rather than post-incident. Students must be encouraged and empowered to play a role in changing school climates and have their voices heard and their needs met.

When it comes to student groups, students need to have the right to determine their names and identities of such groups or clubs, particularly if administrations or boards are uncomfortable with the use of terms like "gay." To allow the determination based on discomfort with identification of any equity-seeking community denies students the basic rights of other Ontarians and effectively condones differential treatment and con-

tributes to poisoned environments through legislation. Therefore, club and group names to supporting positive school climates must be determined by pupils.

Lastly, the students have the ability to hold our system to account collectively for their own safety, with transparent complaint mechanisms in each board for students to report both perceived threats and lack of compliance with policy legislation or support structures for Bill 13—that this bill, I think, really strives to ensure to help create both a system of accountability and advocacy for students who are being harmed in their schools. Given that students don't have a right to appeal to the Ombudsman's office, or that separate school boards are outside the jurisdiction of the Ontario Human Rights Commission on certain issues, it's incumbent upon us, and hopefully this committee, to ensure that this piece of legislation allows for legitimate criticism, that complaints are not silenced but rather investigated and redressed by the minister when necessary.

Thank you for your consideration. I have a submission for you that has recommendations for the specific detailed language on the amendments that I'll leave with you. But I'll take any questions if there's time left.

The Chair (Mr. Ernie Hardeman): Thank you very much for your presentation. We have exhausted the 15 minutes, so we thank you very much for a very thorough presentation and we look forward to the recommendations. They will go into the record here for all the committee to see. Thank you again for presenting today.

Mr. Ken Jeffers: Thank you.

ONTARIO ENGLISH CATHOLIC TEACHERS' ASSOCIATION

The Chair (Mr. Ernie Hardeman): The next presenter is the Ontario English Catholic Teachers' Association. As you're finding your place at the microphone, again, as with all, you have 15 minutes to make your presentation. You could use any or of all of that for your presentation. If there's any time left at the end, we will start the questions with the third party. Before you start your presentation, if you would include your name for the Hansard, for the record. With that, the floor is yours. We're looking forward to your presentation.

Mr. Kevin O'Dwyer: Thank you very much, Mr. Chairman. I appreciate the opportunity to speak. My name is Kevin O'Dwyer. I'm the president of the Ontario English Catholic Teachers' Association, representing about 45,000 men and women who teach in the Catholic schools funded publicly in this province. I'm here to speak, obviously, about the two bills. In particular, I want to speak to the first aspect of Bill 14.

Bill 14 is an amalgam of a number of PPMs, and we think it's the discipline arm that already exists. But what we have frustrations with as teachers is, part of the PPMs that currently say that when you submit a concern or an issue, there is a feedback mechanism—right now, it's either "action" or "no action" is checked off—teachers

do not receive what has been the determination or decision by administration.

I've heard people talk about professional development; I've heard people talk about those aspects. I submit to you that what's needed is a closed loop feedback system. When we submit that to our administration, we need to hear back from them what they're doing. So when we have to deal with the issue of bullying in the classroom, we know that that student has been followed up, the nature in which they've been followed up, the discipline that's been applied, and we can act appropriately as a teacher in that particular classroom.

We really think that's a missing piece in the current PPM and the guidelines that were provided. In Bill 14 we think that's missing as well, and we'd certainly encourage that to arrive into Bill 13.

I think for us, to separate out pretty clearly, is that with Bill 13—and it was great to hear some of the language earlier today—it's about creating a positive environment. Bill 14 and the PPMs that exist provide the discipline. That's not what's needed here. We need to step beyond the point of discipline, beyond the point of correcting the behaviour and the action, to create an environment which minimizes that action or behaviour from occurring. We believe Bill 13 puts its mind to that.

I'd like to be blunt: As a teacher of grade 10 phys ed, all boys, teaching sensuality and sexual education—GSAs are not about sex and not about sex ed.; it's about understanding and being aware of an environment in which someone has been marginalized. Twenty-five years ago, we had the same conversation. The marginalized group at that time? Black. We didn't have an all-inclusive committee that had a wide spread of varying diversities in that initial conversation. We went to the core, to the individuals who had those concerns. That's how that was raised.

1710

This doesn't walk differently than that. If these are legitimate—and they are—concerns to students, then they should be able to have an opportunity to bring those ideas forward, to have that conversation. If it involves other people, then that's going to be a healthy thing if we're going to create a positive environment for students to exist in. Failing that, we isolate the issue. Failing that, we allow certain silos to exist in the schools. We can't afford to do that.

Bill 13 has the possibility of allowing skilled facilitators to assist in those conversations. That's going to go beyond tolerance. Tolerance is what grandparents do on the weekend. They look forward to Monday. This isn't about tolerance; this is about total acceptance and recognition of our role in this environment. Bill 13 allows us to go ahead and do that.

The irony here is, I'm representing the Ontario English Catholic Teachers' Association. At our annual general meeting, we passed three resolutions, two specific to GSAs, overwhelmingly supporting. I want this particular committee to understand the democratic representation I bring to this microphone today and the overwhelming support of our members, who are demo-

cratically elected to represent the membership across this province. They were clear what the need is here.

At OECTA, we frankly aren't concerned about the name of the particular group. We're concerned that the work is done right, it's done with empowerment, it's done with respect, and it brings the issues forward and firmly so the broader conversation can happen within our schools, can happen within our communities. We believe that's part of our pastoral care as teachers in Catholic schools. Between the church's teaching, between the Human Rights Code, we believe as teachers in Catholic schools that we know where we have to go in order to represent a very sensitive issue that exists within our faith.

I know you've had faith leaders come here. I'm speaking as someone who's a layperson and someone who delivers that faith to students on a regular, daily basis.

It's extremely important that this conversation be far greater, too, than LGBT. We're starting to see research of a causal relationship between the language being used as ways to denigrate people. That same language of denigration, frankly, is about gender denigration. The way one gains power and support in that is to display some form of inappropriate language, inappropriate behaviour and, in some cases, sexual harassment and sexual assault. It's a complex issue. It can't be buried or mired in one simple idea, that GSAs teach sex. That's diminishing a far greater role that we have to take on, and I think this committee and this government have to get their minds around and bring forward something that's going to cover, assist and develop these young men and women. They are going into the community to take that very same skill set.

Let this legislation empower those events to happen. Don't let it restrict it. Don't use the stick. We need to create the environment in which we can have the conversation. In that is the mutual respect, and we can look in the face of those students and recognize ourselves in it.

Those two resolutions we passed: One supports the groups, in keeping with the philosophy and objectives of gay-straight alliances. That's what our membership said. They also want an inclusive learning and working environment for lesbian, gay, bisexual, transsexual, two-spirited and questioning individuals.

We should be about embracing, not about segregation and separation. We should be about having an environment that's going to allow those students to develop, a safe environment that's emotionally safe, that's physically safe, that's spiritually safe. That's what OECTA has identified in the onset. We continue on that particular line to make sure that students do have that opportunity for dialogue, for discussion and for self-worth.

We do have a submission for you. My preference, though, is to leave opportunity and time for questions. You'll be provided with that information. I think at this time, Mr. Chair, I'd like to leave it open to some questions, if I may.

The Chair (Mr. Ernie Hardeman): Okay. With that, we have about five minutes. We'll start with the third party.

Mr. Peter Tabuns: Kevin, thank you very much. I really appreciate it.

I want to go back to a recommendation you made about the teachers needing to know the outcomes of decisions on incidents of bullying. Could you talk about how things work now and the difficulties that that presents to teachers?

Mr. Kevin O'Dwyer: Currently, Bill 14 proposes an amendment to the Education Act that requires teachers to report any bullying they observe in their school. Under the bill, the principal will receive the report. They would be required to investigate and notify parents as well as law enforcement, if necessary. We would support that concept, but what we need is the verification back to the teacher.

So right now, I fill out a form. I hand it in. The principal or vice-principal looks at it. They check off; they have a conversation; they investigate. They just identify to me as a classroom teacher that there's either action or no action. I don't know what the course of the action is. Empower me as the individual in the room, who's going to manage that student, who, after discipline has been applied, has an opportunity to exhibit behaviour modification. But I need to understand it, the discipline, so that I can best work with that student in that environment, in that classroom, with dignity. Right now, we don't get that information back.

We tell our members: When you submit that, photocopy it, because we don't know where it's going to show up again—whether it's going to be in a discipline meeting or where else. So we identify to our members right off the top: Photocopy that, save a copy for your file.

Mr. Peter Tabuns: Okay. Thank you. Ms. DiNovo?

Ms. Cheri DiNovo: Thank you, Kevin, for presenting. Thank you, Cheryl, for being here as well, and for all the incredible work that you do.

I just note that you have noted that we've often heard about other forms of bullying, but you've noted, and I think it's significant, that LGBTQ youth die by suicide four times more often than heterosexual youth. That statistic alone says it all, in terms of what we're trying to do here to protect the lives of our children, which is the real reason that we're all gathered here this afternoon.

As a Christian minister, I also want to thank you very, very much for pointing out that not all Christians think alike; and that presenting a unified view of who we are, even within Roman Catholicism, is very, very misleading.

Thank you for all the work OECTA has done. It's been more than groundbreaking, it's been earth-shattering. Thank you for doing it on behalf of your students.

Mr. Kevin O'Dwyer: Thank you.

The Chair (Mr. Ernie Hardeman): We have about one minute. If you can keep it short—no second question.

Mr. Kevin Daniel Flynn: I can. That's fine, Chair. Thank you, Kevin and Cheryl, for being here today.

We had a young lady speak, about two delegations ago, and she gave us the sort of reality of what it's like to

be in a Catholic high school dealing with some of the issues. What's it like on the ground for a teacher who's trying to deal with those same issues?

Mr. Kevin O'Dwyer: It's ironic. I'm a teacher from Dufferin-Peel. I was the local president there. I know the school, St. Joe's, very, very well. I know there's staff there that are extremely supportive and I know there are staff in other places across Ontario that are.

For me, as a teacher, that becomes a skill set: How do you skin this cat? How do you walk between that fine line? For me, it's pretty simple: GSAs are about a process of evolving individuals, not just the students who attend—not just the gay students, the lesbian students or the straight students. It's about putting forward a pretty good and strong step in our school environment. That's what it is.

I have less difficulty being a facilitator of a GSA, or whatever name the students choose to call it, because it's going to be about understanding; it's going to be about a great set of skills, of letting those students learn those skill sets.

1720

So for me, the frustration part is, when it does get publicized, people get paralyzed. They get paralyzed in the church's teachings, they get paralyzed in the liabilities, and we forget the face of what we're there for.

As the Good Samaritan did—it wasn't the priest that helped, it wasn't the lawyer that helped; it was someone who thought, "You know what? I've got to get off this donkey and help somebody," and they did. I think most teachers are walking in that whole Samaritan spirit.

The Chair (Mr. Ernie Hardeman): Thank you very much for your presentation. Okay, that concludes that presentation.

CHRISTIAN HERITAGE PARTY OF CANADA

The Chair (Mr. Ernie Hardeman): Our next one is the Christian Heritage Party of Canada. Thank you very much.

Interjection.

The Chair (Mr. Ernie Hardeman): Yes, the clerk will be getting that, and he can pass it around.

As with the previous delegations—I believe you were present—there's 15 minutes for the presentation. We would ask that you do state your name before you start. You're entitled to the full 15 minutes, if you wish it, for your presentation. If there's time left at the end of your presentation, we will have questions from the committee. This one will start with the official opposition.

Mr. Jim Enos: Okay. I tend to be under nine minutes, actually. My name is Jim Enos and I am representing the Christian Heritage Party.

Good evening. My name is Jim Enos and I have been appointed to represent Ontario supporters of the Christian Heritage Party of Canada in speaking to the proposed Bill 13. I am thankful for this opportunity to speak on this bill

regarding its stated goal and to examine the successfulness of this bill in meeting the goal.

It has been said that the world is divided not so much by geographic boundaries as by religious and cultural traditions; by people's most deeply held beliefs: world views. Our lives are defined by our ultimate beliefs more sharply than by any other factors.

As a biblically founded Christian organization, CHP Canada believes that there is a transcendent God, who existed before the world existed and who has revealed an absolute and unchanging standard of right and wrong, based ultimately on His holy character. Perhaps some of us here today would identify with this world view. Others believe that nature is all there is, there is no transcendent source of moral truth and that mankind is left to construct morality based on polls, political strength and so on.

I believe that Bill 13, perhaps, is mankind's attempt, in a partial way, to cause opposing world views to live peacefully side by side by taking strong steps in preventing schoolyard bullying. Its desire, perhaps, is to prevent the abuse of authority and those using power, through intimidation or violence, to demean and hurt others in society; and to prevent bullies from forcing dissenters to abandon their world view, or at least be silent about it—that is, leave their personal convictions at home.

Prevention of bullying of all persons in society is certainly an honourable ideal. Does Bill 13 accomplish this?

On examining the bill, we note the following three points:

(1) There is usage of the terms “bias” and “prejudice,” which are understood to mean unfounded preferences and opinions formed without evidence or sincere consideration.

Having served for the full two-year tenure on the sexual orientation steering committee for the equity policy of my local school board, my experience was that when positions were presented, along with the evidence on which they were based, we were ignored, shut down and negatively labelled. Our positions were neither biased nor prejudiced.

Our children and families today are labelled within the equity policy as homophobic and heterosexist, despite the fact that our position is evidence-based, neither biased nor prejudiced. We are bullied by equity policies for our evidence-based world view.

(2) We note that the second paragraph of the preamble alludes to the prevention of bullying of all pupils, without adding any reference to particular groups. However, within the actual body of the bill, we see the term “all” followed by “including” specific groups or categories. The term “all” is sufficient; however, adding specific and special categories to the term “all” weakens its meaning by limiting it to some specific categories, or at least suggesting that some categories will receive special regard and perhaps trump other categories or groups when differing world views collide. This is currently the case in Hamilton.

Example: Section 9, the Education Act is amended by adding the following section:

“Board support for certain pupil activities and organizations

“303.1 Every board shall support pupils who want to establish and lead ...

“(d) activities or organizations that promote the awareness and understanding of, and respect for, people of all sexual orientations and gender identities, including organizations with the name gay-straight alliance or another name.”

Section 9 illustrates our concerns with special categories by naming an already established group, which is controversial and opposed to by many in our society, including CHP Canada. The opposition to this specific group comes from traditionally minded families within public schools and Catholic boards.

I suggest to you today to remove the name “gay-straight alliance” and replace it with “Christ-world alliance.” If we are not willing to replace “gay-straight alliance” with “Christ-world alliance,” then Bill 13 is not a people's bill; rather, it's a group's agenda to trump one world view over another, which will lead to more bullying through the abuse of power and authority.

(3) We note that Bill 13's influence is not confined to bullying pupils of public education who will not conform to the state world view. It also takes aim at other persons or groups who wish to rent school board facilities.

Under section 7, the bill reads:

“(3.1) If a board enters into an agreement with another person or entity, other than a board, respecting the use of a school operated by the board, the board shall include in the agreement a requirement that the person or entity follow standards that are consistent with the code of conduct.”

Translated: If a group with a world view in contrast to that of the state applies for rental, they will be rejected.

In Canada today, when a church declines to rent their facilities to a same-sex union event, they are persecuted and prosecuted by the human rights commissions. However, when the state declines to rent publicly funded facilities to a church, then Bill 13 permits this in the name of bullying prevention. State world view trumps church world view.

Summary: Protection of all people from intimidation or for any reason is an honourable goal. However, sheltering all or any world views from public scrutiny, discussion, dialogue or debate is restrictive of freedom of thought and expression.

State world views which penalize peaceful and rational thought and dismiss medical and scientific evidence as discrimination are representative of a totalitarian state.

State efforts to free society from transcending moral standards and penalize those who adhere to those moral standards are wicked at the root and reflective of throwing Christians to the lions for the crime of not acknowledging Caesar as Lord.

Bill 13 is guilty of all three offences above and thus is not acceptable in a free and democratic society.

Our recommendations:

(1) Replace Bill 13 with a bill designed to protect all students and peoples and groups from bullying.

(2) Recognize that while all people deserve protection from bullying, no world view should be sheltered from public scrutiny, discussion, dialogue or debate.

In closing, I offer the following quote from Chief Justice McLachlin in the Chamberlain v. Surrey School District 36: “As my colleague points out, the demand for tolerance cannot be interpreted as the demand to approve of another person’s beliefs or practices. When we ask people to be tolerant of others, we do not ask them to abandon their personal convictions.”

1730

We look forward to a bullying prevention bill that does not demand our families to approve of another person’s beliefs or practices, a bill which does not ask us to abandon our own personal convictions. Thank you.

The Chair (Mr. Ernie Hardeman): Thank you very much for your presentation. We have about four minutes left and we start with the official opposition, if you have any questions. Ms. McKenna.

Mrs. Jane McKenna: Jim, I’d like to say thank you so much for your presentation. It’s phenomenal for me, for the first time around in here, to see the passion that people bring when they’re sitting here, and I’m sure it is very intimidating. I know it is for myself, so I can’t imagine for yourself. Anyway, thank you so much.

Mr. Jim Enos: You’re welcome.

Mrs. Jane McKenna: I very much liked your presentation. Thank you for coming.

Mr. Jim Enos: Thank you.

The Chair (Mr. Ernie Hardeman): Mr. Tabuns?

Mr. Peter Tabuns: No questions, thanks, Chair.

The Chair (Mr. Ernie Hardeman): Thank you. To the government side.

Mr. Kevin Daniel Flynn: A couple of questions. I think Dipika is going to go first.

Ms. Dipika Damerla: Again, Mr. Enos, thank you so much for your presentation and for coming down. I just had a couple of questions.

One was, you talked about church-world alliance—

Mr. Jim Enos: Christ-world alliance. Yes, I did.

Ms. Dipika Damerla: Christ-world alliance.

Mr. Jim Enos: Fair enough. Thank you.

Ms. Dipika Damerla: And I just wanted to ask you, did you think there was anything in Bill 13 that would stop a school from having such an alliance?

Mr. Jim Enos: Well, first of all, my experience of what’s going on in the schools today is a very clear indication of that.

Ms. Dipika Damerla: No, but is there anything in the bill itself that would—

Mr. Jim Enos: Yes, there is.

Ms. Dipika Damerla: Where would that be?

Mr. Jim Enos: By the special categories named.

Ms. Dipika Damerla: I understand that, but where does it—

Mr. Jim Enos: By naming special categories in the bill, rather than saying all people.

Ms. Dipika Damerla: Okay. My second question is, can you please clarify that the legislation isn’t impacting religious groups that use school space?

Mr. Jim Enos: I’m having a hard time hearing. Sorry. Could you use the mike?

Ms. Dipika Damerla: Sorry. I’m going to repeat that. Can you please clarify that the legislation isn’t impacting religious groups that use school space?

Mr. Jim Enos: Could I clarify that it is not?

Ms. Dipika Damerla: Yes.

Mr. Jim Enos: Well, because in item 7 of the bill, or section 7—I guess I would call it item 7 of the bill—as I read it, if you don’t support Bill 13 as written, then you’re not permitted to rent school facilities. That’s written right in the bill.

Ms. Dipika Damerla: So you’re saying that if you don’t support—

Mr. Jim Enos: —Bill 13 as written, then you’re not permitted to—

Mrs. Liz Sandals: It says the school code of conduct—

Mr. Jim Enos: Sorry. I’m trying to answer this lady. Your turn is coming.

Now, the answer is that it’s in item 7 where it says that those who don’t condone—I forget the exact words. I can go back and read, if you wish.

Item 7, (3.1): “If a board enters into an agreement with another person or entity, other than a board, respecting the use of a school operated by the board, the board shall include in the agreement a requirement that the person or entity follow standards that are consistent with the code of conduct.” So I would say that if you’re not in agreement with Bill 13, if your church would speak on topics which are controversial to Bill 13, you would not be permitted to rent the facilities. That’s how I interpret that, yes.

Ms. Dipika Damerla: Just for clarification, in your personal opinion, which code of conduct in Bill 13 is it that you wouldn’t be comfortable with?

Mr. Jim Enos: Well, I don’t know all the—I’m just speaking to Bill 13 today. I don’t profess to know all the codes of conduct in each school and so on. That’s the honest answer I can give you.

The Chair (Mr. Ernie Hardeman): Thank you very much for your presentation. We appreciate your attendance.

MS. YVONNE HALEY

The Chair (Mr. Ernie Hardeman): Our next delegation is Yvonne Haley. Again, thank you very much for coming. As with the other delegations, you will have 15 minutes to make your presentation. Any part of that which you do not use we will turn over to the committee if they have any questions to your presentation. If you would be so kind as to start your presentation with giving your name for Hansard so we can keep track of who was

speaking to us today, and from there on, the floor is yours.

Ms. Yvonne Haley: Good afternoon, distinguished members of the committee. Thanks for this opportunity to come and speak to you today. My name is Yvonne Haley. I am trained as a dentist, but I'm here today in my role as a mother of three children in our public school system; right now, they're in grade 2, JK and SK.

Having become aware of Bills 13 and 14, I've taken the time to become familiar with both bills and read them. As well, I've been following a lot of the debate online that happened in second reading and following the Hansard transcripts of last week's proceedings here. In doing so, I've really sensed the determination from all MPPs, across parties, to do the right thing for our children, to make our schools more safe and inclusive. So I come here today to honour the members of this House in that, and I come in the spirit of co-operation with this committee, to truly bring forth the best bill possible for our children.

Of course I don't want to see my children bullied, but there seems to be a good statistical chance that they might be at some point, and if they are, I am concerned about how Bill 13 would treat them. It appears that they might receive less support because they would not identify with one of the four groups that are highlighted in Bill 13. If my child's issue was his big ears, let's say, and not one of gender identity, racism, disability or sexual orientation, would my child be allowed to form a support club? It appears not, and that only these four groups are given that special status. That, to me, seems intrinsically unfair, and a double blow, considering that these children are already being treated unfairly. I feel that if this bill wants to truly, comprehensively and fairly deal with bullying, then it should allow for any bullied child to form a support group of some type. True, I see that that could end up with a lot of single-issue-specific clubs, but that would only be fair and equitable, wouldn't it?

The alternative, which seems to me to be a better solution, is to allow bullied children to come together in one club, regardless of the reason for bullying. Children who have similar stories may still come together as sub-clubs within that club, and that may be where the GSAs would fit in. And what if there was only one child within a given school population who identified as being bullied because of sexual orientation? This larger club would still allow him to connect with other bullied kids. Even better would be to have this group open to any student who wishes to support and protect bullied children and work together on awareness and prevention. Make it cool to care, to be a friend and protector to the vulnerable.

I read in the Hansard transcripts that last Tuesday, a gentleman named Anthony McLean presented to this committee. He's the one who has done bullying prevention work in 11 different school boards in Ontario. Mr. McLean said that he lives and eats and breathes bullying prevention—it's what he does—so I paid a lot of attention to what he had to say on the issue.

He advised against issue-specific clubs. Although the intention in providing these is good, these clubs tend to separate and segregate students, putting them in proverbial boxes. He saw a strength in bringing kids together, out of the boxes, dialoguing and getting to know each other. Wouldn't this larger equity club provide for exactly that, as well as support each bullied child? In my estimation, this seems a much more equitable and preferable solution for all kids in our schools.

Therefore, I recommend that section 9 of Bill 13 be amended to read:

"The act is amended by adding the following section:

"Board support for equity/respect activities and organizations

"303.1 Every board shall support pupils who want to establish activities or organizations that promote equity and respect."

This format would also be acceptable, I believe, to the Ontario Catholic School Trustees' Association, as it is congruent with their Respecting Difference document, a real breakthrough in honouring difference in students while also respecting Catholic religion and education.

This solution would be fair to my child. It would be fair to all bullied children, treating them equitably yet allowing for their individual expression. And it would be the best at getting the rest of the school population involved with understanding, supporting and protecting all bullied kids.

Now, an even better solution, in my appraisal, ladies and gentlemen of the committee, would be to put this amended section into Bill 14, now officially Bill 80, I believe. I have studied both bills and they have some similarities, but I find the strength of Bill 13 is where it addresses the aforementioned support clubs. In other respects, I find Bill 14 to be the better bill. Now I will explain why I believe this to be the case.

(1) Bill 14 provides a more comprehensive definition of bullying, while being designed to include all possible reasons for bullying.

1740

(2) Bill 14 addresses cyberbullying much more thoroughly. I think this should be an important issue for this committee. As you know, this is a fast-growing area of bullying that requires specific interventions and needs to be thoroughly addressed.

(3) There would seem to be stronger accountability in the annual reporting of bullying incidents by principals to the school board and ministry that Bill 14 provides compared to the biannual surveys offered by Bill 13.

(4) Bill 14's bullying prevention plans allow for input from the individual school boards, in consultation with parents. Bill 13 does not appear to have any parental consultation as part of its strategy development. For me, this is a major weakness.

(5) Bill 13, section 7 adds a new subsection concerning agreements with third parties on use of schools. This stipulates that the person or entity using the school must follow standards that are consistent with the code of conduct, as our last speaker was referring to. This subsection

could become a problem for community groups desiring to rent or use school space after hours. What if a Jewish group desired to hold a ceremony there? Could discussion of their religious texts on areas such as marriage and sexuality be a violation of this code of conduct? I don't know. It shouldn't be.

(6) In section 2 of Bill 13, paragraph 29.1 of subsection 8 is amended to require boards to develop and implement an equity and inclusive education policy that the minister may direct changes to. I feel more clarification and specifics are needed here as much concern has been raised—and I'm sure you've heard a lot of it in this room—because of the implementation of this policy by the Toronto District School Board. This board has developed a curriculum resource guide called Challenging Homophobia and Heterosexism. The concern to many parents is that page 10 of this document recommends that parents not be given permission slips for this curriculum and not be allowed religious accommodation to remove their children from said curriculum. That would appear to me to be a violation of the freedom of religion that is protected by the Charter of Rights and Freedoms. If, by legislating that boards must implement an equity and inclusive education policy, Bill 13 leads to curriculum being imposed that violates religious freedoms and parental rights, then citizens of Ontario should definitely be concerned.

(7) Bill 13 has several instances of vague language that seem to be open to subjective interpretation. Section 1 gives the amendment to the definition of bullying and says that the behaviour is intended to cause harm, or the pupil ought to know it would cause harm. If children show a large variation in their maturity level and understanding, it may be difficult to say what any one child should have known. That calls for postulation.

The next paragraph of that bill mentions a "real or perceived power imbalance." That also may be ambiguous. Then section 4 of Bill 13 talks about "incidents based on homophobia." Again, I think we may need clarification of this term, because it's a tricky term. Will a Muslim student who is overheard discussing with a friend that his religion discourages homosexuality, although he says nothing disparaging, still be found to be promoting homophobia?

(8) This last point leads into the nature of the problem with the word "accepting" present in various places in Bill 13 and in its short title, the Accepting Schools Act. Although the intent of that word, I realize, is very good, accepting implies agreement. This is a subtle but important matter to note. Canada has a strong heritage as a pluralist society known for its tolerance of different opinions and religious beliefs. The foundation for a free and democratic society includes respect for all persons, in spite of those different opinions and beliefs. Respect is necessary; agreement is not.

On that issue, I take difference from our speaker who was here representing OECTA—I don't know how you pronounce that—because I know he felt that we needed to encourage that acceptance. But I think that's a key

point, that unfortunately, acceptance implies agreement, and that is a term I don't find acceptable.

In a free society, there must be room for debate and constructive disagreement. In 2009, the Ministry of Education released a document entitled *Realizing the Promise of Diversity: Ontario's Equity and Inclusive Education Strategy*. In it, Kathleen Wynne, the Minister of Education at the time, articulated that strategy as "embracing diversity and moving beyond tolerance to acceptance and respect." But if tolerance is the respectful interaction of different points of view, then moving into acceptance will actually constrict both freedom and equality in Ontario schools, in my estimation. The word "tolerance" has gotten a bad rap—and I know for one of our other speakers it's become a word that seems to be connected with indifference of some kind. But I still feel—I'll read that last sentence again: If tolerance is the respectful interaction of different points of view, then moving beyond it to acceptance will actually constrict both freedom and equality in Ontario schools.

In a previous Ministry of Education document from 2008, entitled *Finding Common Ground: Character Development in Ontario Schools, K-12*, it was stated that, in Canada, "our citizenry will continue to be increasingly diverse." It stated as an objective "preparing students to be citizens who have empathy and respect for others within our increasingly diverse communities."

I submit that having respect for one another is a much better term than "accepting." According to the Merriam-Webster Dictionary, the word "accept" can mean to give admittance or approval to; to recognize as true or to believe. Whether I agree with you or not, I can respect your worth as a person.

Respect is what is needed. "Acceptance" is an inappropriate term to apply to a diversity scenario that may include contradictory opinions. So I think that instead of being called the Accepting Schools Act, Bill 13 may have more aptly been named the Respect in Schools Act.

I've read through all the Hansard transcripts for last week, like I said, and have sat here for some of today's proceedings as well, and it seems to me that this committee must be getting somewhat bored, or at least experiencing *déjà vu* sometimes. Many of the same concerns over Bill 13 are being raised again and again by concerned citizens of Ontario.

Meanwhile, those who are proponents of Bill 13 seem to be focused specifically on the equity club issue within the bill. And maybe I have missed something here, but I have not heard much that's bad about Bill 14.

I often like to use the expression, "If you're going to come to me with a problem, come to me with a solution." So, given the extent of the concerns with Bill 13 and their absence from Bill 14, and given the discussed benefits of Bill 14, I would find it the only logical solution to use Bill 14 as the base anti-bullying legislation. Add in the equity clubs, but use Bill 14. Is it within the power of this committee to do that?

I am reminded right now of the motto of the Ontario Legislature that's inscribed in the chamber, which reads,

in Latin, “Audi alteram partem,” or “to hear the other side.” This is an opportunity for this committee to forgo political manoeuvring in the best interests of the children of Ontario. They deserve the very best anti-bullying legislation that we can give them. So I thank you for this opportunity to speak today.

The Chair (Mr. Ernie Hardeman): We thank you very much for your presentation. We have, in practical terms, used up all the time available, so we’ll let you off the hook for answering any questions, but we do appreciate your presentation here today. I’m sure we’ll give it due consideration as we review the bill.

Ms. Yvonne Haley: Thank you.

The Chair (Mr. Ernie Hardeman): Thank you again.

MR. DAN DI ROCCO

The Chair (Mr. Ernie Hardeman): Our next delegation is Dan Di Rocco. Thank you very much, sir, for your attendance here today. As with the previous delegations, you will, first of all, give all that printed material to the clerk so he can pass it out. Secondly, I’ll inform you that you have 15 minutes to make your presentation. If any time is left at the end of your presentation, if you don’t use it all, we will have questions and comments. The questions and comments will start with the official opposition.

With that, if you would state your name for the record into the microphone, and you’re then ready to make your presentation.

Mr. Dan Di Rocco: Thank you very much, Mr. Chairman. My name is Dan Di Rocco, and I come to speak before this committee with the perspective of a retired principal, parent and grandparent. I want to thank the members of the Standing Committee on Social Policy. I appreciate the opportunity to contribute to these public deliberations. I am happy to share my insights, shaped as they are by 35 years in education as a classroom teacher, as a staff moderator of student clubs, as a coach, and almost 20 years as a principal.

1750

What is the purpose of education and why do publicly funded schools exist? I am not going to offer my answer. Suffice to say that the answers may vary, but the answers help to determine the organization, the structure and the management of schools and school systems, and their curriculum priorities. Ontario education today compares favourably with most jurisdictions in quality, with two publicly funded systems plus many private schools and also a home-schooling sector. It is a very expensive system of education; it has a crowded curriculum and serves hundreds of thousands of learners of all races, cultures and languages, very much reflecting the multicultural, multi-faith, and multiracial population of the province.

What is this Bill 13 about? What is it seeking to do? The context in which the bill appears needs to be explained.

In June 2009, the government of Ontario introduced PPM 119, the overarching aim of which appeared noble and positive, intended to afford all students equal opportunities to learn, grow, and contribute to our society by eliminating racial, cultural and other forms of discrimination.

However, the implementation strategy, Ontario’s equity and inclusive education strategy, and recommended resources gave interest groups opportunities to manipulate the policy’s implementation to their advantage, such that parent groups started to question the intent and scope of the radical changes being introduced. Many parents felt a dissonance between what they wanted for their children’s education and what some of the implementers of the policy tried to introduce.

Perhaps not content with the effectiveness or pace of the implementation strategy, the government has chosen to amend the Education Act, and thus use the codified law to help push its agenda for reform on the people of Ontario. No one seriously quibbles with the general aims of Bill 13 when couched in terms like “increasing student achievement,” “reducing achievement gaps between students” and “increasing confidence in publicly funded education,” nor with its seeking to do so by creating a safe, welcoming school environment for all students. But there has been and continues to be considerable opposition and concern expressed toward elements of PPM 119, the education strategy associated with it, and now Bill 13. Why?

In the preamble of the bill, one comes across words and expressions that lack clarity but that are loaded with subjectivism. On the one hand, there are statements which declare, “The people of Ontario and the Legislative Assembly: Believe that...,” and there are some wonderful statements. But then we get to a couple that maybe some people take exception to and don’t agree with, specifically the one dealing with the LGBTIQ, or the one that says we “Acknowledge that there is a need for stronger action...”

As far as I know, harassment and bullying are not permitted in Ontario schools, nor in the workplaces. School administrators and teachers already have the legal and moral authority to tackle bullying and related inappropriate behaviour. In my experience as a principal of several large secondary schools for almost 20 years, I cannot recall—I will repeat: I cannot recall—a single incident of bullying related to gay or same-sex attraction. There was teasing and harassment focused on all kinds of perceived behaviour and/or differences, like body shape and size, alleged sexual promiscuity, drug dependency, race, language, culture, bookishness and high marks, being super achievers, hairstyle, acne, body odour, food choices and smells, limited intelligence, over-piousness, favourite sports team, the pitch of one’s voice, stuttering, premature hair loss, hair style and hair colour, music preferences, choice of clothes or how worn and personal jewellery. So why special legislation targeting a particular type of bullying?

There has been an element of bullying at schools from time immemorial. It isn't about to disappear, because all human beings, including young learners, are imperfect beings, capable of insensitive, mean and cruel remarks, and inappropriate behaviour. The statistics being cited to justify the concern with a particular type of bullying are suspect.

All students should be able to enjoy their learning experience each day. School principals and teachers know that ensuring school discipline is an absolute prerequisite for learning. The Education Act and its provisions, specifically the duties of the principal, the duties of the teacher etc., which I have provided in the appendix, make this simply clear, and it gives the educators ample tools to deal with bullying of any sort. Boards and schools, too, have developed codes of conduct that are published in the school handbooks each year. I have provided in the attached appendix an example from one such student handbook. This is the book that I'm speaking of and it's referred to in the appendix.

If an amendment to existing legislation is deemed necessary, it ought not to create more problems. Various ministers of the provincial government have stressed the idea that one must go beyond tolerance to acceptance and respect when it comes to the gay lifestyle. But this attitude, if acted upon, denies freedom and equality to those who in conscience disagree with what they are being asked to accept and respect.

Philosophically, and ironically, the real small-l liberal recognizes and upholds the dignity and inherent value of the individual person, recognizing that such person has and should enjoy the fundamental rights that exist prior to and independently of any government—such rights as freedom of religion, freedom of speech, freedom of conscience, and that which precedes all others, yes, even the right to life. It is the duty of the government to protect the individual from coercion of whatever sort.

The government, through this legislation, judging from some intemperate public statements made by members of the Liberal government, is asking believers to park their faith at the school entrance. The government is failing to respect and uphold religious freedom, one of the most fundamental of human liberties, as enshrined in the Canadian Charter of Rights and Freedoms and the Universal Declaration of Human Rights.

In items 4, 7, and 9 of Bill 13, freedom of religion is undermined because religious liberty ceases to be meaningful when adherents of a particular faith and the teachers of that faith cannot express their beliefs in the school environment. A person of faith must have freedom of conscience and be able to make ultimate claims about the meaning of life, the order of creation and their place and purpose in it.

Regarding the proposed amendment contained in item 4, what does this sentence mean: "To create schools in Ontario that are safe, inclusive and accepting of all pupils"? To me, this is the key. If it means, as the previous speaker was asking as well, respecting all students as human beings, worthy of being treated with dignity and

respect, there is absolutely no problem. If it means accepting all students' actual conduct and beliefs and understanding as being equally true and correct, then there is a huge problem, and it would be manifested in many ways, including classroom discussion and co-curricular clubs and activities.

In the strategy documents that preceded Bill 13, one finds an invitation to self-censorship and re-education on the part of the teacher, asked to engage in reflections such as: "In my classroom, I assume responsibility for examining and taking steps to modify personal beliefs and biases that are inconsistent with equity and inclusive education principles."

Educators in Catholic and public schools with more traditional views might be discriminated against under this system because they might not show enough "sensitivity" to certain lifestyles. They would be subjected to possible discrimination in hiring and promotion, and not enjoy the freedom to be themselves in the classroom and actually teach what their faith and/or conscience holds as right and wrong.

1800

So the dissident person who wishes to disagree with their church—and I was here for that OECTA representative earlier on. I would consider that gentleman a dissident. Why? Because he doesn't agree with his church's teaching.

So the dissident person who wishes to disagree with their church, mosque, temple or synagogue teaching would be protected, and his/her right respected as freedom of conscience. But the teacher who agrees with his faith and chooses to uphold the church/mosque/temple/synagogue teaching would be out of luck. One cannot read the bill without reference to the policies and the strategies that are wedded to it.

Section 7: "(3.1) If a board enters"—and that's the one dealing with the third party use of schools. The provision regarding third party use of schools creates an unreasonable condition. It is coercive in nature, disrupting co-operation between schools and third parties that may be dependent on access to those public spaces for the conduct of their business. Bill 13 can be viewed as a threat to freedom of religion and association since many of these third parties include church groups and fraternal service groups that hold different views about certain lifestyles.

How much time do I have left, Mr. Chairman?

The Chair (Mr. Ernie Hardeman): You have about two and a half minutes.

Mr. Dan Di Rocco: Two and a half minutes? I will skip over some of the other items and go directly to section 9.

The amendment to the Education Act provides new expectations and new directives that cause unnecessary conflict for many people regarding the GSAs. The legislation mandates gay-straight alliances if requested by students. This provision presents serious problems for schools, especially for Catholic schools. The provision

attacks the schools' right to faithfully teach what they believe.

Moreover, students cannot lead the clubs because all school clubs and activities must have staff moderators as per existing expectations. If a photography club or yearbook club requires a staff moderator, certainly a club purporting to deal with very delicate and sensitive social issues and relationships should not be left and would not be left to the care and leadership of a student. These clubs, of course, do imply curriculum—they have implications.

I will skip over most of the next stuff and go to summing up my observations and concerns.

Let me say that a school and classroom environment is dynamic. There is questioning and judgment exercised about many issues—social, political, economic, environmental, religious and moral—all the time. With a diversity of students and teachers, there is likely to be, obviously, a diversity of opinions and beliefs in the classroom. The differences need to be respected but not necessarily accepted or celebrated. Teachers simply need to insist on civil and respectful dialogue and equal treatment of students in class and outside class. All need to treat one another with respect. I am not convinced that Bill 13 adds much to the public dialogue on the general issue of bullying. There are a series of reasons why I feel that way. Let me, again, go to the last two paragraphs.

Bill 13 effectively bullies those who do not agree with the government's agenda on how to combat bullying in our schools. It is a dangerous piece of legislation because it would help codify into law a comprehensive policy that, when fully implemented, will change all publicly funded Ontario education in a dramatic and negative manner. It will impact on all aspects of education: course curriculum content, supplementary learning resources, co-curricular clubs, student leadership, the hiring and promotion of staff, training of staff, discipline of students, the collection of data, monitoring of implementation, selection criteria for leadership positions etc.

In summary: I believe Bill 13 will create new problems if left in its present form. I recommend that Bill 13 be drastically amended or meshed with Bill 14, now Bill 80, which I believe is a better-written bill, broader in scope, more sound in its approach, offering greater flexibility and universality of application to all forms of bullying and related misbehaviours, and does not give priority to a particular form of bullying. In comparison to Bill 13, Bill 14 is more fair, more objective and simple in its intent, giving the Minister of Education the mandate to provide measures to prevent bullying without bringing in all kinds of side issues that serve to confuse, obfuscate, threaten and divide the public.

Thank you, Mr. Chairman. I thank the members of the social policy committee.

The Chair (Mr. Ernie Hardeman): And thank you for your time. Your time has been consumed, so we thank you very much for your presentation.

ONTARIO INTER GSA ASSOCIATION

The Chair (Mr. Ernie Hardeman): Our next presenter is the Ontario Inter GSA Association. Good afternoon, and thank you very much for coming in. We appreciate you being here. As with the previous delegations, you will have 15 minutes to make your presentation. You can use any or all of that time. If you have time left at the end of your presentation, then we will have questions from the committee, if they have any, to your presentation.

With that, when you start your presentation, if you would give your name for the recorders so they can put it in Hansard, we'd very much appreciate that. From there on, welcome to the committee, and the floor is yours.

Mr. Christopher McKerracher: Thank you. I'm Christopher McKerracher. I'm a student at an Ontario high school—a Catholic high school, specifically. I have things going around because in my speech I'm quoting stories from students as well as a couple of studies that I'll speak about in my speech.

This is Chris Imrie. He's the founder of the Inter GSA Association. He goes to a public high school, and he's going to share his story as well.

It is my understanding that many of the people who spoke at the committee hearings last week are treating homophobia as a non-issue and acting as if GSAs are not important for LGBT youth. I was surprised by the amount of people who honestly believed that gender and sexual minority youth face no problems in their lives. I take it upon myself to prove that this is not true, that many queer and trans-identified youth do face harassment and commonly feel unsafe at school. I asked people I know for personal stories, and even I was shocked at the horrible ways that some students were treated. What is worse, however, is that a lot of people insist that what they are going through isn't really happening. These stories were the encouragement for me to write this speech, because I want to make sure their voices are heard.

It's just ridiculous to say that homophobia isn't a problem when there are still kids getting beat up because of their sexuality. My friend from my school sent me this story about what happened in her school and in her neighbourhood. I'm going to quote part of it.

"Getting chased by people that call you gross and disgusting without fighting back. Getting threatened about moving schools and into a place where this 'sickness' would be treated. I faced getting beat up outside my home and pushed into lockers at school, ignored by the people I called friends, all because I'm different from others. Living with parents that never understand this is hard enough."

People deal with this every day, everywhere. It isn't a contained problem, but it is unfortunately a problem that happens in silence. It's easy to say that homophobia doesn't happen too often, because how easy is it for a student dealing with this constant feeling of rejection to really stand up for themselves? How can a youth who has

no one to relate to make themselves feel visible? Safe spaces are important, and they are needed.

I've heard so many horror stories of students dealing with rejection and violence, and it makes me sick. A friend of mine, when he was in grade 9, got one such comment that he remembers that said, "I'd like to kill the fucking faggots."

There's also this story someone told me about her friend: "I know a girl who was openly bi. Her school didn't have an active GSA, and she was bullied to the point of cutting herself. She transferred schools."

Or this story: "I came out as bisexual when I was 12. I'd known it for years, even at such a young age. I had a lot of close friends, so I figured the response wouldn't be so negative. My best friend at the time, the one person out of all people I trusted to support me, told me that I'm a disgrace and that homosexuality is disgusting. Because I was at the age where I was only beginning to learn about judgmental people and fitting in, I went back into the closet."

As unfortunate as it is for me to say, it wasn't very hard for me to get these stories. I didn't have to scour the Internet for hours. I just had to ask people that I know what they've gone through. Nearly every gender and/or sexual minority person I asked had at least one horror story to share with me.

This is also backed up by statistics. A recent study by Egale showed that 73% of queer youth feel unsafe in at least one part of their school. The statistic is even higher for trans youth, with the number jumping to 87%. Another study, from the Suicide Prevention Resource Centre, has also found that queer youth are much more likely to commit suicide than their heterosexual counterparts.

Not every story that was shared with me was bad. I've heard wonderful stories of students being accepted, being loved, feeling safe and just feeling happy. There was a common factor in all these stories: They all had a GSA or some equivalent to it.

One story of a girl's coming out: "By the time I turned 16, I decided that I was comfortable enough to let everyone know of my sexuality. I discovered myself as pansexual. I hadn't known what the term meant, up until I joined my GSA. My school's gay-straight alliance has helped me through so much, being proud of who I am, knowing that there are others out there supporting me and simply helping discover exactly who I am."

1810

For students who have faced bullying because of who they are, they have been nothing but thankful for what their GSAs have done for them. Sometimes it's the only place that these students have to turn to.

My friend Bette was kind enough to share her story with me. There was a time in her high school where the student body and her peers were against her. This is what she had to say:

"My school's GSA provided me with a different perspective at this difficult time in my life. The group was a safe place for me to be myself, to cry and to be consoled.

The staff adviser was the only adult in my entire life who gave me the time of day and any support for a good few years. The classroom where our meetings were held in became the only place in my entire school where I was not scared I would be targeted, threatened, pushed, beat up or judged. The group transformed from a two-person club to a team of allies and supporters who became my family. For the first time, I belonged; I was welcomed and loved for who I was by people that were just a year ago strangers. The group provided me with strength when I felt defeated and unworthy. The group became my voice when I was left silenced and speechless. The group was my backbone when I felt that it was impossible to stand on my own. The group became my hope when I felt that things would never get better. The group was my determination when I felt that I might as well just give up. The group was my family, and the only family I did have for a few years. I only understood the power of the GSA I had in my school when I was alone and so scared. It is absolutely terrifying to think of the direction that my life could have taken, if in fact this GSA support group was not present in my school."

Every person that has shared their stories about GSAs has told me how important that they are for them and their school. They've said things such as, "Without a GSA, many people would not have the support that they do now. A GSA is to bring everyone together, eliminate labels and create a better tomorrow. A GSA makes the school a better place; it makes this world a better place. Without a safe space, there is no support and no hope. Everyone needs a safe space, and my GSA is mine."

Another quote: "I personally feel that our school (and any other school with a G/QSA) is a much safer place for everybody, not just LGBTQ kids, because it promotes equality and freedom for people to exist as they wish to exist without fear of prejudice."

It doesn't just help gender and sexual minority youth either. As one straight ally told me, "As a person who identifies as straight, I feel safer and happier every Thursday at lunch with everyone in rainbow than at any other time. It makes me so happy to see people from all over the spectrum putting their ideas together to make our world a better place."

This information is also supported by studies. According to the study High School Gay-Straight Alliances (GSAs) and Young Adult Well-Being: An Examination of GSA Presence, Participation, and Perceived Effectiveness, students in GSAs were found to be less likely to experience depression, and they also had a reduced likelihood of committing suicide in their lifetime. The same study found that LGBT victimization was also lower in schools with GSAs.

When I hear all of these stories—these stories of happiness, of rejection, of harm—I'm not sure how people could treat homophobia as a non-issue or talk about how we just don't need GSAs. I understand that we all have our own beliefs, whether it be faith or just personal ideologies, and I know that sometimes this can conflict with someone's gender identity or someone's

sexuality. I do understand that, and I do believe we're all entitled to that. But when will enough be enough? When are we—be it people in faith-based organizations, concerned parents, uncomfortable students—going to put aside our discomfort for the sake of others? When are we going to put the happiness, the safety and the lives of our youth first? Thank you.

The Chair (Mr. Ernie Hardeman): Thank you.

Mr. Chris Imrie: As he said, my name is Chris Imrie and I go to Northern Secondary School in Toronto and we do have a GSA. I've been a member of my school's GSA for three or four years now. During that time, my GSA has been an incredible source of support to me. It introduced me to a wonderful group of people. It helped me figure out who I am, who I was, at a time when I was really struggling with finding myself—and it continues to do that today to a very meaningful extent. It's been a very positive influence in my life.

So when I heard that other students at other schools were being denied this valuable resource, I became upset. When I heard the words that some of the opponents to Bill 13 were using to describe this bill and describe GSAs, calling them “sex clubs,” accusing them of “forcing people into situations they don't want to be in” or promoting some sort of educational “agenda,” I was shocked. I would like to share a bit about the activities of my GSA, just to demonstrate what GSAs really are and how they can make a meaningful difference in schools.

My GSA has been in my school for a very long time, and I believe overall it has made an enormous difference in my school community. We aren't perfect. My school definitely still has its share of homophobia, but I think we're significantly better than a lot of other schools. I know I have never been the victim of homophobic bullying at my school, but that's not to say that others haven't. I don't hear homophobic slurs with nearly the frequency that I do in many other places, and when our student council president came out as trans a few years back, they got overwhelming support from the student community. Our GSA cannot, of course, claim credit for all of this, but I do think we've played a very important role in making our school what it is today.

For example, some of the ways we do this is that every year for the past four years, we've run workshops to educate students about homophobia and homophobic bullying. Every grade 9 class in the school goes through them, and they're talked to about these issues, about what homophobia is, about homophobic bullying and about how the things they say, even if they don't mean them, can really affect other people.

We've participated in a day of silence for as long as I've been going to this school and probably longer. That's an awareness event where we silence our own voices in order to draw attention to others whose voice has been silenced against their will. This year, we ran an assembly in front of the entire school, where we had speakers in to talk about homophobia and the importance of being supportive of friends and family who are LGBT, but how to be supportive and then what you can do.

But beyond all this, beyond the bullying prevention, beyond awareness, our GSA is a place where students can come if they feel threatened. It's a place where they can address concerns they may have about being bullied by their peers and get an appropriate response. It's also a place where they can come simply to feel welcomed and safe among a group of friends who are like them.

We're not a sex club, we're not trying to teach an agenda, unless you consider the radical concept of “bullying is bad” to be an agenda. We're just trying to make our school a safer place. And by the way, I can't overstate the importance of having this community of peers to talk to—peers who understand what you're going through and peers who have had some of the same issues themselves, who are determined to help and who can become some of the most amazing friends you'll ever have.

I hear others say that homophobic bullying should be addressed in private with a guidance counsellor, a teacher or a pastor. All of these have their place, but they're not nearly as important as being able to talk to peers. I was quite recently, in fact, really struggling with my gender identity, and the most important thing that helped me was to talk to someone else who had the same experience and who could understand what I was going through. This is what GSAs allow us to institute. It helps students to know that they're not alone, they're not the only ones who feel this way. GSAs are essential to providing this community to students who are still trying to come to terms with who they are, and I am incredibly lucky that I've had this community like this whenever I needed it.

So when I hear that other students are being denied all these things, it does make me upset. But it also makes me confused. I don't understand why this is a political issue. I don't understand why this is a controversial issue. Bill 13 is not about radically reshaping our education curriculum. It says nothing about preventing other students from creating their own groups to combat other kinds of bullying. All it says is that if students feel the need to come together to create a safe place where they can address bullying, address homophobia and find solace in the friendship and commiseration of others, then they have to be allowed to do so. How can anyone think that's a bad thing? This is not about religion. This is not about politics. This is just about trying to prevent bullying in our schools, to make our schools safer places and to help students who would otherwise be in very dark places in their lives feel better about themselves and feel secure in who they are. Thank you.

The Chair (Mr. Ernie Hardeman): Thank you very much. Did you have something more to add?

Mr. Christopher McKerracher: I remember, a couple of speakers back, OECTA, I think it was—they made a good point that I think we wanted to address. I was reading the bill earlier today, and I don't recall it—it might have said it once—actually mentioning gender identity at all. It had mentioned other groups, sexual orientation and race, but I don't recall gender identity being mentioned there. As well, although specifically

homophobia was mentioned, I don't recall transphobia being mentioned, and I think this is really important to add on to it in order to make it a properly equitable bill.

We're open to questions, if there's time.

The Chair (Mr. Ernie Hardeman): Thank you very much. We have about two minutes left. We'll start with the opposition.

Ms. Lisa MacLeod: Guys, thanks very much for coming in, and thanks for moving closer to the microphone, because I couldn't hear you. But it was great.

And thanks for the handout. I think that's very nice. I was following along, and you were doing excerpts, so I was trying to figure out everything. But I appreciate you sharing that and for your courage here today to come to committee. It's never easy. We're not all wearing suits, but I know that might be intimidating. How old are both of you?

Mr. Christopher McKerracher: I'm 17.

Mr. Chris Imrie: I'm 18.

Ms. Lisa MacLeod: Seventeen and 18—well, you did pretty good.

Mr. Christopher McKerracher: Thank you.

Mr. Chris Imrie: Thanks very much.

The Chair (Mr. Ernie Hardeman): Thank you very much. You have a quick comment, Mr. Tabuns?

Mr. Peter Tabuns: Yes, and again, I want to thank you for coming because I thought your presentation was extremely useful to us.

In your schools, if you had not been able to form GSAs, what would the impact have been?

Mr. Christopher McKerracher: Well, I can speak from my own experiences, how ever since we've had more awareness for this, it really has improved. Before then, even some of my friends said that they wouldn't be my friend if I was gay. Ever since the whole GSA issue has been addressed and we've been given some sort of club, it's been a lot easier for me to come out. Bullying has been down, mostly. I've heard of a couple of bad incidents, like the one I quoted in my speech, but I've heard a lot of positive feedback from queer students in my school.

1820

The Chair (Mr. Ernie Hardeman): That does conclude the time. Thank you very much for your presentation. We much appreciate it and I'm sure the committee will take it into consideration.

QUEER ONTARIO

The Chair (Mr. Ernie Hardeman): Our next delegation is Queer Ontario. The clerk here will get the document and pass it out to the committee. We thank you for coming in today. As with the previous delegations, you will have 15 minutes to make your presentation. You can use any or all of that time. If you have some time left over, we will have questions from the committee. This time, the questions will start with the government side.

With that, again, we thank you very much. I should mention, if you could, when you start your presentation, give your name to Hansard so we get it on the record.

Mr. Nick Mulé: Good evening. My name is Nick Mulé. I'm chairperson of Queer Ontario. Following my presentation will be Casey Oraa, the vice-chair of the organization.

By introduction, Queer Ontario is a provincial network of gender and sexually diverse individuals and their allies who are committed to questioning, challenging and reforming the laws, institutional practices and social norms that regulate queer people. Operating under liberationist and sex-positive principles, we fight for accessibility, recognition and pluralism, using social media and other tactics to engage in political action, public education, and coalition-building.

To begin, Queer Ontario is very much in support of having anti-bullying legislation in place and implemented in the province of Ontario in order to protect all youth from such damaging and oppressive behaviours. Although we believe both Bills 13 and 14 are steps in the right direction, we also believe much work is still required for these bills to reach a point of efficacy for the very youth they are designed to protect, and thus are submitting to you today a series of amendments, which we will discuss in short throughout our submission.

Considering the content of both bills, we feel that Bill 13 has a stronger base upon which to expand in our pursuit of strengthening the supports for youth in schools across Ontario. That being said, we have taken the intent of some elements of Bill 14 and modified them for inclusion in what we perceive to be a stronger, more effective bill. As well, we have drafted additional amendments for your consideration that will further strengthen the bill and reaffirm the commitment of boards and the ministry in their quest to foster equitable and inclusive environments as a means of supporting youth.

So to begin, I'm going to talk a bit about language, and that is that we distinguish the terms "bullying" and "harassment" in the following ways: Bullying is an action or behaviour carried out with intent that is targeted, consistent, repeated and involves a power imbalance. Harassment is an action or behaviour carried out in a generalized way that becomes white noise contributing to a toxic environment, creating an oppressive culture, i.e. loose use of the term "gay" in a derogatory manner, such as derisively describing a clothing article as "gay." There is ample evidence that both of these exist in schools across Ontario, and both must be dealt with, given the impact they have on those victimized by them.

We also distinguish between a "school climate" and a "positive school climate." The former operates and functions with little or no attention to the sensitivities of diverse populations therein. The latter takes a conscious and active role in recognizing and being sensitive to the needs of its diverse populations towards the ongoing development of an accessible environment. This latter climate would be in keeping with the equity and inclusivity policy.

Finally, we recommend that the term “gender expression” be added to the list of social locations outlined in number 7 of the explanatory note of Bill 13 along with “gender identity” and the others. The transsexual and transgender communities have indicated the importance of both these terms, as are currently being advocated for explicit inclusion in the Ontario Human Rights Code, as they more accurately reflect and capture the continuum of experiences of members of the trans communities. Secondly, we urge consistent inclusion of this terminology throughout the bill, as these populations are currently inconsistently recognized at best in the proposed bill as other populations are.

Talking a little bit now about professional development, internally within school boards we are calling for the mandatory and continuous education of all staff to assist them in recognizing, being sensitive to, understanding the complexity of issues involved in, and being prepared to take responsive action to incidents of bullying and harassment. If the end goal of the education system is to foster and produce holistic youth, then the system that produces them must commit itself to being holistic in its aims, goals, policies and practices as well.

We recommend that one of the three mandatory professional development days be devoted to anti-bullying and anti-harassment issues. This would ensure staff is exposed to and given an opportunity to learn about these issues at a micro level. Such development is integral to ensuring that staff have the ability to recognize problematic behaviours and actions, as without such knowledge base the staff in schools across the province are woefully ill-equipped to respond to bullying and harassment.

For aspiring teachers in training, we are calling for the implementation of core requirement courses on equity and inclusivity to prepare the future teachers of this province for the diversity of students they will be teaching, and the ability to contribute to creating and sustaining a positive school climate. Similar to the professional development of practising teachers, courses such as these are currently only optional.

For teachers currently in the field, we call upon the Ontario College of Teachers to facilitate mandated additional qualification—also known as AQ—courses addressing equity and inclusivity issues so that currently active teachers can be brought up to speed on relevant concepts, issues and, most importantly, teaching intervention strategies when faced with incidents of harassment and/or bullying at any level within the education system. Such a requirement, when paired with the mandatory anti-bullying and anti-harassment professional day, allows for a base to be established through the AQ course and then supported regularly via the mandatory professional day.

Addressing bullying and harassment within the context of equity and inclusivity at each of these levels creates a systemic apparatus that will support the recognition and implementation of legislation dealing with bullying and other matters. These structural supports will

be essential for all stakeholders in the education system, from students to teachers, from support staff to administrators, in ensuring systemic consistency with Education Act regulations. The clear end result of such professional development is a greater commitment to creating a knowledge base and skills for teachers and staff in schools and administrative positions, thus providing them with the tools necessary to identify and combat bullying and harassment.

I turn it over to Casey now.

Mr. Casey Oraa: I’m going to speak first about compliance and accountability. One of the major reasons why Queer Ontario supports a strong piece of legislation that adequately and effectively addresses the issues of harassment, bullying and other matters is that our current Ministry of Education has consistently devolved these responsibilities to the board level. Boards of education vary across the province with regard to their willingness to address issues of equity and inclusivity, and in particular the lesbian, gay, bisexual, transsexual, transgender, two-spirit, intersex, queer and questioning populations of students, with a clear divide existing between public and Catholic boards. One need only consider the publicly funded Catholic school boards in this province and their continual abdication of their duty to support LGBTQ youth in their rights to form a gay-straight alliance, under currently existing program/policy memorandum 145, and the ministry’s unwillingness to enforce its own policy as a blatant example of this. By putting these important concepts into legislation, it will ensure the ministry takes the responsibility it should have taken all along to ensure compliance and accountability of its boards, rather than leaving it up to the latter to follow through or not.

There already exists an equity and inclusivity policy and corresponding guidelines for policy development and implementation that the ministry can use to jump-start this legislation once passed, requiring all boards across the province to comply.

Further to this, and as a means of accountability, we call for the ongoing data collection by boards in the form of school climate surveys to be continued, and that, further, principals deliver annual reports to boards of the data. As well, boards should deliver biannual reports to the ministry of the cumulative data for their schools, and the ministry should deliver a biannual report summing up data gleaned from all the boards. This will assist in continual monitoring and managing of problematic issues that contravene principles of equity and inclusivity. Such quantitative statistics and qualitative responses will help shape and reshape interventionist responses as issues unfold.

Moving forward to the next point, I will be speaking about student voice. Of course, at the crux of all of this are the students themselves. At Queer Ontario, we believe in the independence and agency of students to determine for themselves the supports they feel they best need, a principle that has consistently guided our support and actions. Over the past year and a half, it has become part of public consciousness that students enrolled in

Catholic school boards who are requesting the establishment of a gay-straight alliance have been denied this right. The reality of the situation is that such denials existed well before the stories of the struggles of LGBTQ youth seeking to form such groups came to light—all of this despite the aforementioned PPM 145 that explicitly gives them that right. It is not lost on Queer Ontario that the language surrounding GSAs and other like groups as proposed in Bill 13, currently before us, attempts to sidestep PPM 145 by indicating that boards support the establishment of GSAs “or another name,” with no clear designation being made as to who would determine that name. This is unacceptable, for it denies students their choice in naming a supportive organization that accurately represents who they are and their mission to support one another. We strongly and resolutely recommend that the name of such clubs be determined by the student. Recognizing this would align Bill 13 with PPM 145. Otherwise, you are creating an inconsistency that will leave the Ministry of Education open to future challenge.

1830

In order for students as well as staff who have been impacted by bullying or harassment to have a voice, we call for boards to establish a transparency mechanism that allows for a complaint process that protects anyone victimized by bullying or harassment, without fear of further reprisals. We also call for the minister to intervene in unsatisfactory cases.

In conclusion, Queer Ontario urges the government to move forward with this bill or a combination of Bills 13 and 14, as well as to give strong consideration to including our amendments, to ensure that the serious issues of bullying and harassment are adequately recognized, sensitively addressed and responsibly intervened with. These are serious issues that can mean life or death for the youth of this province.

We at Queer Ontario also recognize that some youth are more targeted than others for bullying and harassment, whether based on their race, ethnicity, age, size, looks, sexual orientation, gender, gender identity, gender expression, disability, religion, class status etc., or the intersection therein. The focus of our mandate is on the gender and sexually diverse populations. Given LGBTQ communities’ long history of being targeted for harassment and bullying, we feel it is absolutely essential that we be explicitly named in this legislation, to ensure some measure of protection and regulation over these incidents.

We will now take questions.

The Chair (Mr. Ernie Hardeman): Thank you very much for your presentation. We do have about three and a half minutes left. The first is to the government side: Ms. Sandals?

Mrs. Liz Sandals: Thank you very much for your presentation. That was very helpful, and you’ve got a number of helpful comments that you were making here.

You’re distinguishing between bullying and harassment—and I’m not quibbling with that; I agree with the distinction that you’re making. In your definition of

bullying, the words that you’ve used, or at least the concepts you’ve used, are reasonably consistent with the Bill 13 definition of bullying. Are you in fact supporting the Bill 13 definition, other than the bits that you included about trans?

Mr. Casey Oraa: As we said from the onset, we feel that Bill 13 is a stronger base from which to work upon and develop. But that being said, there definitely were parts of Bill 14 that we pulled forward the intent from and modified for use in this bill, mostly around compliance and accountability measures. We felt that Bill 13 lacked in that area.

Mrs. Liz Sandals: Yes, and the bills have different strengths. What you’re saying is, take Bill 13 as the base and incorporate some of the other ideas that Bill 14 brings in, which are positive ideas as well.

Mr. Casey Oraa: Yes. If you look at the accompanying piece, it is in fact Bill 13 that has been amended and modified.

Mrs. Liz Sandals: Okay. I note in your comments there that you talked about the whole issue of who gets to choose the name of a GSA. I’d just like to assure you that the intent of the original recommendation of the safe schools action team, on which PPM 145 was based, is that if students request that there be a club, the students should be the people who influence the naming of it. Certainly, we heard students speaking to us of school climates—not positive—in which identifying a GSA as such would have been problematic to the members. In those cases, the kids would have chosen a different name, and we would certainly want to respect the right of the kids to choose a name which is appropriate to their comfort level or their circumstance.

Mr. Casey Oraa: Yes, and our position is that for that to even happen at this point, you would need to modify the language with regard to that provision to make it clear that it is the students who would be able to determine that. Regardless of the intent of PPM 145, in practice, that intent is clearly not being respected by the boards, and the ministry is not stepping in to enforce it.

Mrs. Liz Sandals: So we need to look at just clarifying the language, to make it clear that students are—

Mr. Casey Oraa: Yes. We make a recommendation that explicitly says “as determined by the pupil” at the end of “gay-straight alliance or another name.” That makes the distinction very clear, and it gives them the right.

The Chair (Mr. Ernie Hardeman): Thank you very much for your presentation. That concludes all the time we have.

MR. MICHAEL KNIGHT

MRS. NANCY KNIGHT

The Chair (Mr. Ernie Hardeman): Our next delegation is Michael McKnight—

Interjection.

The Chair (Mr. Ernie Hardeman): Michael Knight, not McKnight. My neighbour is McKnight. Michael Knight and Nancy Knight: Thank you very much for coming in.

As with the previous delegations, you will have 15 minutes to make your presentation. If you have a handout that goes with it, the clerk there will take it and pass it out to committee. You have 15 minutes; you can use any or all of the time it takes. If you finish your presentation and you still have some time left, we will then let the committee ask a question. The next round of questioning that we have will be started with the official opposition. We do ask that before you start making your presentation you give your name to Hansard through the microphone so the record will show you being here.

With that, the floor is yours. Again, thank you for coming in.

Mr. Michael Knight: Thank you. My name is Michael Knight and this is my wife, Nancy. It was actually Nancy who prepared this submission but, unfortunately, Nancy is visually impaired, caused in part by a bullying incident when she was younger. As a result, she's asked me if I could read her preparation this evening on her behalf.

The Chair (Mr. Ernie Hardeman): Very good. Thank you very much.

Mr. Michael Knight: Thank you for your hard work and patience during this process.

Ten years ago, in 2002, our family filed a statement of claim against the Halton District School Board for failing to protect our children during eight years of relentless, severe and escalating bullying. We received copies of student incident logs and parent contact logs written by vice-principals during some of our children's high school years, Ontario school records of two of the perpetrators, the medical records of one of them, police reports, eyewitness accounts of our children's fellow students and the opinions of experts.

During these past eight years, Nancy has been searching through these records, putting them together with her experiences during the four years she volunteered at our children's public elementary school and what she's learned from ongoing research. She has been writing a book about what happened to us and trying to understand how it came to be that our ordinary little family suffered such chaos and stress for so long. Our society has had a long time to face up to the bullying problem and we have not always taken it as seriously as we should have.

Almost 50 years ago, though she always felt safe at school, Nancy's right eye was injured during a bullying incident on the way home from a Girl Guide meeting. In her early 20s, a grown-up bully, who didn't know how to or wouldn't control his temper, injured both of her eyes. Later, an illness took just a little more of her sight and by the time our children were four and five years old, she was legally blind.

We all know that illness can cause serious and permanent injury, but bullying injuries can be just as serious and permanent. The costs to society in terms of the loss

of productivity and human potential are enormous, yet we can stop our children from bullying each other. Surely all children deserve to reach adulthood free of the harm bullying at school can cause.

For decades, governments have made many attempts to improve the educational environment for children. In the 1960s, Nancy experienced the changes in education because of Hall-Dennis. She watched as subsequent governments tried to return order and discipline in our schools while thankfully discarding many of the harsh punishments of earlier years.

Zero tolerance, the Safe Schools Act and the code of conduct and its listed consequences, despite not including bullying specifically, should have been adequate to address the day-to-day aggression that our children and others were experiencing in the 1990s.

However, for seven years, our school administrators did not enforce any of the fair and reasoned consequences listed in that code of conduct with respect to our children.

Only in the final year was anything done. A new vice-principal finally suspended one student for chasing after our son with a metal metre stick and then, the next day, threatening to snap his neck. Later that year, she expelled another student for the worst assault my son had ever experienced.

By the time we withdrew, first, our daughter and then our son from high school in 2002, at least four principals, three vice-principals, eight teachers and school resource staff, two board staff members, two superintendents, one director of education, one trustee, two Ministry of Education employees, one staff member in the office of our representative in the provincial Legislature, one staff member in the office of our federal representative, the privacy commissioner's office, several social workers, psychologists, one psychiatrist, one pediatrician, our family doctor, several police officers and four parents of some of the bullies knew our children were being bullied. We know they knew because we told them in person, phoned them, wrote letters or sent emails.

1840

Finally, one Ministry of Education staff member had this advice: "Sue the board," she said. That's exactly what we did. The legal proceedings took eight years and tens of thousands of dollars. Recently, more parents are turning to the courts. Is that the only way we can enforce the Education Act?

One day in the hall, our children's elementary school principal approached Nancy. He had a copy of the recently introduced code of conduct in his hand. "Mrs. Knight, if I was to enforce many of the consequences in the code of conduct, I could find myself in my office behind my desk with the perpetrator's parents, their lawyer and my superintendent, my boss, on the other side. It would be my obligation to justify my actions to all of them, and the parents of the victimized child would be nowhere to be seen."

We soon realized that there is no procedure beyond the principal's office with which parents can advocate on

behalf of their victimized child, and there has never been a way for parents to support a principal who is willing to help. When we tried to report to the board of education office or to a superintendent when school administrators failed to follow policies and procedures, a staff member simply sent us a copy of the code of conduct, and the superintendent did what she was supposed to do. The Education Act requires superintendents to advocate for the perpetrator.

Our trustee was not helpful. Trustees receive appeal-to-suspension and appeal-to-expulsion forms with all of the names blacked out. They have no way of matching any individual appeal form with the phone call they've just received from a worried parent, eager to find relief for a persecuted child.

We made many useless attempts to raise the subject of behaviour in general, and with respect to our children, during private meetings with teachers and school administration. A few parents tried to raise the subject of behaviour, not mentioning individual children or groups of children, at parent council meetings. School administrators refused to address issues of behaviour or to allow discussion among parents. It's surprising how loud a principal's voice can get in a small room at the rear of a library during a safe schools committee meeting.

We must protect the reputation of individual students. We must allow children to leave their youthful indiscretions behind as they grow into adulthood. However, there are other less-admirable reasons why school administrators can and do use privacy and confidentiality to avoid acknowledging and confronting the subject of behaviour.

Principals have an interest in protecting the reputations of their schools. They don't want bad news getting out into the community or into the media. They do not want too many parents calling their superintendent because that will make the superintendent pay attention to what is happening at that particular school—except, it seems, when the call is from a victim's parents. Also, principals don't want parents to send their children elsewhere, taking per-student, per-day funding that comes from the provincial government with them, leaving fewer resources for those students left behind.

Here, we are considering requiring principals to submit reports when bullying incidents occur, just as they are supposed to do now with respect to violent incidents, yet we know that school administrators did not act on or report many incidents involving injuries to our own children. We will always have the greatest respect for the professionals we hire to educate and care for our children at school, but their responsibilities are complex, and you know as well as we do that they are only human.

Our family has had the benefit of what we've learned throughout the course of our legal action against our board of education, the benefit of a great deal of worldwide research on bullying, our experience during our children's eight-year bullying ordeal, and our interactions with our children's teachers and school administrators. We would like to put forward the following:

First, parents of victimized children need an advocate. We ask that this committee consider recommending that this Legislature broaden the responsibilities of the Ontario Ombudsman's office to include our schools, parents and their children. This was raised last year right here in this building and was defeated.

Second, Nancy and I have worked at some of the largest companies in the world, and the idea of cross-checking job performance and monitoring for quality control is not a new one. We need to monitor what is happening at school level. We need to know if school administrators are using the tools we give them judiciously and effectively. We need to provide training and create positive incentives for school administrators to do what we ask them to do, and we need to let them know that we expect them to keep our children safe while they're at school.

Many parents are well aware of what is happening at their children's school, because either their children tell them or they observe what's happening themselves. Perhaps we should give parents a process with which they can report bullying incidents as well as violent incidents that involve their children. Reporting forms could be made available via the Internet or at school offices. Privacy concerns in verifying the authenticity of each report could be worked out. The reports would have to be tagged to the appropriate school. A major discrepancy between parents' reports on bullying and violent incidents and those sent in by principals would indicate the need for interventions at the school: more in-service training, more motivation and more supervision.

We want you to know that we understand what is happening in our children's schools and we want you to fix it. We urge you to consider this submission carefully. Thank you.

The Chair (Mr. Ernie Hardeman): Thank you very much for your presentation. We have about four more minutes left, so we'll first go to the official opposition. Ms. MacLeod?

Ms. Lisa MacLeod: Thanks, Chair. Great presentation. I want to cede the floor to my colleague Ms. McKenna, who wants to say something to you.

Mrs. Jane McKenna: I'm just sitting here overwhelmed, because unless you have ever been in that situation—it is absolutely awful. I've been there with my own son, and you can't explain it to anybody. Listening to your story is exactly what I've gone through myself. The sad thing is that you're sitting here today and it's just so common for so many people, because we've heard other people talk about this today.

There should be one law for all. Children should be able to come and go in an environment and feel safe. You shouldn't have to feel that you are sacrificing your child by letting them go into school. And the red tape that goes on in that environment—unless you've experienced it, you can't even understand what you're saying today. So thank you so much for being here. My hands are clammy; I'm overwhelmed with what you said. Thank you from the bottom of my heart for discussing what you said

today, because I know it is heartbreaking to be in that situation and feel like you do not have a voice at all.

Mrs. Nancy Knight: Thank you very much. I think one of the most important things that we have to recognize today is that this has been going on for a long time. Successive governments have tried to deal with it on a repeated basis for a long time and nothing has worked, because I believe that we've failed to look at the very grassroots of this problem, which is at the school. We have to understand that our principals are indeed human, that they need supervision, and that the supervision and the controls of what happens in our children's schools are just not there. Somebody has to wake up and decide to do something about that specifically. Boards of education are very reluctant to hold principals and their staff accountable. There is conflict between staff and principals. There's also conflict between schools and the board of education. Unions get involved as well.

Something has to happen. Our children are too precious to have to be caught up in this trivial organizational difficulty.

The Chair (Mr. Ernie Hardeman): Thank you. You have a further question from the third party.

Mr. Peter Tabuns: I wanted to thank the two of you for coming in and presenting this very powerful story. When we look at the situation in the schools and we look at the legislation before us, we also feel that it's bigger than a question of legislation; it's a question of changing the society around us, because the anger that you see in the society around us comes into the schools, and the schools will never fully protect us from those conflicts and that anger. But I certainly think you've made a strong point about the fact that if the schools aren't responsive, parents, adults like yourselves, face incredible frustration at actually trying to get issues addressed.

Mrs. Nancy Knight: I beg to differ, actually. I think that our schools are unique and isolated environments for most of our children. The behaviour that I saw our children engage in at school, many of them would not engage in at church, at Sunday school or at home with their parents. Schools are an environment in themselves. Often, as our children grow older, that world is our children's entire world. Their entire existence is involved in their school. It's all-encompassing. Teachers and principals have a tremendous influence on our young people. In fact, at times, when our children are teenagers, that's the only influence, other than sports coaches or whatever. Their whole world is that school, the teachers—in fact, schools and principals actually foster that culture of, "Trust us. We're in this together. This is our school. Let's be loyal to our culture here at the school. We want to be number one," and parents often are very insignificant.

1850

And I don't believe the media has that much to do with our children's behaviour at school. Our children are allowed to behave the way they are at school because people allow them to behave that way.

The Chair (Mr. Ernie Hardeman): Okay, thank you very much. That does conclude our 15 minutes. We thank you very much for your presentation.

Mrs. Nancy Knight: Thank you.

TRANS LOBBY GROUP

The Chair (Mr. Ernie Hardeman): Our next delegation is the Trans Lobby Group.

Ms. Susan Gapka: Thank you, Mr. Chair. One of our members has been held up at work, so I'm wondering if we'd be able to put one of the other presentations before us. She has the written copies. Or we can go now. We know our content.

The Chair (Mr. Ernie Hardeman): We can try and do that if the other presenters are here.

Ms. Susan Gapka: Yes. At the will of the Chair.

The Chair (Mr. Ernie Hardeman): Our next presentation that goes beyond would be the 7:15 one, Public Education Advocates for Christian Equity of Hamilton. Are they here? The next one is His Name Was Steven. Are they here? No? Impact Education?

Interjection.

Ms. Susan Gapka: Fair enough.

Interjection: You're up.

Ms. Susan Gapka: We're up. It's show time.

The Chair (Mr. Ernie Hardeman): Yes, we'll have to proceed.

Ms. Susan Gapka: Well, in our world, life is totally unexpected. You just never know what's going to come your way. Thank you so much.

My name is Susan Gapka. I am chair of the Trans Lobby Group. These are my colleagues Martine Stonehouse, who is here to support us, and Christin Milloy, who has a written deputation.

We have a dream. We have a dream that when we look at this legislation that, as four groups already today have recommended, gender identity and gender expression will be written into the bill right along with sexual orientation and gay-straight alliances. We have a dream that in the future we won't have to come to you and ask you to add that into the legislation. We have a dream that indeed that will be the default position. And with your help, some of you—and I'm looking around at some friendly faces here—last Thursday, we took a big step forward in accomplishing that dream, when Toby's Act, Bill 33, An Act to amend the Human Rights Code with respect to gender identity and gender expression, passed second reading on unanimous consent. Thank you, thank you, thank you.

The Chair (Mr. Ernie Hardeman): If I could interrupt, don't get quite as close to the microphone. It's having a little feedback.

Ms. Susan Gapka: We have a dream.

So the Trans Lobby Group, let me tell you a little bit—now, I don't have my clock in front of me, so I want to make sure that we leave time for questions. The Trans Lobby Group is a volunteer group of members of the trans community. We have about 40 members. We're

non-partisan. We've been coming here for a while now talking to members of provincial Parliament around our three needs. We are here to support both Bill 13 and Bill 14 today. We agree with the previous recommendations to make it even stronger. Call them trans-gay-straight alliances, just call them something and support our students, support our young people.

Egale has research—Trans Pulse: Almost 80% to 90% of young trans people consider suicide. It's a frigging miracle that we're still alive here. I can't tell you the stories of my youth. When I told my teacher that I shaved my legs instead of my face as a child in school, the teacher came over and said, "You don't talk about that in school."

I eventually left home, came to Toronto, ended up on the streets of Toronto for 10 years, became housed, committed my life to trying to make life better for people. I advise the Mental Health Commission of Canada on its housing component. We just released our national housing plan last week. I advise the Centre for Addiction and Mental Health, CAMH, on client needs.

In two days, on Wednesday, I will celebrate 15 years of being housed and doing political advocacy. Let's give that chance to our young people. Let's say that trans people, gay people, no matter what your background, the protected codes in the Ontario Human Rights Code—that people are protected and don't experience the bullying that many of us have, that they live to be adults.

Perhaps, Christin, you'd like to share what it's like to be a young person in the school system.

Ms. Christin Milloy: Yup. Okay. My name is Christin Milloy, and I just want to say for the record that I have read the bill. Well, I've read both of them.

I'm here today in my capacity as a member of the Trans Lobby Group, but rather than speak for the woman I've become, I have to speak on behalf of the boy I once was.

I heard the groups the other day, and I have to say, I suffered the so-called values that they're trying to inflict on Ontario's youth. As a child, I never knew that girls and boys are sometimes born in the wrong body. I never knew that boys could love boys or that girls can love girls. I never knew anything about what it meant to be queer. All I knew was that I was different, I was alone, I was miserable and I hated myself for it.

My first introduction to "gay" was that it's a horrible thing which everyone hates, and that something made everyone at my school think I had it.

In December 1993, in third grade, when I was nine-and-a-half years old, we shared a school bus in the afternoon with high school kids. One of them was 16 years old, a young man named Fabian. He treated the word "faggot" as if it was the name my mother had given me at birth.

The last day before Christmas holidays, on his way off the bus, he stopped and he punched me hard in the face. He ran off before anyone knew what had happened. I felt humiliated. I tried not to cry, but I couldn't hold it in. I had blood dripping down my face on to my hands. The

bus driver pulled over and came back to see. I told her through my sobs that Fabian hit me. She gave me paper towels for my face and she said she would tell on him. I spent Christmas holidays with a split lip.

When school started up again I asked him why he hit me, and he said, "Because you're a mouthy little faggot and you deserve to learn a lesson." He never did get in trouble for it. Instead, the school made me sit at the front of the bus for the rest of the year. I felt like I was the one being punished. They told me they had spoken to him, but he never got suspended and he still called me "faggot" every day.

In grades 4 to 6, I was a social outcast. Nobody wanted to talk to the gay loner and risk their own social standing. Recess meant hiding, trying to avoid confrontations with kids looking to earn attention by picking a fight.

One day, some classmates asked me if I wanted to play a game with them. The game was for me to sit still on the ground and let them pile dirt and grass on my head, and I let them do it because I was desperate for any scrap of positive attention.

In grade 7, I actually had a crush on a girl in my class, so I told myself, "I must be a straight boy," and I refused to consider anything different. But there was a boy in that class who was a ringleader for bullying. He called me "faggot" more than anyone and he'd often push me around and threaten me. Sometimes I had dreams where he forced me to kiss him, and in my dreams I would kiss him back. I would wake up, confused, angry and ashamed of myself.

It got so that I went to bed every night hoping I would die in my sleep because I was too afraid to kill myself. If it wasn't for the support of my closest peers, I would not be here today. I would never have achieved the things I've achieved. So many kids who are exactly like me don't make it through. We tell them it gets better, but when do we start to make it better?

Gender identity and sexual orientation are very different concepts, but the bullying that underlies both of them is the same: It's gender roles and stereotyping. Boys and girls who don't conform to the correct amounts of butch and fem. are singled out, called names and ostracized. It doesn't matter if they're destined to grow up as trans, gay or even straight; they are tortured for being different, and a lot of teachers tolerate it because they have the same ideas about how boys and girls should act. In seventh grade, my teacher yelled at me in front of everyone to be a man and stand up for myself. He didn't see my bullying as his problem.

I used to daydream that a magic rock would fall from space and transform everyone into the opposite sex. Then they would be miserable and confused, and I would be happy. I wanted the tables to finally be turned.

1900

I used to escape into reading books; I read Star Trek books. I knew the characters in Star Trek would never call me names. I would learn how to fix the ship, and they would love me. I felt like they were my friends

when I had no real friends. To this day, I close my eyes and think of Star Trek when I need to cope with extreme emotional difficulty. I told my teacher that I dreamed about being an officer on a starship when I grew up. He laughed in my face and told me no military organization would ever take me.

The only thing I was ever guilty of was not being enough of a boy, and it cost me everything. My childhood was stolen from me. The worst part is, because I grew up ignorant of the realities of the world we live in, because I saw no examples of anyone living differently than the “normal” way, I had no one to talk to about how I felt, no context by which to understand my own thoughts and emotions.

It wasn't until 16 that I finally met openly queer friends. I learned they were good, friendly people, and I finally challenged myself to understand that it's not horrible to be gay or queer. What's horrible is the way other people treat us.

Trans Lobby Group is a non-partisan group, but I personally happen to be an executive member of the Ontario Libertarian Party. We have a saying in my party, that you can't legislate social change, and that's true. But what we can do is define what is and is not acceptable behaviour in our publicly funded school systems, not just for kids but also for teachers and members of the school boards.

I needed a place to go to, and I never had one. Please pass this bill, and please keep the provision for GSAs. Thank you very much.

Ms. Susan Gapka: How are we doing for time, Mr. Chair?

The Chair (Mr. Ernie Hardeman): We have about four minutes left.

Ms. Susan Gapka: Okay. I just want to share with you that the determination that we've used to survive our experiences is the same determination that we will be here time after time until we acquire the three social inclusion principles that we require: amending the Vital Statistics Act so our ID can match who we are, having the human rights protection that we so desire to be included like others, and to have access to health care across the province.

I'll open it up for questions.

The Chair (Mr. Ernie Hardeman): Okay. With that, as I say, we have just a little less than four minutes now. We'll go to the government side for questions.

Ms. Dipika Damerla: I just wanted to commend you guys for coming out and sharing those very touching stories—very emotional. Thank you very much.

The Chair (Mr. Ernie Hardeman): Ms. Sandals, did you have a comment?

Mrs. Liz Sandals: Thank you, Christin, for capturing that homophobic or transphobic bullying is about perceptions of difference. It isn't necessarily about whether you are gay, whether you are lesbian, whether you are trans, whether you are queer; it's people's perceptions. So in very many cases, it's actually straight kids who happen to be different who can be subject to either

transphobia or homophobia. Thank you for mentioning that, because I think we often don't recognize that in part the reason the statistics, the numbers, on how many kids have been bullied as subjects of homophobia or transphobia are so high is because it has very little to do with reality. Obviously, for you, it has been the reality. But thank you so much for sharing your observations.

I'm assuming that the suggestions for change in the bill that were outlined by Queer Ontario are generally ones that you would be wanting, too? Did you have an opportunity to see this document? I don't want you agreeing to something you haven't seen.

Ms. Susan Gapka: We've been working really hard on Toby's Act, so we just wanted to present that human face. We wanted to be supportive of working together so that our children can grow up to be adults.

Mrs. Liz Sandals: Thank you so much for your presentation; that was very moving.

The Chair (Mr. Ernie Hardeman): To the official opposition. Ms. MacLeod.

Ms. Lisa MacLeod: Just very quickly, it's good to see you, Susan. Thanks for your courage in sharing today.

My colleague has something she'd like to say to you, Christin.

Mrs. Jane McKenna: I'd like to say to you that I think you're absolutely beautiful and that I would only hope to have half of your strength. You're an inspiration here today. All of us are God's children. Thank you so much for what you said today. It was absolutely inspiring.

The Chair (Mr. Ernie Hardeman): Okay, thank you. I think that takes all the time, so the next one will start with the New Democrats. Thank you very much.

Ms. Susan Gapka: Thank you so much.

The Chair (Mr. Ernie Hardeman): I have to get the right orders in this—

Ms. Susan Gapka: We'll submit our written deputation when we arrive.

The Chair (Mr. Ernie Hardeman): Yes, that will be much appreciated. Thank you very much for your presentation. It is indeed appreciated.

Our next is the Public Education Advocates for Christian Equity, from Hamilton. The clerk just checked to make sure that they're not outside. If they aren't, do we have His Name Was Steven? Is Mike Urry here?

Yes, Ms. DiNovo?

Ms. Cheri DiNovo: Might I make a suggestion, Chair? We're running a little early, which is a delight for many of us here, but maybe the next groups that are coming to depute aren't here yet.

The Chair (Mr. Ernie Hardeman): That's why I wanted to make sure that they are here. We're just waiting—

Ms. Cheri DiNovo: I was going to suggest taking maybe a bit of a break and then coming back—

The Chair (Mr. Ernie Hardeman): Yes, we'll just—
Interjection.

The Chair (Mr. Ernie Hardeman): Oh, they're here.

Ms. Cheri DiNovo: —unless they're here now.

The Chair (Mr. Ernie Hardeman): They're here.

Ms. Cheri DiNovo: Okay, here we go.

IMPACT EDUCATION

The Chair (Mr. Ernie Hardeman): This is the Public Education Advocates for Christian—

Ms. Vivien Kwong: We're Impact Education.

Ms. Lisa MacLeod: We'll take this one.

The Chair (Mr. Ernie Hardeman): Hmm?

Mr. Peter Tabuns: We'll take them. Welcome.

Interjections.

Mrs. Liz Sandals: The next delegation isn't here, and we're looking for any delegation—

Interjections.

The Chair (Mr. Ernie Hardeman): Okay, we'll just give everybody—

Interjections.

The Chair (Mr. Ernie Hardeman): This is Impact for Education?

Ms. Vivien Kwong: This is Impact Education.

The Chair (Mr. Ernie Hardeman): Okay.

Mr. Alexandre Chenu: We were supposed to be the last one—

Ms. Lisa MacLeod: You can come in, though—

The Chair (Mr. Ernie Hardeman): Well, it doesn't mean it will be the last, but if you are here, and if everybody that you wanted to be here is here, then we'll hear you now, because we are a little early for the presenters before you, who are not yet here—

Mr. Alexandre Chenu: Let's go.

Mr. Peter Tabuns: Let's go. I agree.

The Chair (Mr. Ernie Hardeman): This will work out very well for the committee. If you can find the chairs there, all of you can sit at the table.

Interjection.

Ms. Vivien Kwong: Around what time should we end?

The Chair (Mr. Ernie Hardeman): We'll start with the instructions. Thank you very much for being here. You will have 15 minutes to make a presentation. You can use any part of that. If there's any time left at the end of your presentation for questions, we will have questions from the committee. This round, the questions will start with the third party. How much time there is will determine how far we get around the circle. We thank you for keeping it within that 15 minutes and we thank you for being here.

I would like to ask that when you start your presentation, make sure you start it with putting your name on the record for Hansard. If you could just speak into the microphone—the microphones work automatically, as you can see. The centre one is already active. The floor is yours, and thank you for being here.

Ms. Vivien Kwong: Okay, 15 minutes. All right. Hello, everybody. My name is Vivien Kwong. It's my pleasure to speak to you on behalf of Impact Education.

Impact Education is a group that has communications networks, primarily through email, with an estimated

reach of about 25,000 people in the GTA. Our mailing list consists of people from across the province, and I actually do have photocopies—sorry, just in a rush to get here.

Impact Education works primarily with students, teachers, teacher assistants, principals, superintendents and trustees who are versed in the education field and understand the day-to-day climate within the public school system.

Bullying is an issue that needs to be dealt with: There's no doubt about it. Bullying among youngsters has been a serious problem, and the recent public case in Ottawa of Jamie Hubley, who committed suicide, shows that something needs to be changed. Legislation needs to be created to help people like Jamie and many others.

Bill 13 is a starting point for legislation to address safe schools and the issues of bullying around three primary groups: the LGBTQ students, the disabled and those of different races or ethnicities.

However, Ontario needs legislation that protects more than just a few groups of people. We need legislation to be inclusive to all groups. We need legislation to protect LGBTQ students. We also need legislation to protect students with physical disabilities, psychological needs, ethnic, religious and socio-economic needs. Bullying is wrong no matter what.

1910

Bill 13's exclusive focus on particular groups of students has failed to protect every child from all forms of bullying. Bill 14, however, is inclusive to all people. Since Bill 14 does not specifically address certain groups, its principles and values can be implemented for generations to come. It speaks to every situation and not just some situations. Along with many other reasons, as many presenters have already mentioned, Impact Education asks you to remove or amend Bill 13 and to support Bill 14.

As educators, we would like to see the implementation of the bill to be effective. That means it's practical and applicable to resolve the issue of bullying in the everyday reality of working with kids. Making the policy is your job, but when it comes down to it, it's the educators, the administrators, the teachers, the students and the parents who have to face the reality of bullying. If the anti-bullying bill cannot be applied in practical terms to resolve bullying in all situations, protecting all students, it's not very useful.

Let's come back to the reality of how schools are like for kids today. Here I have today with me Caly Burleigh, from Brampton. She is 13 years old, currently in grade 8, and would like to share with you what's been happening at school. Caly, can you tell us a little bit about what you've been learning at school in relation to bullying?

Ms. Caly Burleigh: Well, at my school we've been learning almost every other day practically about different issues on the gays, lesbians, bisexuals and their lifestyle, how they live, why they live that way, and the families that they have and the different genres of that lifestyle. For me, personally, it is getting a little too

much. A couple of health classes is perfectly okay because it is good to educate, but doing it all the time is just pushing it on everyone. It's saying that if you don't support this, then you're a homophobic bully.

I love everyone; I just don't support the lifestyle. If I say that to anyone, I definitely know I am going to get bullied for it because they're just going to ask me, "Well, why don't you like this? Why don't you support this?" And I'm just going to have to tell them that I don't support the lifestyle because it's going against my religious beliefs that I've grown up with. I can't pretend to be someone who I'm not, right?

Ms. Vivien Kwong: Do you feel that you're able to express yourself in school in that way and to say, "Okay, I don't support this"?

Ms. Caly Burleigh: No, I feel shut down and I feel scared and I just want to go in a corner or just leave the room whenever this discussion is being brought up anywhere. Like, in my school I have one teacher who's really supportive of this, and whenever something similar happens or comes up in the category of the homophobic sort of thing, then it just goes on and on. Most times—like, we wasted a couple of classes just talking about it. It's really frustrating because I'm one of the dedicated students; I just want to learn, and to keep learning about something that I already know feels like a waste of my time at school, because I really would like to just learn something that I don't know.

Ms. Vivien Kwong: And from your knowledge, looking at people that you know at school, people of your age group, who is being bullied? What kind of people are being bullied?

Ms. Caly Burleigh: Well, at school I know very few gays or lesbians. I know maybe four, and none of them—not even in the past have I heard at my school about bullying in that way. It's usually the people who have glasses, because of their height, because of their intellect—everything like that. I mean, even at our bullying day every year, that wasn't—that seemed like a joke, because it wasn't even explaining the majority of the people who actually get bullied. They were showing plays and dances and stuff, and it made me feel bad for, like, people who I see outside at recess who are getting verbally bullied because of their size, because of their glasses. Because we're learning about it so much, it doesn't really make any sense to just continue with it.

Ms. Vivien Kwong: I see. Well, can you imagine just being afraid to speak your opinion for fear of being bullied? I mean, isn't that exactly the reason why we need an anti-bullying bill, so that every child feels safe at school?

Unfortunately, Bill 13 does very little to help kids like Caly. In fact, Bill 13 further endorses and imposes the teaching of the LGBTQ lifestyles in a way that makes many kids feel uncomfortable, unsafe and scared to express themselves. The worst is, after all these efforts to prevent bullying, the bullying issue has not been resolved; or even worse, kids have become even more afraid to be themselves. Instead of being taught to respect

differences, they have learned to fear expressing their differences. Is this really what we want?

Before I continue, I'd like to invite another member to share his experiences.

M. Alexandre Chenu: Mesdames et messieurs, bonsoir. Je m'appelle Alexandre Chenu. Je suis né à Paris et ai été élevé à Paris tout au long de ma vie. Je suis le représentant français de l'association Impact Education.

Le Canada est un pays où on peut fonder une famille, où les valeurs chrétiennes sont respectées, et où l'éducation est un point central pour les futurs enfants que nous souhaitons avoir. En France, pour remédier aux problèmes liés à l'intimidation, le gouvernement a instauré des lois dans les écoles qui ont malheureusement contribué à mettre l'accent sur les différences culturelles. Par exemple, la loi sur la laïcité en France dans les écoles ne me permettait pas, en tant que chrétien, de porter un collier avec une croix, ou pour les femmes musulmanes, de porter le voile. La diversité culturelle aurait pu être une force, mais par ses lois, la France a créé une atmosphère consistant à uniformiser toutes les personnes de l'école par peur de voir cette diversité grandir. Mais au lieu d'inciter les élèves à se respecter les uns les autres, la France a créé des lois qui font en sorte d'uniformiser les gens avec l'espoir d'avoir peu de conflits. Est-ce que cela marche? Absolument pas.

Avec Bill 13, la liberté parentale est supprimée. Le gouvernement augmente les lois pour avoir plus de contrôle, mais, comme en France, le respect décroît lorsqu'on fait croître les lois.

Que les choses soient claires entre nous : nous souhaitons tous éradiquer l'intimidation à l'école et pour cela, nous avons besoin d'enseigner aux enfants comment se respecter les uns les autres, même si nous avons sur certains points des différences d'opinion. Nous devons leur apprendre à avoir le courage de discuter ensemble pour partager nos pensées, mais également montrer du respect face à une tierce personne possédant des idées différentes pour éviter les intimidations, que des idées incorporées par Bill 14.

En ce qui concerne l'intimidation à l'école, j'ai beaucoup de connaissances sur ce sujet, car j'ai été moi-même intimidé par un grand nombre de personnes. Ma pire expérience, parmi tant d'autres, a été d'avoir ma photo trafiquée via un logiciel type Photoshop, et exposée à tout mon collège avec le nom « fatman ». Vous rendez-vous compte de la gravité de ce geste? Je peux vous laisser imaginer ce que ça fait d'être maltraité, non pas par une ou deux personnes, mais par toute une école entière, et ceci tous les jours.

Ms. Vivien Kwong: And I am sure you have heard of similar stories, where countless kids are being made fun of mainly because of their physical appearances and very hurt as a result. There's no real use in identifying all the possible reasons that one could be bullied and elaborating on them.

Bill 13's reference to equity and an inclusive Education Act makes it easy to impose certain values that not everyone agrees with, such as the ones where the recent

TDSB's Challenging Homophobia and Heterosexism curriculum resource guide derives its legitimacy from. That's a real waste of time, as Caly has mentioned. Why should we spend so much time dealing with who shouldn't be bullied and going into details about the characteristics of these victims when the real issue is that the act of bullying is wrong, no matter who it is? The last thing the school needs is yet another thing to be taught, taking up time and found to be ineffective. There are thousands of reasons why someone could be bullied, and we can spend hours talking about them. What kids need to be taught is that bullying is simply wrong, no matter what the reasons are. They need to know the impact of bullying is that it hurts other people, that it makes other people feel unsafe, insecure, humiliated, and that's simply a wrong thing to do.

Let's be real: If the anti-bullying bill does not protect my child, then there is a problem. If it does not protect your child, then that's a problem. Public education has to meet the needs of every child.

1920

Are you a member of the LGBTQ community? If not, are you and your children protected under Bill 13? If even just one person, one group, one community is not being protected under this legislation, then it's non-inclusive and it's not equity. That's pretty much the problem with Bill 13.

Maybe you happen to be a part of this community that Bill 13 addresses. Of course one would always support something that benefits oneself. But what about other people? What about the communities that you represent? What about the rest of Ontario? Is it fair that the bill should be passed in favour of just a few groups while sacrificing the interests of others?

M. Alexandre Chenu: Sachant que le Canada est un pays où règne la démocratie, je vous suggère fortement de prêter attention à la voix de la majorité.

À présent, je vais vous donner une définition de la démocratie selon Wikipédia : « La démocratie est le régime politique dans lequel le peuple est souverain. La formule d'Abraham Lincoln » pour la définition de la démocratie est « "le gouvernement du peuple, par le peuple, pour le peuple" ... Cette définition est proche du sens étymologique du terme démocratie, du grec ancien *dēmokratia*, "souveraineté du peuple", de *dēmos*, "peuple", et *kratos*, "pouvoir", "souveraineté". » En France, la démocratie est représentée par la V^e République, où le credo est : « Liberté, Égalité, Fraternité. »

Chacun d'entre vous ici a été voté pour que vous puissiez représenter la majorité. Vous êtes la voix de notre opinion. Selon Alliance for Family Values, plus de 95% des habitants interrogés sont contre la loi Bill 13. Or, représenter la majorité, c'est également agir selon la volonté de la majorité. Vous avez été élus par la majorité par les personnes de votre région. Vous savez que notre démocratie protège les droits des citoyens. Vous savez ce qu'est la justice sociale et comprenez qu'il faut se soulever pour protéger ceux qui ont besoin d'être

protégés. Créez un projet de loi qui comprend tous ces principes pour tout le monde.

Pour terminer, je peux donc vous dire que Bill 14 présente de nombreuses solutions pour contrer l'intimidation, et tout le monde ici est concerné, alors que Bill 13 ne touche qu'un certain groupe et un certain type de personnes. Le Canada, par rapport à d'autres pays, est à la pointe du progrès pour ce qui est du système éducatif. Enfin, un pays est démocratique uniquement lorsqu'il écoute la voix du peuple.

Ms. Vivien Kwong: In summary, bullying is a serious problem. We cannot deny the tragic, painful and lifelong impacts it has on our young people. Impact Education is asking you to remove references to specific groups in the bullying legislation. The anti-bullying bill needs to be protective of all students and applicable in all situations for many generations to come. Bill 14 does this very well. Ontario needs legislation to protect LGBTQ students as well as every other student who is being bullied for whatever the reason may be. Let's have legislation that reflects this reality. Examine Bill 14, amend Bill 13.

Thank you for your consideration and your time.

The Chair (Mr. Ernie Hardeman): Thank you very much for your presentation. That has reached the end of the 15 minutes. We thank you. You timed that out almost perfectly. Thank you for doing it just ahead of your schedule. We very much appreciate that, too. We will carry on from there. Thank you very much for making your presentation and good luck.

PUBLIC EDUCATION ADVOCATES FOR CHRISTIAN EQUITY

The Chair (Mr. Ernie Hardeman): The next delegation is Public Education Advocates for Christian Equity from Hamilton.

Ms. Lisa MacLeod: Chair, if I may, full disclosure here: Me and Phil were on the campaign trail at the same time. He ran against our party leader, Tim Hudak, and I went down to debate him, down—where did we have the debate?

The Chair (Mr. Ernie Hardeman): Excuse me, I don't think we need disclosure of that. I think this is a non-partisan committee hearing. We wish everyone well in their endeavours at election time, but this would be a totally different issue today.

Mr. Bob Delaney: Mr. Chair, we will pick up on a point of order if either side carries on wherever they left off in the debate.

The Chair (Mr. Ernie Hardeman): Yeah. Thank you very much for being here. You have 15 minutes to make your presentation and you can use any or all of that for your presentation. If any time is left at the end of your presentation, we will have the members of the committee ask questions, and we will start with the third party in the rotation. With that, if you would, before you start, sir, give your name on the microphone so we have it for Hansard. Welcome. The floor is yours.

Mr. Phil Lees: Thank you, Mr. Hardeman. My name is Phil Lees. I'm the president of an organization that was founded in Hamilton called Public Education Advocates for Christian Equity. To give you, maybe, a little bit of background—actually, you've got to be tired of speeches read over and over. I think I'm going to try to be a little off-the-cuff. The materials are here.

Fifteen years ago when I started this organization, it started as a result of curriculum that was in conflict with my daughter, who was only 10 years old—came across. And I spent 30 years in public education as well, as a teacher, as an administrator, and even two years at the ministry. At this time, I wasn't concerned or afraid of asking questions, so I asked those questions and, as a result, we found that there was curriculum that many families were concerned about. So we created this organization. In the first two pages, there's an explanation of the organization. I won't go into the details, but basically it's an organization that works with school boards to communicate the traditional values of families and ask that they be respected. We've built some very positive relationships in Hamilton. As a matter of fact, Hamilton is one of the secular school boards in the province of Ontario that has a religious accommodation policy for traditional-principled families that applies to curriculum. We're very proud of that and pleased with that, and we're working with the school board on that.

I also wanted to share with you that I'm concerned about bullying. As a teacher, I saw a huge increase in the last 10 years in bullying. Why is this? It bothered me. I also have a son who's a teenager in high school, and my son has been bullied incessantly since grade 2, so much so that in grade 5—and again, about the homosexual slurs and homosexual issues—we had to remove him from the secular public school system. Then we sent him to six schools and said, "Which school do you prefer?" He chose a private religious school. Afterwards, we said, "Why?"

He said, "Because the kids there like me. They don't bully me."

Then in high school, we had to put him back into the high school secular public system and he's been bullied incessantly. He's mockingly sodomized at the water fountains. He's constantly asked to go out on dates. Although his learning style is one that's more practical in nature, he doesn't dare enter into the tech facilities because that's where he gets bullied even worse. So he takes fashion and he takes cooking and he gets bullied because he does that—and then he gets bullied by the gay students who have built up confidence as a result of being in the GSA clubs because he won't go on dates and participate in sexual activities. With that little bit of personal background, I come to the committee.

Basically, when I look at Bill 13, I've got some concerns. I don't want to duplicate over and over what you've already heard, but if you turn to page 4 in the report, three concerns:

(1) This legislation only addresses bullying on a selective basis and does not address the most common

reasons for bullying. I won't go into that in too much detail because that's gone over and over.

(2) It mandates the implementation of an equity-inclusive education strategy which, in the past, has resulted in mandated sexualized, sensitive curriculum, beginning in kindergarten. I know the question is going to come up, but the legislation says nothing about curriculum, and I'm going to address that.

(3) The legislation also imposes a provincial code of conduct being developed by the Ontario Human Rights Commission, which has input into this, over and above provincial and federal laws on any religious organizations and churches renting publicly funded school property.

With the limited time that I have, I'm going to do the best I can to deal with these, but I think it's most important that I leave time for questions as well.

(1) Mandating the equity policy: Although the legislation does not specifically mention curriculum, it mandates the implementation of the equity and inclusive education strategy, which I have a copy of, which in the past has led to sensitive sexual and alternative sexual lifestyle curriculum integrated into the classroom, beginning in kindergarten.

1930

Why are people concerned? Traditional-principled families accept that people have the right to choose how they live, but that the lesson concepts, presented from the context of a secular, humanistic perspective, could lead to confusion in the minds of our young children about what's right or wrong for them as they're being raised from a traditional world view. This is of great concern, for, as people of faith, these challenges could compromise the child's religious beliefs and spiritual relationship. I know there are a lot of people who don't believe in those things, but those are protected under section 2 of the federal Charter of Rights and Freedoms.

What does Bill 13 actually say? In paragraph 29, it says, "Require boards to develop and implement an equity and inclusive education policy, and, if required by the minister, submit the policy to the minister and implement changes to the policy as directed by the minister." You know what? Politicians responding to this, like I say, say this legislation has nothing to do with curriculum, but it absolutely does. You mandate this policy, you mandate this, to the satisfaction of the minister. What that means is that as a parent, if I have a concern about some curriculum at the local level, the school board is going to tell me, if I go to the teacher, "Oh, I can't do anything about it." If I go to the principal, "I can't do anything about it." If I go to the trustee, "I can't do anything about it." The superintendent will tell me, "It's because the Minister of Education says we have to do it." So here we have, again, an example of government removing local autonomy and communication with the local citizens. If we're going to implement any kind of equity policy, it needs to be done at the local level with the input of the school board trustees so that they can also respond to the local people.

A little bit of history: The equity and inclusive education strategy, the EIE strategy, was written under the direction of Minister Kathleen Wynne. It does implement curriculum and lead to curriculum that many people find of concern. For example, on pages 16 to 17 in the document, the policy strategy encourages school boards to celebrate gay pride parades as equity-related work. If you have a look at page 6, I've taken the quote right out of the document so that you can see it there. Examples of images that students would look at are also there. If you look at the Toronto District School Board's Challenging Homophobia and Heterosexism document, it's recommended that this activity be done in grade 3. This document is used as a terms of reference document for revising all curriculum.

In 2010, you'll remember, the sexual health curriculum was revised in light of this document. In April 2010, Dalton McGuinty was forced to withdraw the curriculum because portions of the health curriculum had content in them that many families were concerned about. It's listed there. It taught six-year-olds about human sexuality parts. It taught eight-year-olds about homosexuality and gender identity, that you may be a boy but can choose later to be a girl. It taught 10-year-olds that gender identity and sexual orientation cannot be changed—sorry. It taught 10-year-olds that gender identity and sexual orientation cannot be—oh, wait a minute; let me skip to the next one. It taught sixth-graders instructions on the pleasures of masturbation and vaginal lubrication, and seventh graders about anal, oral as well as vaginal sex. Many families were concerned about this, and they responded. Then, you remember, as a result, McGuinty said, "But wait a minute. We had input from parents. We had input from parents." But if you look at the list of organizations that had input in it, there weren't any parent groups that had an input. There was, however, input from the Coalition for Lesbian and Gay Rights in Ontario. Do these lobby groups represent the values of everybody? That's what we're concerned about.

After many people expressed concern, the curriculum was removed, so this document is a terms of reference document. But what happened was, when the Ministry of Education found that they couldn't change curriculum—put it on the website, because the right-wing, redneck homophobes would respond to it and express concern, even though they have the right to be interested in what their children learn. Then the ministry works with Toronto District School Board, develops the TDSB's Challenging Homophobia document, which was immediately put on the website.

I've got to tell you, I worked for 30 years in public education, and I never saw a school board that invested a ton of money into developing curriculum put it on the website for free. But that's how the Ministry of Education is going to get this curriculum out, because they put it up on the website, and then when we do the inclusive education training—by the teachers' unions or whatever—across the province, we refer to this curriculum document.

The document undermines the rights of faith families to be informed, because if you check out the Toronto District School Board's Challenging Homophobia and Heterosexism document, on page 10, it has frequently asked questions for teachers: "Should we inform parents of the sensitive material when it's being instructed?" The answer is no. "Should parents have the right to have their children opt out?" The answer is no.

For traditional-principled families of faith, the concern is not that people have the right to choose how to live, but that these concepts, presented from the context of a secular, humanistic perspective, may lead to confusion in the minds of their children about what's right or wrong, and they just want to have input.

Our families take documents into the school and they sit down with the teacher. They're interested in the teacher. They ask questions about what their favourite colour is and what they like and talk to their kids about their teacher, and they say, "You know, we raised our kids from a traditional perspective, and if curriculum comes up, such as"—and it's not just homosexuality; if you'd like, I can give you the document. There are all kinds of things: values-neutral education, occulted principles and practices etc. "If anything comes up in class that's planned, could you let us know ahead of time so that we could either choose to send our child and then talk to them about what they've learned afterwards, or if we think it's a little over the top, we may choose to keep our child home or not participate, and we just ask for that right." The relationship that's been built has been very positive, and our families are concerned that as a result of Bill 13, they may lose that right to ask those questions and have that input.

When it comes to bullying addressed on a selective basis—and we have not much time—you heard from the last group about that issue. I just want to draw to you some references on page 9. Have you looked at the 2009 police-reported hate crime from Stats Canada? The number one reason—and this is for teens—for police-reported hate crime is racially or ethnically motivated hate crime. You've got that in your list. Number two is religion. Religion doesn't even make it into Bill 13. Number three, of course, is sexual orientation.

Minister of Education Laurel Broten reported in her second reading speech that one in three students report that they're bullied. Two thirds of the LGBT students report feeling uncomfortable. Well, if you consider the Canadian Community Health Survey that says that 2% of people from 19 to 59 identify as LGBT, and then take those stats and apply it to a school of 1,000, one third of those students—330—are bullied. Twenty of those students identify as LGBT; 13 of those feel fearful. What about the 330 other students? There's other information in there. Thank you very much.

The Chair (Mr. Ernie Hardeman): Thank you very much for your presentation. That does consume the time. We appreciate you coming in.

HIS NAME WAS STEVEN

The Chair (Mr. Ernie Hardeman): The next is His Name Was Steven: Mike Urry. Is Mike here?

Mr. Mike Urry: Hi. Thanks for getting the name right. No one does.

The Chair (Mr. Ernie Hardeman): Thank you for coming in. As with the other presenters, you will have 15 minutes to make your presentation. You can use all or any part of that time to make your presentation. If there's time left at the end of the presentation, we will have questions from the committee. We will start the questions with the third party. If you would, as you start your presentation, if you would give your name first for the record. Thank you very much, and the floor is yours.

1940

Mr. Mike Urry: Thank you. My name is—excuse me, I have a bit of a frog in my throat tonight. My name's Mike Urry. I'm the father of a child who killed himself six years ago after being bullied. He came home from school one day, and he hung himself in the bedroom closet. Steven was 13. He wasn't gay; he wasn't religious. He wasn't any of the other categories. He was just a little kid.

The schools did nothing—nothing at all—to the people that tortured him. They weren't suspended. They weren't expelled. They were moved to a different school.

In order to deal with my grief, I started a group called His Name Was Steven. We advocate for bullied children. We find resources online to help teachers, students and parents deal with this. After looking for answers for a lot of years, I finally went online, went on Facebook and causes.com, where we now have over 5,000 members.

We're also affiliated with the Speak Out crew, which is the pink shirts you may have seen around. I was fortunate enough to be featured in a documentary called Speak Out—The Documentary, which just won an award at the Honolulu film festival. My son's picture, also by luck, somehow made it into the movie Bully, which is in the theatres now. You can see him halfway through the movie in an event going on in Philadelphia.

Now, I may not be as high-profile as some of these other organizations, but that was deliberate. I wanted to start from the ground up; I wanted it grassroots. As a result, our members are extremely dedicated. Over 65% of our members are mothers and grandmothers, and I can tell you, they're extremely concerned about Bill 13 and what it lacks. What it lacks is protection, as these other allies of mine have said, for the kids that don't fall into those categories, like Steven. They're a diverse group, but the biggest group, like I said, is mothers between 30 and 55. I've spoken to them at length for years now, and some of the stories they tell me are horrific.

They tell me that they're concerned that the clubs that are being set up aren't going to be effective. Why? Because bullies aren't going to join clubs, so it leaves the bullies out of the equation. Because a lot of students I've talked to said that they wouldn't join a club like that for

fear of being labelled gay and bullied even more. We don't see the point.

You have to be made aware of the real cost of what we're talking about. We're not talking about black eyes. We're talking about kids killing themselves. For every one you hear about in the paper, I can name you four or five other cases of children who have taken their lives that don't make the media because they don't want to talk to the papers. I myself told the local paper that I'd sue them if they even printed my name. I wanted nothing to do with it.

It's extremely traumatic. My wife can't be here tonight because she's still dealing with it. It has been almost six years now, and she still cannot function. She probably never will.

Consider this when you're considering how you're going to write this law. It has to apply to everyone. It has to apply properly. You can't just wish things away by training them to think one way or another. You have to have responsibility and you have to have a response.

As it stands now, teachers are handcuffed. They can't do anything, and they won't do anything. The day before my son took his life, a teacher saw him being beaten by three guys in the schoolyard. I have affidavits from five children who saw this and also saw the schoolyard monitor say, "I'm not going to deal with that," and walk away.

This kind of crap has to end. This is not a "politically correct" motivated thing. This is about children killing themselves. Imagine, if you will, walking into the morgue and seeing your little boy on a slab. It took me three years to be able to say that out loud. This is a serious issue that has to end, and it's not going to end with Bill 13. There's no responsibility. There's no—excuse me a sec.

You have to point out why it's happening. The requirement of accountability in Bill 14 will help that. As it now stands, Bill 13 won't improve that situation.

By using student surveys every two years to determine the effectiveness, you're not going to get usable good data. What you're going to get is students telling you what you want to hear. By requiring the investigation and reporting of all bullying incidents and for the minister to publish these numbers annually, parents can find out what's really going on. I have gone before school boards. I've gone before teachers and principals. I've been brushed off, I've been told not to worry about it. The last time I set foot on school property in Guelph, Ontario, where I live, I met the attending officer kneeling against the wall with my hands on the back of my head. I said, "I think I'm the one you're looking for," because the principal was so terrified of me telling her the truth and speaking out that she phoned the police on me. I may have been out of line, but I wasn't breaking any laws.

We also lack a useful definition of bullying, as these other people have been saying. A specific reference to cyberbullying is missing. That's what I think is missing the most from this bill. Bullying isn't happening in the hallways only; it's happening off-school. It's happening

24 hours a day, around the clock. Bill 13 mentions cyber-bullying and electronic bullying, but barely. It's far more prevalent than the physical kind.

If you go on a website like Twitter or Form—what's it called?

Interjection: MySpace?

Mr. Mike Urry: No—

Interjection: Facebook?

Interjection: Formspring?

Mr. Mike Urry: Formspring, thank you—it's a pit of bullying and abuse.

The kids see the online world as their community. It's not a telephone they carry in their pocket; it's their connection. It's who they are, it's what they do. Where we may have gone to school and worried about what we wore and which group we'd belonged to, they do the same thing too, but what's more important to them is what goes on on those iPhones, and Bill 13 barely mentions it. That has to be changed.

A lot of people have also mentioned that the word "may" occurs in the Education Act far too often. Often, the word "may" should be "must." If you allow wiggle room, if you allow options, what happens is what happened to our case. We called the police, we met with the board, we tried and tried and tried, and every single thing we did was passed off to someone else. The police wouldn't lay charges, the crown attorney refused to take the case, and the board and the school refused to do anything about it because the Education Act says, "They may do this and they may do that." It should say, "They must." Something has to be done. We're losing children every single week who you don't hear about. Something has to change. I don't believe Bill 13 is going to change that. I believe Bill 14 would help.

What else do we have here? I've lost my script because I just sort of shoot from the hip most of the time.

There are many children who might wish to support other students, but will be unwilling to join a club because of the very real threat that they'll be labelled "gay." Kids don't think like adults, and it's time the government started realizing that. They are not small adults; they are children. They don't see things the way we see them.

Under Dalton McGuinty, the government must be convinced to include Bill 14 as part of the anti-bullying response to alleviate the inherent problems with Bill 13. If we don't, then more kids are going to take their own lives. I was on the phone with a mother who told me she was speaking to her son when he pulled the trigger. I have heard from mothers every single day for the past four years about what happened to their children. This isn't just Ontario; this isn't just Canada; this is a worldwide problem. We have members from as far away as Russia, Korea, Australia, South Africa—all over the world, but the worst cases are in North America. Ontario needs to do something that will make a difference, and Bill 14 will make a difference by requiring response and by requiring responsibility for what's going on.

We have to drop the politics. This business of Liberals against Conservatives or NDP against Liberals and Conservatives has got to go. This is not something that should be about politics; this is something that is about little kids killing themselves. There's just no other way to do it. By sticking to a partisan viewpoint, all that's going to happen is more kids are going to die before anything gets done. That can't happen anymore.

It's impossible to tell the effect of finding your child dead. I've been fortunate in that I can write; I'm in the midst of writing a book. Some of my writing has appeared in a book called *Ironsides*. It's the companion to an anti-bullying movie that is being released June 1. I've been lucky that way, because I've reached out to people and they've come to me. Every single day, I find resources for people; I find help for those that are bullied, parents that are up against school boards and schools that will not respond.

Bill 13 allows too much wiggle room. It allows them to pass the buck, and that's exactly what they're going to do. If the school boards are allowed to collate the data and keep it to themselves for their own internal use, I can tell you exactly what's going to happen: Nothing.

Anyway, I'm going to get angry if I keep talking any longer, so I guess I can answer some questions to break up the time here. Thank you for your time.

The Chair (Mr. Ernie Hardeman): All right. Thank you very much. We do have a few minutes left. The first one was going to be Mr. Tabuns.

Mr. Peter Tabuns: Mike, thank you very much for being here today. What you had to say was quite powerful.

Can you tell us, when your son was going through these very, very difficult times, what were the things that you tried to get the schools to do to address the issues?

Mr. Mike Urry: We tried talking to the school and getting them to deal with—there were three primary bullies: one leader and two followers. They refused to even discuss it because of privacy issues. We know who the kid is. He still lives in my town. We went to the police. The police wouldn't do anything. Steven gave a statement to the police one week before he died. He told the truth, and the police wouldn't do anything. We contacted the school boards, and they told us it was up to the schools because they have the individual policy and they should apply it. As I said, I went to speak to the principal, and she phoned the police on me.

We tried everything a parent can do. We talked; we tried getting people's attention. None of it worked—nothing. The last time, the most severe case of bullying in his case, was in a school bathroom. They took a can of AXE body spray and set him on fire. They put the video on YouTube. It's still up there because it can't be taken down once it's spread. I can't tell you what that does to my family.

I haven't even seen the documentary I was in because I can't watch it. But we've tried and tried and tried to do everything we could. Nothing worked. We were going to pull him out of school two weeks later, but we didn't get

a chance. These things happen fast. In this case, it was three months—one semester. Every school he'd gone to, he'd made friends. He was a happy kid. Every kid in the neighbourhood got along with him. The memorial page had 3,000 people join up within a week. That's how many people knew him and knew people that knew him.

Nothing worked. That's why we believe that the Education Act has to say certain things must be done. And it's not about whether the kid was gay; it's not about—because they call all of them gay. That's one of the most popular ways to bully someone: You just call them a fag. It doesn't matter if they are or aren't. What matters is the action; what matters is what they did. To allow a child to get beaten on school property and do nothing about it is totally unacceptable, and I don't see anything in Bill 13 that's going to change that.

I'm sorry. I'm getting carried away here. We went every way we could. We did everything we could. We

talked to him. We talked to students. We talked to parents. We got nothing. We got absolutely nothing.

The Chair (Mr. Ernie Hardeman): Okay. Thank you very much, and thank you very much for your presentation.

Mr. Mike Urry: I'm afraid I left the script a bit.

The Chair (Mr. Ernie Hardeman): It does conclude the 15-minute time frame, and we do wish you well and hope that there was some relief in coming to tell us the story.

Mr. Mike Urry: Well, we'll be up to 6,000 members by the end of this week, probably. We'll be paying attention.

The Chair (Mr. Ernie Hardeman): Thank you very much. We commend you for the work you're doing on this issue now.

That concludes the hearings for today.

The committee adjourned at 1954.

Continued from back cover

| | |
|--|--------|
| Queer Ontario..... | SP-112 |
| Mr. Nick Mulé | |
| Mr. Casey Oraa | |
| Mr. Michael Knight; Mrs. Nancy Knight..... | SP-114 |
| Trans Lobby Group..... | SP-117 |
| Ms. Susan Gapka | |
| Ms. Christin Milloy | |
| Impact Education | SP-120 |
| Ms. Vivien Kwong | |
| Ms. Caly Burleigh | |
| M. Alexandre Chenu | |
| Public Education Advocates for Christian Equity..... | SP-122 |
| Mr. Phil Lees | |
| His Name Was Steven..... | SP-125 |
| Mr. Mike Urry | |

STANDING COMMITTEE ON SOCIAL POLICY

Chair / Président

Mr. Ernie Hardeman (Oxford PC)

Vice-Chair / Vice-Président

Mr. Ted Chudleigh (Halton PC)

Mr. Ted Chudleigh (Halton PC)

Ms. Dipika Damerla (Mississauga East–Cooksville / Mississauga–Est–Cooksville L)

Ms. Cheri DiNovo (Parkdale–High Park ND)

Mr. Kevin Daniel Flynn (Oakville L)

Mr. Ernie Hardeman (Oxford PC)

Ms. Tracy MacCharles (Pickering–Scarborough East / Pickering–Scarborough–Est L)

Mrs. Amrit Mangat (Mississauga–Brampton South / Mississauga–Brampton–Sud L)

Mr. Michael Mantha (Algoma–Manitoulin ND)

Ms. Jane McKenna (Burlington PC)

Substitutions / Membres remplaçants

Mr. Bob Delaney (Mississauga–Streetsville L)

Ms. Helena Jaczek (Oak Ridges–Markham L)

Ms. Lisa MacLeod (Nepean–Carleton PC)

Mr. Peter Tabuns (Toronto–Danforth ND)

Also taking part / Autres participants et participantes

Mrs. Liz Sandals (Guelph L)

Clerk / Greffier

Mr. Katch Koch

Staff / Personnel

Ms. Elaine Campbell, research officer,

Legislative Research Service

Ms. Carrie Hull, research officer,

Legislative Research Service

CONTENTS

Monday 14 May 2012

| | |
|--|--------|
| Accepting Schools Act, 2012, Bill 13, Ms. Broten / Loi de 2012 pour des écoles tolérantes, projet de loi 13, Mme Broten..... | SP-71 |
| Anti-Bullying Act, 2012, Bill 14, Ms. MacLeod / Loi de 2012 sur la lutte contre l'intimidation, projet de loi 14, Mme MacLeod..... | SP-71 |
| Ontario Gay-Straight Alliances Coalition..... | SP-71 |
| Ms. Marilyn Byers | |
| Rev. Deana Dudley | |
| Mr. Douglas Elliott | |
| Mr. Joe Grieco..... | SP-73 |
| London Anti-Bullying Coalition; York Region Anti-Bullying Coalition | SP-75 |
| Ms. Corina Morrison | |
| Ontario Principals' Council..... | SP-77 |
| Mr. Colin Fleming | |
| Mr. Naeem Siddiq | |
| Guelph Anti-Bullying Coalition..... | SP-80 |
| Ms. Lynne MacIntyre | |
| Ms. Briar MacDonald | |
| Ms. Kaleigh MacIntyre | |
| The Miss G Project for Equity in Education | SP-82 |
| Ms. Alison Fisher | |
| Dr. Dominique Rivière | |
| Ms. Rebecca Roach | |
| Canadian Civil Liberties Association..... | SP-85 |
| Ms. Noa Mendelsohn Aviv | |
| Bluewater Citizens for Education | SP-87 |
| Ms. Lesa McDougall | |
| Mr. Jason Golloher..... | SP-89 |
| Pan-Orthodox Association of Greater Hamilton; Eastern Orthodox Clergy Fellowship of Toronto | SP-91 |
| Father Geoffrey Korz | |
| York Region Anti-Bullying Coalition..... | SP-93 |
| Ms. Karen Sebben | |
| Catholic Students for Gay-Straight Alliances | SP-95 |
| Ms. Leanne Iskander | |
| Toronto District School Board, Caring and Safe Schools and Gender Based Violence Prevention | SP-98 |
| Mr. Ken Jeffers | |
| Ontario English Catholic Teachers' Association | SP-100 |
| Mr. Kevin O'Dwyer | |
| Christian Heritage Party of Canada..... | SP-102 |
| Mr. Jim Enos | |
| Ms. Yvonne Haley | SP-104 |
| Mr. Dan Di Rocco | SP-107 |
| Ontario Inter GSA Association | SP-109 |
| Mr. Christopher McKerracher | |
| Mr. Chris Imrie | |

Continued on inside back cover