

## No school Jitters: Say "NO" to Bullying

*Everyday It Happens  
Every time I speak, another person hates me,  
Every time they answer, I must forgive again.  
Every time I listen, I suppress my angry comments,  
Every time I hear them, I brush away the tears.  
Everywhere I go, I am a nameless victim,  
Everywhere I hide, they find me once again.  
Every time they see me, I put a happy face on,  
Every time they leave me, the tears roll down my cheeks.  
Every night I'm sleeping, I dream of faceless horrors,  
Every day I'm living, I wish it were not so.<sup>1</sup>*  
by **Kathleen Kiker**

### Introduction

Bullying is an issue that can take place anywhere in the world. No matter where you live, where you go to school or how popular you might be, you have witnessed, caused or been the victim of aggression from your peers. It is our hope that this workshop will increase awareness about bullying and how it affects some individuals on a daily basis. As youth and adult members of BCRC we are delighted to have the opportunity to promote the prevention and awareness of bullying. We hope that you will find this information and resources useful and that it can assist in bringing about an end and stamping out the bullying epidemic present in our communities.

### Topic 1: Bullying?

Bullying is aggressive behavior that is mainly intentional and that involves an imbalance of power or strength.<sup>2</sup> Bullying is the use of force, coercion, hurtful teasing or threat, to abuse, aggressively dominate or intimidate. The behavior is often repeated and habitual.<sup>3</sup> Bullying is defined as "willful, repeated aggressive behaviour with negative intent used by a child to maintain power over another child."<sup>4</sup> Bullying is aggressive behavior intended to intimidate or mistreat a perceived weaker person. A child who is being bullied has a hard time defending him or herself. Bullying concerns everyone and anyone can be a witness to or a victim of bullying at some point. Bullying can take many different forms and occur in many different settings, for example at school, work or anywhere else.<sup>5</sup> No matter how or where it happens, bullying has serious consequences for the victims. Bullying may be a part of other problems, such as discrimination, homophobia, mistreatment, family or sexual violence. In Québec, bullying is

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<sup>1</sup> « Writing Circle ».

<sup>2</sup> « - Education Act », sect 13 para 1.1.

<sup>3</sup> *Wikipedia*, « Bullying ».

<sup>4</sup> Public Health Agency of Canada, « How to recognize bullying » (12 janvier 2012).

<sup>5</sup> « Bullying ».

addressed in various laws, including the Charter of Human Rights and Freedoms, the Education Act and the Criminal Code.<sup>6</sup>

## Characteristics and Manifestations of Bullying

- Bullying is intentional.
- Bullying is aggressive behavior
- Bullies seek power and control
- Bullying may be physical verbal and/ or visual Physical bullying includes hitting, slugging, kicking, pushing, shoving, pulling, and restraining the target. Name-calling, insults, belittling, taunting, gossiping, and threatening are examples of verbal bullying. On the rise is sexual bullying: sexual name-calling, comments about the target's appearance, and uninvited touching. Cyberbullying is becoming an epidemic or the use of technology to bully is out of control: emails, phone calls, texting, use of social media such as Facebook, Vine, Instagram, Ask.fm, and other apps. Internet communications are 24/7. The bully is sometimes anonymous, and always behind the device. It is more difficult to intervene in cyberbullying until after the damage is done
- Bullying may be clearly discriminatory: Bullies often consider one's race, ethnicity, religion, sexual orientation, and disability to select targets. As well, almost any real or imagined difference can be used as an excuse to bully.
- Bullying is not an innocent prank or pastime.
- Bullying hurts and keeps on hurting. Studies have shown that the target and the bullies may suffer depression, humiliation, post-traumatic stress (PTSD), anxiety about attending school, and other emotional injuries. Some contemplate suicide. Everyone is harmed by bullying behavior. Bullying interferes with learning in our schools.

Verbal, social, or material bullying may be perpetrated by means of information and communication technologies (social networks, text messages, e-mails, blogs, Web sites, etc.) Direct or indirect bullying has harmful effects for the person targeted, which could also affect other people involved and have a negative impact on their environment.<sup>7</sup>

The four most common types of bullying are:

1. Verbal bullying – name-calling, sarcasm,teasing, spreading rumours, threatening, making negative references to one's culture, ethnicity, race, religion, gender, or sexual orientation, unwanted sexual comments.<sup>8</sup> Example: When a child says to another child, "You're really, really fat, and so is your mom."<sup>9</sup>
2. Social Bullying – mobbing, scapegoating, excluding others from a group, humiliating others with public gestures or graffiti intended to put others down. Example: A group of

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<sup>6</sup> « Bullying ».

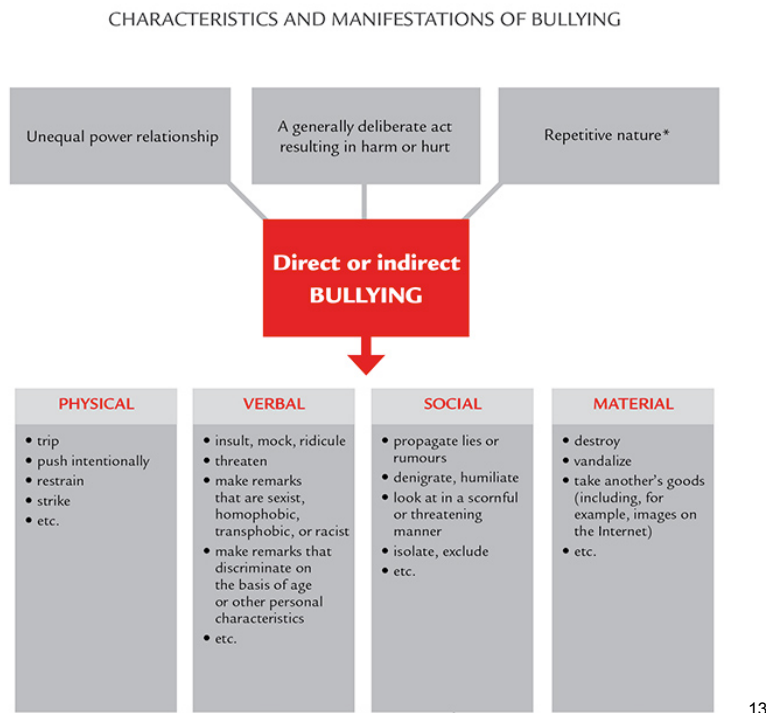
<sup>7</sup> « Characteristics and manifestations of bullying ».

<sup>8</sup> « Bullying ».

<sup>9</sup> « The 4 Common Types of Bullying ».

girls in dance class keeps talking about a weekend sleepover and sharing pictures, treating the one uninvited child as if she were invisible<sup>10</sup>

3. Physical Bullying – hitting, poking, pinching, chasing, shoving, coercing, destroying or stealing belongings, unwanted sexual touching. Example-- A child gets his pants pulled down on the playground at lunchtime<sup>11</sup>
4. Cyber Bullying – using the internet or text messaging to intimidate, put-down, spread rumours or make fun of someone. Example: When someone tweets or posts, "Kayden is a total loser. Why is anyone hanging out with him? He's so gay."<sup>12</sup>



Examples of bullying situations that can be used by workshop animators<sup>14</sup>:

- A young boy who does not match the sexual stereotypes is regularly called a "fag" by some classmates in the cafeteria and the gym. The other students start to ignore him and he suffers from this isolation. He looks for every possible way to avoid these places.
- A Black youth is the target of repeated racist insults by a group of secondary school students. He doesn't know how to react, starts staying away and has difficulty

<sup>10</sup> « The 4 Common Types of Bullying ».

<sup>11</sup> « The 4 Common Types of Bullying ».

<sup>12</sup> « The 4 Common Types of Bullying » à la p 4.

<sup>13</sup> « What are acts of bullying? »

<sup>14</sup> « Examples of bullying situations in different environments ».

concentrating, which has negative consequences for his school results and his well-being.

- A young girl with an intellectual disability frequently has her tuque, umbrella or boots snatched on the bus. She often cries during the trip and has attacks before going to school.
- A child with autism spectrum disorder is often followed by a group of students who imitate and mock him. The student in question becomes anguished.
- A trio of students regularly oblige a new student in school to give them his lunch. The student in question does not report the situation, fearing reprisals.
- False rumours on the sexual behaviour of an adolescent girl are spread at school and on social media. The girl feels humiliated. She no longer wants to attend this school and is often absent without authorization.
- An adolescent girl announces that her boyfriend was "stolen" by another girl and sets her whole gang against her.

Sports environment:<sup>15</sup>

- At the arena, a coach constantly insults and threatens a young referee during a hockey game. Some parents follow his example and add their own insults and threats. The young referee becomes increasingly nervous and hesitant.
- Denigrating graffiti regularly appear on the locker of a homosexual athlete. She does not feel accepted by her teammates and feels alone, which impels her to abandon training and competition.
- Whenever their teams compete against each other, a basketball player shoves an opponent and threatens to assault him off the court. The targeted player is worried for his safety.
- A soccer coach always publicly humiliates the same player to obtain greater efforts from her. The athlete is embarrassed to appear in front of her teammates.

Municipality:<sup>16</sup>

- Every week, in the locker room at the public pool, adolescent girls mock another swimmer's weight. She bursts into tears and promises herself she'll never return for recreational swimming.

## Effects of bullying

Bullying makes people upset. It can make children feel lonely, unhappy and frightened.<sup>17</sup> It can make them feel unsafe and think there must be something wrong with them. Children can lose confidence and may not want to go to school anymore. It may even make them sick. Some people think bullying is just part of growing up and away for young people to learn to stick up for themselves.<sup>18</sup> But bullying can have long-term physical and psychological consequences. Some of these include:

- Withdrawal from family and school activities, wanting to be left alone.

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<sup>15</sup> « Examples of bullying situations in different environments ».

<sup>16</sup> « Examples of bullying situations in different environments ».

<sup>17</sup> New Zealand Ministry of Education, « The effects of bullying ».

<sup>18</sup> Solodev, « Bullying Prevention Zone | Endeavor School » (27 décembre 2019).

- Shyness
- Stomachaches
- Headaches
- Panic Attacks
- Not being able to sleep
- Sleeping too much
- Being exhausted
- Nightmares

If bullying isn't stopped, it also hurts the bystanders, as well as the person who bullies others. Bystanders are afraid they could be the next victim. Even if they feel badly for the person being bullied, they avoid getting involved in order to protect themselves or because they aren't sure what to do. Children who learn they can get away with violence and aggression continue to do so in adulthood. They have a higher chance of getting involved in dating aggression, sexual harassment, and criminal behaviour later in life.

### **Bullying can have an effect on learning**

Stress and anxiety caused by bullying and harassment can make it more difficult for kids to learn. It can cause difficulty in concentration and decrease their ability to focus, which affects their ability to remember things they have learned.

### **Bullying can lead to more serious concerns**

Bullying is painful and humiliating, and kids who are bullied feel embarrassed, battered and shamed. If the pain is not relieved, bullying can even lead to consideration of suicide or violent behaviour.

- Deterioration of overall health
- Loss of confidence and self-esteem
- Learning difficulties
- Problems concentrating
- Missing school or work
- Dropping out of school
- Social exclusion
- Acts of delinquency

The consequences of bullying and cyberbullying can vary depending on the person and their particular characteristics.<sup>19</sup>

### **Risk Factors<sup>20</sup>**

It is hard to accurately define the characteristics of people who get bullied.

However, some personal characteristics may increase the risk of being bullied. For example:

- Having low self-esteem

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<sup>19</sup> « Bullying ».

<sup>20</sup> « Bullying ».

- Being introverted (withdrawn)
- Having difficulty getting along with others

These characteristics may also increase the risk that a person uses bullying as a way of taking their place in society. Indeed, in some cases, people who are bullied or have been bullied in the past start bullying other people themselves.

Bullying is often aimed at groups of people who are seen as different because of prejudices that exist about them. These prejudices may, for instance, have to do with:

- Belonging to an ethnic or a cultural group
- Sexual orientation or identity
- Appearance or a physical feature, such as weight or a disability
- Presence of personal problems such as substance dependence, homelessness or delinquency

### **Protection and prevention<sup>21</sup>**

Some personal characteristics help to reduce the risk of someone experiencing bullying or intimidating others. For example:

- Being self-confident
- Being able to stand up for yourself and express yourself
- Having social skills such as:
  - Being able to initiate contact easily with others
  - Being able to make friends
  - Being respectful and kind towards others, etc.

Other personal characteristics can prevent bullying and have a positive effect on social relationships. For example:

- Promoting equality in relationships between people
- Promoting human behaviour towards other people that is intended to help them and contribute to their well-being and quality of life

### **What can I do if I am a victim of bullying?<sup>22</sup>**

- Ignore the person who is intimidating you
- Stay away from them
- Do not respond when they provoke you
- Tell someone you can trust
- Avoid being alone
- Take note of the date and time of the intimidating behaviour
- Clearly state that you wish to be left alone
- Report the situation to the police or to other professionals

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<sup>21</sup> « Bullying ».

<sup>22</sup> « Harassment - Service de police de la Ville de Montréal (SPVM) ».

*You do not have to follow all of this advice before going to the police. If you feel the situation warrants it, you can contact the police sooner.*

Often police intervention is combined with assistance from other responders to stop the intimidation. Police Officers can direct you to the specialized resources you may need.<sup>23</sup>

- Report unwanted behaviour to one of these organizations. They can provide you with information and support:<sup>24</sup>
- [Info-Social 811](#)
- [Your CLSC](#)
- [LigneParents](#) : 1 800 361-5085 (in French only)
- [Ligne Aide Abus Aînés](#) : 1 888 489-2287
- [Tel-jeunes](#) (Helpline for young people between the ages of 5 and 20): 1 800 263-2266
- [Kids Help Phone](#) : 1 800 668-6868
- [Sport'Aide](#) : 1 833 211-2433
- [Interligne](#) : 1 888 505-1010
- [Cybertip.ca](#)  
Canada's tipline to report the online sexual exploitation of children.
- [NeedHelpNow.ca](#)  
Canadian Centre for Child Protection

### **What are some common myths about bullying?**

**Myth #1** – “Children have got to learn to stand up for themselves.”

Reality – Children who get up the courage to complain about being bullied are saying they've tried and can't cope with the situation on their own. Treat their complaints as a call for help. In addition to offering support, it can be helpful to provide children with problem solving and assertiveness training to assist them in dealing with difficult situations.<sup>25</sup>

**Myth #2** – “Children should hit back – only harder.”

Reality – This could cause serious harm. People who bully are often bigger and more powerful than their victims. This also gives children the idea that violence is a legitimate way to solve problems. Children learn how to bully by watching adults use their power for aggression. Adults have the opportunity to set a good example by teaching children how to solve problems by using their power in appropriate ways.<sup>26</sup>

**Myth #3** – “It builds character.”

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<sup>23</sup> « Harassment - Service de police de la Ville de Montréal (SPVM) ».

<sup>24</sup> « Bullying ».

<sup>25</sup> James Ryan, « What are some common myths about bullying? »

<sup>26</sup> James Ryan, « What are some common myths about bullying? »

Reality – Children who are bullied repeatedly, have low self-esteem and do not trust others. Bullying damages a person’s self-concept.<sup>27</sup>

**Myth #4** – “Sticks and stones can break your bones but words can never hurt you.”

Reality – Scars left by name-calling can last a lifetime.<sup>28</sup>

**Myth #5** – “That’s not bullying. They’re just teasing.”

Reality – Vicious taunting hurts and should be stopped.<sup>29</sup>

**Myth #6** – “There have always been bullies and there always will be.”

Reality – By working together as parents, teachers and students we have the power to change things and create a better future for our children. As a leading expert, Shelley Hymel, says, “It takes a whole nation to change a culture”. Let’s work together to change attitudes about bullying. After all, bullying is not a discipline issue – it is a teaching moment.<sup>30</sup>

**Myth #7** – “Kids will be kids.”

Reality – Bullying is a learned behaviour. Children may be imitating aggressive behaviour they have seen on television, in movies or at home. Research shows that 93% of video games reward violent behaviour. Additional findings show that 25% of boys aged 12 to 17 regularly visit gore and hate internet sites, but that media literacy classes decreased the boys’ viewing of violence, as well as their acts of violence in the playground. It is important for adults to discuss violence in the media with youth, so they can learn how to keep it in context. There is a need to focus on changing attitudes toward violence.<sup>31</sup>

## **Bullying vs Violence**

For Quebec schools, the law defines bullying as including these elements<sup>32</sup>:

- repeated actions or words;
- the behaviour excludes or hurts the victim and makes the victim feel powerless;
- the bully has power over the victim

Behaviour that includes these elements is bullying even if the bully does not intend to cause harm.

Behaviour can be bullying even if the victim is not present. For example, a bully would say hurtful things about the victim to someone else, and the victim could find out about it later.<sup>33</sup> On the other hand, violence is the use of force against someone. Unlike bullying, violence is always intentional. It can be:

- verbal or written,
- physical,

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<sup>27</sup> James Ryan, « What are some common myths about bullying? »

<sup>28</sup> James Ryan, « What are some common myths about bullying? »

<sup>29</sup> James Ryan, « What are some common myths about bullying? »

<sup>30</sup> James Ryan, « What are some common myths about bullying? »

<sup>31</sup> James Ryan, « What are some common myths about bullying? »

<sup>32</sup> « - Education Act », sect 13 para 1.1; *Act respecting private education*, CQLR c E-91, art 9 al 2.

<sup>33</sup> « - Education Act », sect 13(1.1); *Act respecting private education*, CQLR c E-91, art 9 al 2.



- psychological, or
- sexual.<sup>34</sup>

Violence can be used against people or their property.<sup>35</sup> Just like bullying, violence hurts victims and makes them feel powerless.<sup>36</sup> This is why Quebec schools must have a plan to take steps against violence and bullying.

## Topic 2: Sexual Harassment in Education

Sexual harassment is behavior characterized by the making of unwelcome and inappropriate sexual remarks or physical advances in a workplace or other professional or social situation. When someone is sexually harassed in school, it can undermine their sense of personal dignity and safety, disrupt their education, and interfere with their ability to reach their full potential in life. If left unchecked, sexual harassment in the school setting has the potential to escalate to violent behaviour, including sexual assault.<sup>37</sup>

A student experiencing sexual harassment may stop doing their school work and taking part in school-related activities. They may skip or drop classes, or they may drop out of school entirely. Psychological effects may include anxiety, depression, disrupted sleep, loss of appetite, inability to concentrate, lowered self-esteem, loss of interest in regular activities, social isolation, and feelings of sadness, fear or shame. Some students may abuse drugs and/or alcohol to cope. In extreme cases, students may think about or even attempt suicide.<sup>38</sup>

Under the Ontario *Human Rights Code*, sexual harassment is “engaging in a course of vexatious comment or conduct that is known or ought to be known to be unwelcome.” In some cases, one incident could be serious enough to be sexual harassment.<sup>39</sup> Some examples<sup>40</sup> of sexual harassment are:

- asking for sex in exchange for a benefit or a favour
- repeatedly asking for dates, and not taking “no” for an answer
- demanding hugs
- making unnecessary physical contact, including unwanted touching
- using rude or insulting language or making comments toward girls and women (or boys and men, depending on the circumstances)
- calling people sex-specific derogatory names
- making sex-related comments about a person’s physical characteristics or actions
- saying or doing something because you think a person does not conform to sex-role stereotypes
- posting or sharing pornography, sexual pictures or cartoons, sexually explicit graffiti, or other sexual images (including online)
- making sexual jokes

<sup>34</sup> « - Education Act », sect 13(1.1); *Act respecting private education*, CQLR c E-91, art 9 al 3.

<sup>35</sup> « - Education Act », sect 13(1.1); *Act respecting private education*, CQLR c E-91, art 9 al 3.

<sup>36</sup> *Act respecting private education*, CQLR c E-91, art 9 al 3.

<sup>37</sup> « Sexual harassment in education (brochure) | Ontario Human Rights Commission ».

<sup>38</sup> « Sexual harassment in education (brochure) | Ontario Human Rights Commission ».

<sup>39</sup> « Sexual harassment in education (brochure) | Ontario Human Rights Commission ».

<sup>40</sup> « Sexual harassment in education (brochure) | Ontario Human Rights Commission ».

- bragging about sexual prowess
- bullying based on sex or gender
- spreading sexual rumours or gossip (including online).

### **Applying the Human Rights Code in education**

The *Human Rights Code* prohibits sexual harassment in education.<sup>41</sup> “Education” includes primary, secondary and post-secondary education, and school activities such as sports, arts and cultural activities, school functions, field trips and tutoring. Sexual harassment may also occur as part of school rituals, such as when initiating new students, new players in team sports, or new members of sororities and fraternities.

More and more, students are being sexually harassed online. Technology, such as e-mail, blogs, social networking sites, chat rooms, dating websites, text messaging features, *etc.*, provides new frontiers for the sexual harassment.

**Example:** A 29-year-old teacher’s license has been withdrawn because he sexually harassed a female student through email. He used a false name and sent messages to the student that included information about what she had been wearing that day, what route she took to school, and sexual suggestions.

Educators may be liable for a poisoned environment if school technology is used to sexually harass someone. They may also be liable when private electronic devices are used on school premises to harass someone.<sup>42</sup>

### **Gender-based harassment and bullying**

Gender-based harassment is a form of sexual harassment that is used as a “gender policing tool” to enforce conformity with sex-role stereotypes. Gender-based harassment can be particularly damaging to adolescent students who are struggling with their identities, and trying to come to terms with their sexuality, peer pressure and a desire to fit in. Students who are perceived as not conforming to stereotypical gender norms may be particularly vulnerable to gender-based harassment. Gender-based harassment in schools is often used as a form of bullying. This seems to happen regularly in primary, middle and high school. Students may use sexual information to gain control and power over another person.

**Example:** To ostracize a rival, a girl starts a rumour that another girl is sexually promiscuous and performs sex acts on boys behind the school.

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<sup>41</sup> « Sexual harassment in education (brochure) | Ontario Human Rights Commission ».

<sup>42</sup> « Sexual harassment in education (brochure) | Ontario Human Rights Commission ».

Sexist and homophobic name-calling, jokes and conduct may also be used as a way to bully and shun a person. In some cases, gender-based harassment may look the same as harassment based on sexual orientation, or homophobic bullying.

**Example:** A grade 9 male student who has many female friends and is more interested in the arts than athletics is repeatedly called “fag,” “homo,” “queer,” etc. by a group of boys in the school

### **Prevention and Response to sexual harassment**

Education providers Providers of education have a legal obligation to take steps to prevent and respond to sexual harassment. They must ensure non-toxic environments wherein individual human rights are respected. From a human rights perspective, it is unacceptable to ignore a complaint / notification of sexual harassment, whether or not it was done formally or via the Human Rights Commission.

When deciding if an education provider has met its duty to respond to a human rights claim, tribunals are likely to think about:

- the procedures in place at the time to deal with discrimination and harassment
- how quickly the organization responded to the complaint
- how seriously the complaint was treated
- the resources made available to deal with the complaint
- if the organization provided a healthy environment for the person who complained
- how well the person who complained was told about the action taken.

Educators can prevent many cases of sexual harassment by having a clear, comprehensive anti-sexual harassment policy in place. In cases of alleged sexual harassment, the policy will alert all parties to their rights, roles and responsibilities. Policies must clearly set out how the sexual harassment will be dealt with promptly and efficiently. The Commission des droits de la personne et de la jeunesse [Quebec human rights commission] includes suggested contents of an anti-sexual harassment policy.

Everyone should know about the anti-sexual harassment policy and the steps in place for resolving complaints. This can be done by:

- giving policies to everyone as soon as they are introduced
- making all teachers, school staff, students, *etc.* aware of them by including the policies in orientation material
- training people, including people in positions of responsibility, about the policies, and educating them on human rights issues.

An effective sexual harassment policy can limit harm and reduce liability. It also promotes the equity and diversity goals of educational institutions.

Education providers should monitor their environments regularly to make sure they are free of sexually harassing behaviours. Taking steps to keep a poison-free environment will help make sure

that sexual harassment does not take root, and does not have a chance to grow. You can help to prevent sexual and gender-based harassment before it happens by:

- showing a clear attitude that sexual and gender-based harassment will not be tolerated
- showing a clear attitude that discrimination based on sexual orientation, including homophobic bullying, will not be tolerated
- having an effective anti-sexual and gender-based harassment policy in place and making sure all students know about it
- communicating clearly to the student body the consequences of all forms of sexual and gender-based harassment, including online sexual and gender-based harassment
- including online harassment prevention measures in sexual harassment and school Internet policies
- teaching students and staff about sexual harassment, including gender-based harassment, sex-role stereotyping, and homophobic comment and conduct
- using role-playing and educational exercises to help students be more aware of the impact of sexual and gender-based harassment on others
- teaching students media literacy to help their critical thinking and to ask appropriate questions about what they watch, hear and read
- teaching students how to protect themselves from online sexual and gender-based harassment
- respecting the confidentiality of students who report sexual and gender-based harassment and related bullying. This may encourage other students to report harassment
- making sure staff have enough resources, training and tools to spot sexually harassing behaviours, and to identify and report incidents when they do occur.

## **The School Must Act**

The law requires every school to have a plan that includes steps to prevent and stop bullying and violence. The plan must include these things:

- steps to prevent bullying;
- a procedure for reporting cases of bullying;
- measures to make sure complaints remain confidential;
- the action to be taken against bullies when bullying is reported by a student, teacher, friend, etc.;
- ways to support victims or witnesses of bullying or violence

The plan must be sent to the parents. Students must be given training on bullying and told what action will be taken against bullies.

## **School Employees Have a Duty to Act**

School employees must protect students from violence and bullying.<sup>43</sup>

Public school principals must receive complaints of bullying and violence, and then let the parents know.<sup>44</sup> In a private school, a member of the board of governors must promptly tell the

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<sup>43</sup> « - Education Act », sect 75.3; *Act respecting private education*, CQLR c E-91, art 63.5 al 3.

<sup>44</sup> « - Education Act », sect 96.12 al 3.

parents when bullying or violence is reported and explain what action will be taken.<sup>45</sup> The action depends on how serious the behaviour is.<sup>46</sup> It can include detention, a letter of apology, suspension<sup>47</sup> and even being expelled from the school.<sup>48</sup>

### **How can I complain against my school's decision?**

Students can file a complaint if they feel that their rights have not been respected. For example, students could complain that an action was taken against them before they had a chance to explain, or that the school didn't act fast enough to stop the bullying. How to make a complaint depends on whether the student goes to a public school or a private school.

- Public schools: Make a complaint to the school board. If you're not satisfied with what the school board does, contact the school board's Student Ombudsman.<sup>49</sup>
- Private schools: Make a complaint to the school's board of governors. If you're not satisfied with the action taken by the board of governors, you can file a complaint with the private education section of the ministry of education, called the [Direction de l'enseignement privé](#) (Web page in French only).<sup>50</sup>

### **What is Taxing?**

To have something taken from you without your permission or consent, and without the intention to be returned. To take or steal something.

Example: Hey, I just taxed John's wallet and he didn't even notice!  
Man, I was gone for a second and someone taxed my calculator!

Taxing is robbery. It means using force or threats to steal something from someone. Taxing can be done by one person alone or by a group, working together to frighten others - smaller kids, for example. Taxers are cowards; they rarely attack anyone stronger than themselves, and if they do, they make sure they have accomplices.

What should you do if you are taxed?

While it's happening

- Try to stay calm and be brave.
- Answer your aggressor firmly with short sentences.
- Don't fight.
- Give the taxer(s) whatever they want.
- Take a good look at the taxer(s).

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<sup>45</sup> *Act respecting private education*, CQLR c E-91, art 63.5 al 3.

<sup>46</sup> « - Education Act », sect 76 al 2 para 3; *Act respecting private education*, CQLR c E-91, art 63.3 al 3 para 3.

<sup>47</sup> « - Education Act », sect 96.27; *Act respecting private education*, CQLR c E-91, art 63.6.

<sup>48</sup> « - Education Act », sect 96. 27 al 4 and 242. The law doesn't regulate expulsions in private schools, although it is certainly a possibility  
[http://www.brebeuf.qc.ca/wp-content/uploads/2014/08/contrat\\_integrite2013.pdf](http://www.brebeuf.qc.ca/wp-content/uploads/2014/08/contrat_integrite2013.pdf).

<sup>49</sup> « - Education Act », sect 220.2.

<sup>50</sup> Ministère de l'Éducation et de l'Enseignement supérieur, « Démarche suggérée en cas de plainte | Ministère de l'Éducation et Ministère de l'Enseignement supérieur ».

Afterward

- It's very important to tell a friend, a teacher or your parents as soon as possible, so you can express your fear.
- If it's too hard to go alone, ask a friend to go with you.
- Adults know about this kind of attack and they know what to do.
- If you keep quiet about what happened, you're more likely to be attacked again than if you report it. We have to break the wall of silence, because it gives the power to the bullies and bullies.

### **Can I get in trouble for being a bystander (or bystander) and not reporting an act of violence or bullying?**

The right thing to do would be to notify an adult.

Remember: Reporting an act of violence or bullying does not make you a “snitch.”

A “snitch” is a person individual who tells someone in authority (such as the police or a teacher) about something wrong that someone has done. When you tell an adult that a peer or a friend is a victim of violence or bullying, YOU ARE HELPING THAT PERSON.<sup>51</sup>

- If you feel safe doing so, SPEAK UP!
- If you feel safe, speak to the perpetrator.
- Do not encourage the perpetrator.

You can, at any time, speak to someone in the principal's office or a person you trust in order to report an incident of violence or bullying.

### **Is my teacher allowed to insult me in front of the whole class? Embarrass or Punish me in front of the entire class?**

A teacher's conduct must be exemplary and indicative of respect for the rights of others whenever students are present. Under no circumstances is your teacher allowed to insult or belittle you. They can discourage negative behaviours and frown upon your actions but they can only criticize your actions, not you. If they insult, embarrass or punish you in front of the class, then a report should be made to the principal. Your teacher is not allowed to punish you by using physical force but they can use physical force in order to get you to comply with their instructions. For example, they can grab you and force you out of a classroom if you refuse to leave the classroom on your own but they can't hit you to punish you for not leaving the classroom after they have requested it.

Teachers cannot use force for physical punishment under any circumstances. Teachers may be permitted to use reasonable force toward a child in appropriate circumstances, such as to remove a child from a classroom. Teachers may have to physically control a child in order to keep that child, or other children, safe.

### **When can teachers search my stuff?**

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<sup>51</sup> default author, « Have you ever seen someone being bullied? | Ministère de l'Éducation et Ministère de l'Enseignement supérieur ».

Depending on your school's existing Code of Conduct (which governs you when you first attended the school) searching students' property may be allowed in certain cases. Your rights to privacy in school are very restricted especially if they think that someone is in danger. The Police can also come onto school premises to search your stuff but there are stricter rules which they have to follow.

When can I be suspended or expelled from school?

When the decision is made to suspend or expel a student, the school must provide written communication that explicitly explains what penalty the school is imposing, including the precise length of any suspension. The school must also detail the events or behaviour that led to the decision, a reference to which ground for suspension or expulsion the school is relying upon, and the appeal route that is available to the student to challenge the punishment. [Section 306 of the Education Act](#). outlines the activities under which a principal may suspend a student.<sup>52</sup>

Activities for which a principal must expel a student and may expel the student are listed in [section 310 of the Education Act](#). Probably the most recognized conduct that falls under that section is repeated bullying. Suspension is mandatory for this behavior.<sup>53</sup> Private schools on the other hand, are not governed by Sections 306 and 310. Instead, the conduct that is likely to result in a suspension or an expulsion is specified within the school's policies or contract, if you will. Nevertheless, once a private school accepts a student, it can only remove a student as permitted by its contract with parents.<sup>54</sup>

### **Can I do anything to defend myself?**

The school can suspend or expel you if you violate their code of conduct. You can defend yourself by showing that you were acting in accordance with the code or that the terms of the code of conduct are unreasonable. A public school principal must consider certain factors which affect the overall decision. Among other considerations, these can be mitigating factors for a suspension, or evidence that a child did not intend the actions that could lead to an expulsion. Parents should speak to an experienced education lawyer immediately if expulsion or suspension has taken place. Suspensions stay on a student's records and expulsions not only stay on the student's record but profoundly affect his or her education.

### **Let's play "Bullying Thermometer"**

There are many types of bullying. How do you decide which is worse or more harmful? This exercise explores the types of bullying behavior and encourages the participants to discuss them, their meaning and their impact.

For animators:

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<sup>52</sup> « - Education Act », sect 306.

<sup>53</sup> « - Education Act », sect 310.

<sup>54</sup> *Act respecting private education*, CQLR c E-91, art 68.

- 1) Divide the group into teams.
  - 2) Give each team a set of the “Bullying Thermometer” activity cards.
  - 3) Ask them to go over each card and discuss what that method of bullying means. Ask them, as a group, to develop a definition of each word.
  - 4) Once they all agree on what the different types of bullying mean, have them put the cards in order from the “coolest” type (least harmful) to the “hottest” type (most harmful).
- Cut apart the cards below.

 <p>Hazing</p>	 <p>Drama</p>
 <p>Hitting</p>	 <p>Name calling</p>
Hollering	Pushing
Ignoring	Kicking
Teasing	Pointing
Mean facial expression	Conflict
Pick-on	Rumors
Isolation	Demeaning
Flirting	Practical Joke
Terrorising	Posing a threat
Sarcasm	Hate speech
Intimation	Tattling
Racism	Discrimination



### **Topic 3: Desicrimination and Racism**

The Quebec Charter of Human Rights and Freedoms forbids many types of discrimination. Discrimination based on the colour of your skin, sex, gender identity, sexual orientation, religion, or handicap is illegal and violates the victim's rights.<sup>55</sup> What do you do if you are the victim of discrimination?

#### **How can I file a complaint if I have been a victim of discrimination?**

If you have been the victim of discrimination, you can file a complaint with the [Commission des droits de la personne et des droits de la jeunesse](#) (CDPDJ or human and youth rights commission). Once the complaint has been filed, an investigator may contact you first to understand the situation. They may propose a settlement or mediation. If this is not possible, they will open an investigation to collect evidence. This means things like testimony or relevant documents, etc. If there is enough evidence, the CDPDJ can propose corrective measures to the person who violated your rights. Corrective measures can mean attending a discrimination awareness seminar or paying an amount of money for any damage caused. If they refuse, the CDPDJ can represent you before the Quebec Human Rights Tribunal for free to help you get justice. The CDPDJ can also decide to close your file. In this case, you have 90 days to open a file at the Human Rights Tribunal. However, you would be responsible for the fees.<sup>56</sup>

#### **If I damage school property will I have to pay? What if I damage someone else's property at school?**

If you damage school property, you and/or your parents will have to pay the cost to repair or replace it. The same applies should you damage someone else's property at school. If the police get wind of it, you could be charged with criminal mischief. If I tell my teacher something confidential are they allowed to tell anyone? If you tell your teacher something confidential, they will want to make sure you are safe. So they might have to do something to stop any harm that may arise from what you tell them. Under the law, teachers have to keep what you tell them confidential EXCEPT if they believe there is a serious risk to your own or someone else's safety, otherwise your teacher should keep the information confidential

#### **Is hanging out on school grounds outside of school hours considered loitering?**

There is no law against hanging out on school grounds outside of school hours. However, there are laws against loitering, which is the act of remaining in a particular public place for a long period of time. Loitering can be illegal in certain circumstances; you don't have to be doing

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<sup>55</sup> « - Charter of human rights and freedoms », sect 10.

<sup>56</sup> « Complaints process | CDPDJ ».

anything wrong, hanging out on public property without a purpose can be illegal.<sup>57</sup> If the police arrive, they will probably ask you to leave. If you refuse, they might arrest you.

### **What happens if I pull the fire alarm when I know that there is no fire?**

It is illegal to falsely pull a fire alarm<sup>58</sup>; you could be arrested and have to pay fines to the fire department.

### **Class Activity**

Talking about bullying can be a sensitive topic that causes the group some stress and discomfort. This is ok! To make sure that the students have a chance to think about the activities in which they have been participants you need to PROCESS at the end of the workshop. This is as easy as asking the questions below. When asking the questions, allow time for group members to answer. Try not to rush the processing (not all questions have to be covered) and give everyone time to think about what they have learned.

- A. What did you learn about the topic of bullying today?
- B. Can you think of times in your life when you or someone you know was bullied?
- C. How do you think being bullied makes people feel?
- D. If you or someone you know is being bullied what are some things that they can do for help or to stop the bullying?
- E. If someone started bullying you, who would you talk to about the situation? Who are some of the people that would help you?
- F. What does it mean to be a bystander? (Watching someone being bullied without stepping in or getting help.) Why are some people bystanders when it comes to bullying? How can you go from being a bystander to someone who helps the situation?
- G. Now that you know more about bullying what do you think you can do to make a difference at school? What are some ways that you could help someone who was being bullied?

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<sup>57</sup> « Criminal Code », sect 175(1).

<sup>58</sup> « Criminal Code », sect 437.