

Wednesday, May 16th, 2012

The House met at 2:00 o'clock in the afternoon pursuant to adjournment.

The Member for St. John's North (Mr. Kirby) made a Statement to thank the Wigmore Seniors' Association for their contribution to their community.

The Member for Conception Bay East – Bell Island (Mr. Brazil) made a Statement to congratulate Mr. Leonard Clarke and the staff of Home Hardware on Bell Island on the opening of their store.

The Member for Exploits (Mr. Forsey) made a Statement to congratulate the Bishop's Falls exercise programme participants for sponsoring a breakfast programme for needy children in Tanzania.

The Member for Port de Grave (Mr. Littlejohn) made a Statement to congratulate pupils of Ascension Collegiate who won medals at the Skills Canada Competition earning their school first place overall.

The Member for The Straits – White Bay North (Mr. Mitchelmore) made a Statement to congratulate SABRI – St. Anthony Basin Resources Inc., which is celebrating 15 years of innovative economic contributions in the area.

The Member for St. John's Centre (Ms. Rogers) made a Statement about Planned Parenthood's International Day Against Homophobia Breakfast.

The Honourable the Minister of Innovation, Business and Rural Development (Mr. Hutchings) made a Statement about Government's support for innovation and facilitation of research and development, in particular in the life sciences sector.

The Honourable the Minister of Advanced Education and Skills (Ms. Burke) made a Statement to congratulate 50 successful Post-Secondary Transition Scholarship Award winners.

The Honourable the Minister of Innovation, Business and Rural Development (Mr. Hutchings) answered Question No. 15 placed on the Order Paper of April 4, 2012 by the Member for St. Barbe (Mr. Bennett) respecting actions taken by Government to work with service providers to expand digital and cellular access to more regions of the Province.

The Member for The Straits – White Bay North (Mr. Mitchelmore) presented a Petition from certain residents of the Province calling upon the House of Assembly to urge Government to order the full removal and environmental clean-up of the former fish plant in the Town of Englee.

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The Member for St. Barbe (Mr. Bennett) presented a Petition from certain residents of the Province calling upon the House of Assembly to urge Government to implement a new homecare model in 2012-13 to cover family caregivers.

The Member for St. John's Centre (Ms. Rogers) presented a Petition from certain residents of the Province calling upon the House of Assembly to urge Government to enact whistleblower legislation to protect public sector employees in provincial departments and agencies.

Pursuant to notice and on motion debate commenced on the following Resolution standing in the name of the Member for St. John's North (Mr. Kirby):

“WHEREAS education plays a critical role in preparing young people to grow up as productive, contributing, and constructive citizens;

AND WHEREAS all students, teachers, and staff members should feel safe at school and deserve a positive school climate that is inclusive and accepting, regardless of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, gender, sexual orientation, age, marital status, family status, or disability;

AND WHEREAS everyone – government, educators, school staff, parents, students and the wider community – has a role to play in creating a positive school climate and preventing inappropriate behaviour, such as bullying, sexual assault, gender based violence, homophobia, and other forms of harassment;

AND WHEREAS neither bullying nor harassment is yet mentioned anywhere in the Schools Act;

AND WHEREAS bullying, harassment, and intimidation are as prevalent in our schools as ever;

THEREFORE BE IT RESOLVED that this House of Assembly urge Government to address the issue of bullying and harassment in our schools as follows:

“By amending section 2 of the *Schools Act* by adding the following definition:

(c) “bullying” means repeated and aggressive behaviour by a pupil, teacher, or staff member where:

(i) the behaviour is intended by the pupil, teacher, or staff member, to cause, or the pupil, teacher or staff member, ought to know that the behaviour would be likely to cause, harm, fear, or distress to another

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individual, including psychological harm or harm to the individual's reputation,

(ii) the behaviour occurs in a context where there is a real or perceived power unbalance between the public, teacher, or staff member, and the individual based on factors such as size, strength, age, intelligence, peer group power, economic status, social status, religion, ethnic origin, sex, sexual orientation, gender identity, family circumstances, race, disability, or the receipt of special education, and

(iii) the behaviour occurs in the form of any physical, verbal, electronic, written, or other means.

BE IT FURTHER RESOLVED that a Bullying Awareness and Prevention Week be enacted twice during the school year – the weeks beginning the third Sunday in September and the third Sunday in February;

AND BE IT FURTHER RESOLVED that this Government create a bullying prevention plan that will be placed in legislation, which would be included in the curriculum, and would include reporting mechanisms and discipline structures between schools, school boards and the department.'

During the debate, the Honourable the Minister of Education (Mr. Jackman) moved, seconded by the Member for Gander (Mr. O'Brien) the following amendment:

"That the Resolution be amended by

(1) deleting the fourth and fifth recital clauses and substituting in their place the following recital clauses:

WHEREAS this Government has already taken significant measures in collaboration with students, teachers, parents and the community to address bullying including:

- (i) the establishment in 2006 of the Safe and Caring Schools Policy;
- (ii) the Outrage NL campaign, which is not limited to two weeks of the year, but year-round;
- (iii) participation in the Pink Day campaign in February;

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(iv) funding the MyGSA resource to support Gay-Straight Alliance groups in schools offering Grade 7-12;

(v) the implementation of Phase 1 of the Violence Prevention Initiative and the development of Phase II, which has already commenced; and

(vi) a wide range of other initiatives to inform students, teachers and parents about bullying and ways to prevent and respond to it;

AND WHEREAS this Government has already announced it is in the process of reviewing and consulting on the Safe and Caring Schools Policy with the intention of enhancing the policy and has publicly stated its intent to further review the *Schools Act* following discussions with stakeholders;

AND WHEREAS any legislative changing respecting bullying awareness and prevention should be the product of careful consultative processes involving the Newfoundland and Labrador Teachers' Association, the Newfoundland and Labrador School Boards Association, law enforcement professionals and others with the expertise to inform the process; and

(2) by deleting the three resolution clauses and substituting in their place the following resolution clauses:

THEREFORE BE IT RESOLVED that this House of Assembly urge Government to continue addressing the issue of bullying and harassment in our schools through the many initiatives it has already commenced, including the process it has already undertaken to review and enhance the Safe and Caring Schools Policy in consultation with the Newfoundland and Labrador Teachers' Association, the Newfoundland and Labrador School Boards Association, law enforcement professionals and others with the expertise to inform the process;

AND BE IT FURTHER RESOLVED that the Government is urged to bring forward any legislative changes, bullying prevention plans, curriculum revisions, reporting mechanisms, discipline structures, awareness and prevention campaigns, and other measures that, in light of this careful consultative process are deemed to be effective and warranted."

The Speaker (Mr. Verge) suspended the proceedings at 3:28 o'clock in the afternoon to consider the amendment.

The Speaker (Mr. Verge) resumed the Chair at 3:44 o'clock in the afternoon and ruled the amendment in order.

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Debate continued and concluded on the amendment to the Resolution and on the Resolution itself.

The Speaker put the question on the amendment and declared the amendment carried.

The Speaker put the question on the Resolution as amended.

The House divided.

There appeared in favour of the motion: Mr. Kennedy, Ms. Burke, Mr. King, Ms. Sullivan, Mr. O'Brien, Mr. Jackman, Mr. French, Mr. Hedderson, Mr. Felix Collins, Mr. Verge, Mr. Kent, Mr. Forsey, Mr. Granter, Ms. Johnson, Mr. Hutchings, Mr. Davis, Mr. Sandy Collins, Mr. Brazil, Mr. Kevin Parsons, Mr. Little, Mr. Hunter, Mr. Osborne, Ms. Perry, Mr. Dinn, Mr. Cornect, Mr. Littlejohn, Mr. Crummell, Mr. Pollard, Mr. Cross, Mr. Peach, Mr. Lane, Mr. Russell, Mr. Ball, Mr. Andrew Parsons, Mr. Joyce, Mr. Edmunds, Mr. Bennett, Mr. Kirby, Mr. Murphy, Mr. Mitchelmore, Ms. Rogers.

The Speaker declared the Resolution as amended carried *nemine contradicente*.

It was moved and seconded that when the House rose it would adjourn until tomorrow, Thursday, May 17th at 1:30 o'clock in the afternoon.

On motion the House then adjourned accordingly.

William MacKenzie,
Clerk of the House of Assembly.