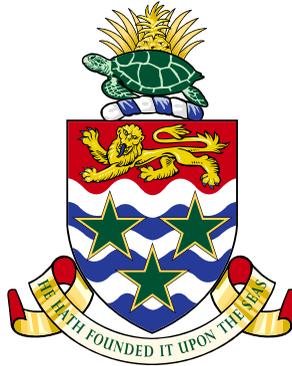


CAYMAN ISLANDS



EDUCATION (AMENDMENT) BILL, 2020

A BILL FOR A LAW TO AMEND THE EDUCATION LAW, 2016 TO REQUIRE ALL SCHOOLS TO FORMULATE AN ANTI-BULLYING POLICY; AND FOR INCIDENTAL AND CONNECTED PURPOSES

LAW REFORM COMMISSION FINAL REPORT RECOMMENDATIONS

PUBLISHING DETAILS

Sponsoring Ministry/Portfolio:

LAW REFORM COMMISSION FINAL REPORT RECOMMENDATIONS

Memorandum of OBJECTS AND REASONS

This Bill amends the Education Law, 2016 (the “principal Law”) to require that all schools formulate an Anti-Bullying Policy.

Clause 1 of the Bill provides the short title of the legislation.

Clause 2 amends section 2 of the principal Law to provide for disciplinary penalties to include penalties imposed on a student by a school at which education is provided for the student for contravention by that student of the school’s Anti-Bullying Policy.

Clause 3 inserts a new section 27A into the principal Law to make it mandatory that every school has a written Anti-Bullying Policy based on national policy and other prescribed requirements that includes the disciplinary penalties to be imposed or other disciplinary action to be taken and the procedures for the enforcement of the penalties or other action.

Clause 3 gives Cabinet the power to make regulations prescribing —

- (a) the contents of an Anti-Bullying Policy;
- (b) the reporting and notification requirements;
- (c) the investigation procedures in relation to bullying;
- (d) the type and form of the disciplinary penalties to be imposed or other disciplinary action to be taken;
- (e) the procedures for the enforcement of the disciplinary penalties or other disciplinary action;
- (f) all matters that may be necessary for giving effect to any disciplinary mechanisms; and
- (g) the submission of reports on bullying.

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A BILL FOR A LAW TO AMEND THE EDUCATION LAW, 2016 TO REQUIRE ALL SCHOOLS TO FORMULATE AN ANTI-BULLYING POLICY; AND FOR INCIDENTAL AND CONNECTED PURPOSES

ENACTED by the Legislature of the Cayman Islands.

Short title

1. This Law may be cited as the Education (Amendment) Law, 2020.

Amendment of section 2 of the Education Law 2016 - interpretation

2. The *Education Law 2016*, in this Law referred to as the “principal Law”, is amended in section 2, in the definition of “disciplinary penalties” by inserting after the words “under section 27” the words “or the school’s Anti-Bullying Policy established under section 27A”.

Insertion of new section - Anti-Bullying Policy

3. (1) The principal Law is amended by inserting after section 27 the following section —

“Anti-Bullying Policy

- 27A.(1) Every school shall have a written Anti-Bullying Policy based on national policy and any other prescribed requirements.
- (2) A school shall submit its Anti-Bullying Policy for approval by –
 - (a) the Department, in the case of a Government school;

- (b) the governing body of an assisted or independent school; and
 - (c) the Ministry of Education and the Education Council.
- (3) The Cabinet may make regulations generally for the effective implementation of an Anti-Bullying Policy, and in particular, but without prejudice to the generality of the foregoing, make regulations prescribing -
- (a) the contents of an Anti-Bullying Policy;
 - (b) the reporting and notification requirements;
 - (c) the investigation procedures in relation to bullying;
 - (d) the type and form of the disciplinary penalties to be imposed or other disciplinary action to be taken;
 - (e) the procedures for the enforcement of the disciplinary penalties or other disciplinary action;
 - (f) all matters that may be necessary for giving effect to any disciplinary mechanisms; and
 - (g) the submission of reports on bullying.”

Passed by the Legislative Assembly the day of , 2020

Speaker

Clerk of the Legislative Assembly