**CAYMAN ISLANDS** 



# **EDUCATION (AMENDMENT) BILL, 2022**

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

### **PUBLISHING DETAILS**

Sponsoring Ministry/Portfolio: Ministry of Education



## Memorandum of OBJECTS AND REASONS

The Education (Amendment) Bill, 2022 amends the Education Act, 2016 (the "principal Act") to require that all schools formulate an Anti-Bullying Policy.

Clause 1 provides for the short title and commencement of the legislation.

Clause 2 amends the definition of "disciplinary penalties" in section 2 of the principal Act to include penalties imposed on a student by a school for contravention by that student of the school's Anti-Bullying Policy.

Clause 3 inserts a new section 27A into the principal Act to require every school to have a written Anti-Bullying Policy based on national policy and other prescribed requirements. The Anti-Bullying Policy must be approved by the Ministry of Education.

Clause 3 also gives Cabinet the power to make regulations prescribing —

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



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## EDUCATION (AMENDMENT) BILL, 2022

A BILL FOR AN ACT TO AMEND THE EDUCATION ACT, 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 and commencement

- 1. (1) This Act may be cited as the Education (Amendment) Act, 2022.
  - (2) This Act comes into force on such date as may be appointed by Order made by the Cabinet.

### Amendment of section 2 of the Education Act, 2016 - interpretation

**2**. The *Education Act, 2016* is amended in section 2(1), in the definition of the words "**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 section 27A in the Education Act, 2016 - Anti-Bullying Policy

**3**. (1) The *Education Act, 2016* 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 to ----



- (a) the Department, in the case of a Government school; or
- (b) the governing body, in the case of an assisted or independent school.
- (3) The Department or governing body, as the case may be, shall review the Anti-Bullying Policy and submit it to the Ministry for final review and approval.
- (4) The Cabinet may make regulations
  - (a) generally for the effective implementation of Anti-Bullying Policies; and
  - (b) without limiting paragraph (a), prescribing the following
    - (i) the contents of an Anti-Bullying Policy;
    - (ii) the reporting and notification requirements in relation to bullying;
    - (iii) the investigation procedures in relation to bullying;
    - (iv) the type and form of the disciplinary penalties to be imposed or other disciplinary action to be taken for breaches of an Anti-Bullying Policy;
    - (v) the procedures for enforcing the disciplinary penalties or other disciplinary action;
    - (vi) all matters that may be necessary for giving effect to the disciplinary mechanisms; and
    - (vii) the submission of reports in relation to bullying.".

Passed by the Parliament the

day of

, 2022.

Speaker

Clerk of the Parliament

