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Victim of bullying gets day in court

Local family wins precedent-setting case against public school board

Melissa Murray
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When Winston Karam got on the witness stand, his voice was finally heard. “It was my first time in a courthouse, so I was nervous,” he said of the 2014 experience. “I was very nervous since I’m not the best

with speaking my mind and words, it was hard to talk about what happened.” Winston told the judge in small claims court about the bullying he endured at Broadview Public School during the 2011-12 academic year.

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MELISSA MURRAY/METROLAND

Ready for Rio

Michael Tayler paddles down the Pumphouse Whitewater Course near LeBreton Flats on July 13, ahead of his departure to Rio for his second Olympic Games. Tayler will compete in the men’s kayak slalom. For the full story see page 4.

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Court sides with bullying victim

Continued from page 1

He told the judge of being stolen from, shoved around, being put in a chokehold, being called the N-word, A--hole, alongside other insults.

"I still said what I could – my truth, my story. It was a huge weight off my chest."

It led to a precedent-setting case, filed against the public school board. After the initial small claims decision, an appeal and a retrial back in small claims court, a judge found the board was negligent and breached the duty of care owed to a student. The judgement came down on May 24 of this year.

'I still said what I could – my truth, my story. It was a huge weight off my chest.'

BULLYING VICTIM WINSTON KARAM

Winston and his mother, Vania, were seeking costs for home schooling, self-defence classes and counselling.

The bullying came to a head in April 2012. After being pinched on the back of the neck, Winston suffered an anxiety attack. The school did not call an ambulance.

"I had kept a lot inside and it got too much for me," Winston said of that day.

Winston had previously sought help from the principal on five or six occasions, and vice-principal and guidance counsellor two or three times to respond to the bullying.

"The school had plenty of policies on how to respond to bullying and Winston reached out for help after almost every incident, but they looked the other way and did absolutely nothing to help him," Vania said.

According to court documents, the principal told Vania it was just roughhousing.

"It had been escalating and escalating," Vania said. "He liter-

ally couldn't take it anymore."

After the panic attack, which was described as seizure like, they sought help from the school board.

When the bullying didn't stop, Vania had her son home schooled.

Then when she picked up Winston's report card at the end of the year, a comment caught her eye.

"The rules guiding peer relationships are inappropriate and need to be monitored and corrected. More positive dialogue and interaction between adults and Winston is needed."

Winston was also placed into a class with one of the bullies on the next year's class list.

"I really felt like these people have no care at all for this. It was the final straw; I felt like I was pushed a bit into this lawsuit," Vania said of the series of events.

The first trial took two days and 11 witnesses were called, including teachers, administrators, one of the bullies, Winston and Vania. They won, but the board appealed the decision. At the appeal, the judge ordered a retrial to determine the board's duty of care and when it is breached.

The judge at the retrial, Honourable Rohan Bansie, accepted that Winston was bullied at the hands of two students and the board was liable for the inaction of school staff.

Vania spent about \$51,000 throughout the three proceedings and in the end was awarded about \$3,000.

"I didn't do this for the money, I did this because it was too awful not to do something about," Vania said of the entire process.

"My hope is that looking back in time, Winston can say in life sometimes you have to stand up for yourself and stand up for what's right and my mom did that for me and ... I came out of this stronger and better for it."

Vania said Ottawa's police department has requested a copy of the judgment because of its implication for school resource officers.

"Going forward schools will have to pay attention because there will be financial ramifications," Vania said, adding she and her son have gone through a lot since 2012, but are better for it.

See BOARD, page 10



MELISSA MURRAY/METROLAND

Vania and Winston Karam won a precedent-setting case against the public school board. A judge found the board breached the duty of care owed to a student when Winston was bullied at Broadview Public.

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PUBLIC MEETINGS

All public meetings will be held at Ottawa City Hall, 110 Laurier Avenue West, unless otherwise noted. For a complete agenda and updates, please sign up for email alerts or visit ottawa.ca/agendas, or call 3-1-1.

Monday, July 25
Ottawa Police Services Board
4 p.m., Champlain Room

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Board won't comment on individual cases

Continued from page 9

"Winston's case is not the only one. This is happening in every school, every classroom and hopefully it opens a dialogue and incites schools to do more and protect the victim."

Vania and Winston are both still hoping for a written apology from the school board about its role in what happened.

Winston is now about two years away from going to university or college and for now, he's considering the fire safety engineering program at Carleton University.

Though he didn't have much success being heard within his school, the advice he gives others who are bullied is to be persistent.

"Try to make an effort to tell others, try to get it

to stop," he said.

"There are people who will listen to you, find those people. Get it off your chest and it gets a lot better."

When contacted for comment, the school board responded via email, "It is not the district's policy to discuss individual cases with the media. We take student safety very seriously and we make every attempt to work with students, families and the greater community to encourage respectful learning and working environments."

The board also provided a list of programs offered, including a bullying prevention program called Roots of Empathy, WITS, a literacy based program and The Fourth R, focusing on healthy relationships and reducing violence and risky behaviours.



NEVIL HUNT/METROLAND

Heads up

Rohan Kingwell, right, gets some height and heads the ball towards net during a U13 tier 2 soccer match at Centrepointhe Park on July 12. While Kingwell didn't score on the play, his Ottawa City club beat Perth United 4-3.

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Notice of Intention to Designate

The City of Ottawa on July 13, 2016 established its intention to designate the former Overbrook Public School, 149 King George Street, under Part IV of the *Ontario Heritage Act* for its cultural heritage value.

Description of Property

The former Overbrook Public School, 149 King George Street, is a two-storey rectangular building clad in red brick and constructed in three phases in 1916, 1947 and 1955. The building is located on the corner of King George and Quill Streets in the Overbrook neighbourhood.

Heritage Value

The former Overbrook Public School has design value as a simple example of the Collegiate Gothic style, popular for school construction across North America from 1900-1930. A late variation of the Gothic Revival style, the Collegiate Gothic style was inspired by the British universities of Oxford and Cambridge. Features of the building typical of the style include the use of red brick and limestone, symmetrical façades with evenly spaced windows and the decorative stone details. The building also has physical value because it was designed in anticipation of later additions; it was an asymmetric two room school, which remained until 1947, when a large L-shaped addition was built to accommodate the first children of the baby boom.

Overbrook Public School has historic value for its association with the development of public schools in former Gloucester Township in the early 20th century. Constructed beginning in 1916, Overbrook Public School is one of the earliest remaining buildings in Overbrook. The building has associative value as an example of the work of two Ottawa architectural firms. Millson and Burgess, responsible for the design of the original building in 1916, was a prolific architectural firm in Ottawa in the early 20th century, designing a variety of buildings including churches, libraries and private residences in Ottawa and the surrounding area. Architect Walter Sylvester designed the 1947 addition to the building. Sylvester was a long time Overbrook resident and trained under celebrated Ottawa architect W.E. Noffke in the early 20th century. In the 1940s, Sylvester designed additions to several schools in former Gloucester Township.

Prominently located on a corner, Overbrook Public School has contextual value as a local landmark which has served as a community hub and serves as a reminder of the community's early development.

OBJECTIONS

Any person wishing to object to this designation may do so by letter, outlining the reasons for the objection and any other relevant information. This letter must be received by the Clerk of the City of Ottawa either by registered mail or personally delivered within 30 days of the publication of this notice. When a notice of objection has been received, the Council of the City of Ottawa will refer the matter to the Conservation Review Board for a hearing and a report.

For more information please contact:

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