



**LEGISLATIVE ASSEMBLY
of Prince Edward Island**

Second Session of the 67th General Assembly

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Standing Committee on
Education and Economic Growth

Thursday, 18 September 2025

Topic: Student safety in Island schools

Committee Room, J. Angus MacLean Building, Charlottetown

Peter Bevan-Baker, MLA, Chair

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LEGISLATIVE ASSEMBLY OF PRINCE EDWARD ISLAND
67th General Assembly
Second Session

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Chair	Peter Bevan-Baker, MLA New Haven-Rocky Point
Members	Karla Bernard, MLA Charlottetown-Victoria Park Susie Dillon, MLA Charlottetown-Belvedere Robert Henderson, MLA O’Leary-Inverness Gordon McNeilly, MLA Charlottetown-West Royalty Brad Trivers, MLA Rustico-Emerald
Observing Members	Cory Deagle, MLA Montague-Kilmuir Tyler DesRoches, MLA Summerside-Wilmot
Committee Clerk	Samantha Lilley, Clerk Assistant

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Committee Attendance

Chair	Peter Bevan-Baker, MLA New Haven-Rocky Point
Members	Karla Bernard, MLA Charlottetown-Victoria Park Susie Dillon, MLA Charlottetown-Belvedere Robert Henderson, MLA O’Leary-Inverness Carolyn Simpson, MLA Charlottetown-Hillsborough Park Brad Trivers, MLA Rustico-Emerald
Observing Members	Tyler DesRoches, MLA Summerside-Wilmot
Visiting Members	Gordon McNeilly, MLA Charlottetown-West Royalty
Committee Clerk	Samantha Lilley, Clerk Assistant

Presenters

Office of the Child and Youth Advocate	Marvin Bernstein, Child and Youth Advocate Dr. Shannon Bruyneel, Systemic Advocacy Representative
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[The Committee met at 1:32 p.m.]

[P. Bevan-Baker in the chair]

Chair: ...everybody, and welcome to today's standing committee meeting of the Standing Committee on Education and Economic Development.

I'd like to welcome everybody who's watching, and also the many folks that we have in the room here today. It's lovely to see folks in the J. Angus MacLean Building, taking in the standing committee meeting. Welcome to you all.

I'd also like to start by welcoming the members of the committee: Robbie, Carolyn, Brad, Gord, Susie, Tyler, Karla, and also our intrepid clerk, Sam.

I will start by asking for an adoption of the agenda. Susie.

All in favour? Great. Thank you, Susie.

Today we have a briefing on student safety in Island schools from the Office of the Child and Youth Advocate. I will ask Marv and Shannon to introduce themselves before they speak.

I should say that Marv and I chatted beforehand, and he has asked for a little bit of latitude, a little extra time in making his presentation today. I, of course, granted him that.

So, Marv and Shannon, over to you.

Marvin Bernstein: Thank you.

Yes, I'm Marv Bernstein, Child and Youth Advocate here in PEI. I'm very pleased to be here.

Dr. Shannon Bruyneel: I'm Dr. Shannon Bruyneel, and I'm a systemic advocacy representative with the Office of the Child and Youth Advocate.

Chair: Thank you.

Would you like to begin your presentation, Marv? And maybe I should ask beforehand: Given the length of your presentation, would you prefer to have questions at the end or are you okay with folks interjecting if there's a...?

Marvin Bernstein: I think my preference would be to have the questions at the end, after people have heard the full presentation.

Chair: Okay. Thank you, Marv.

Sorry, Susie?

S. Dillon: Do we have a copy of his presentation?

Chair: I don't believe we do, Susie.

Sam?

Clerk Assistant: No. We had received some supplementary documents that I emailed through to the committee, and I believe it's speaking notes that he'll be going from. I will be getting a copy of that after the meeting, and I'll be sending that to members following the meeting.

S. Dillon: Thank you.

Chair: Just to confirm that: There is no PowerPoint presentation associated with this?

Marvin Bernstein: No, that is correct.

Chair: Okay, great.

Thanks, Marv. Please carry on.

Marvin Bernstein: Thank you very much.

I'd like to begin my remarks by thanking the committee for extending the invitation to me to appear before you today. I'm pleased to be joined by Dr. Shannon Bruyneel who, as she has indicated, is a systemic advocacy representative with the Office of the Child and Youth Advocate.

[1:35 p.m.]

As we are still early in the school year, I want to acknowledge Island students as well the many dedicated and caring teachers, school support staff, and school administrators, all of whom are on the front lines supporting children. They frequently extend themselves and go the extra mile to address the wide range of educational needs of their students. I wish everyone a safe and successful academic year.

At the outset, I wish to stress that my comments today are not directed at particular individuals, but the services, programs, and systems that

could be improved to enhance the safety of students in the Island education system. In addition, the information I will be referring to today is the result of collecting statements and documents voluntarily from students, families, concerned adults, the Department of Education and Early Years, the education authorities, and the PSB board of trustees.

To be clear, this information is not being presented as part of a formal investigation by my office. That is still yet to be determined.

As Child and Youth Advocate and an independent statutory officer, I have a very broad legislative mandate that includes oversight of the Department of the Education and Early Years and the education authorities.

As I will be providing quotes from children, youth, their families, and concerned adults, it is important to note that I am responsible under my legislated mandate to advocate for children, youth, and their families, respecting reviewable services, and to represent the rights, interests, and viewpoints of children and youth.

I've been asked by the committee today to provide a briefing on student safety in schools and to express my views on government's response to and handling of recent incidents of sexual misconduct in schools, including the third-party review process, and to comment through a child-focused lens upon what has been done and what should be done.

I will be providing a copy of my speaking notes to the clerk for distribution to the committee. Should any of the members require any additional materials that are referenced today, please ask the clerk to reach out to my office and we will gladly provide those materials.

Within my purview as an independent officer, I issued a press release and position statement on the safety of children in Island schools on May 22nd, 2025, which has been previously provided to you. This statement was released following government's announcement of the third-party review of the Matthew Craswell situation.

In that position statement, I indicated it was lamentable that the Department of Education and Early Years didn't consider it necessary to discuss the option of my office conducting an independent investigation prior to reverting to a third-party review, even after my office had been referenced as an option for investigation

purposes in the PEI Legislature by the official opposition on two consecutive days.

My criticism as to how that process then unfolded subsequent to the Premier's announcement is reflected in the dismay expressed in my email of May 2nd, 2025, to the then Deputy Minister of Education and Early Years, which has been submitted to this committee by the acting Deputy Minister of Education and Early Years at my request and is also included in the materials submitted by me.

In addition to my concerns about the process followed in initiating the review of sexual misconduct within schools, my press release and position statement articulated the difference between a government-initiated third-party review and an independent investigation by my office.

I highlighted that the ambit of authority is wider in an independent investigation process by my office. As such, I reserve the right to determine if an independent systemic investigation is warranted after I have reviewed the report, findings, and recommendations from Commissioner Jenkins.

I'm happy to address any questions the committee may have about that position statement and my associated concerns with the third-party review process.

[1:40 p.m.]

Upon the release of my position statement, I asked for children, youth, and their families, who were feeling unsafe at school, who had concerns or experiences related to sexual misconduct or other situations of compromised safety and who might have ideas to help inform the actions of my office, to connect us through our individual and systemic advocacy functions.

My staff and I are grateful for and recognize the courage of the children, youth, families, and concerned adults who've reached out to share their experiences with us. As the school year is now underway, it's an ideal time to turn our collective attention to the voices of children, youth, and their families as they speak to us about safety.

What has become clear in the conversations my office has had with children, youth, their families, and concerned adults is the depth of trauma triggered by the Matthew Craswell case

in terms of a whole continuum of safety. Concerned adults have reached out to my office because they experienced unwanted sexual conduct from school staff when they were children. They wonder why the system is still making the same mistakes. They want to know why reporting to Child Protection Services and the police has not taken place.

Of course, we know of the fallout from the Roger Jabbour case and the failure of government to act on public calls for a comprehensive review. Even beyond that one case, I spoke to an individual whose experiences dated back almost 25 years, to the 2001-2002 school year, who started to cry profusely in my office while expressing a sense of guilt about not speaking up as a child many years ago, and questioning if that might have prevented the occurrences of sexual interference and misconduct that have occurred in schools in recent years.

Children, youth, their families, and concerned adults have connected with my office to share concerns that extend beyond incidents of sexual misconduct to encompass a breadth of situations in which they feel unsafe or unheard in school. These concerns sit precariously along the continuum of safety where sexual misconduct can be situated, but it is not the only reason why students may feel unsafe starting school this year.

Students and families have informed my office that their safety at school is compromised by a multitude of factors. These include physical assaults, sexual assaults, bullying, cyberbullying, and feeling unsafe due to the availability of cell phones and social media, particularly in unstructured or unsupervised hot spots in schools: the school bus, at recess or break times, in the bathrooms, and in change rooms.

They expressed concerns about racism, discrimination based on gender identity or gender expression, the use of questionable and inconsistent behavior management or disciplinary practices in schools, and the removal of dysregulated or seemingly uncooperative students into seclusion spaces without the support of a trained professional to assist them.

Parents and concerned adults have made a number of important statements to my office

relating to their concerns for student safety, and I'm going to provide some quotes.

“Kids are made to feel like things aren't a big deal when they are pushed under the rug.”

“I can't begin to think of the impact of not being believed by the principal and the helpers of her school will have on the victim of Matthew Craswell. Not only was she a victim of inappropriate touching; she was then told that her experience was acceptable – that she was wrong and this teacher was right. This will have a significant impact on the trust she will have with herself and others as she grows up.”

“They believe the perpetrator over the victim. This is a very discouraging thing to hear as a parent. When a child is touched in a way that they are telling the parents about it, that should immediately be flagged as suspicious. Children should be believed.”

“When something happens, everyone knows, but no one feels safe telling.”

[1:45 p.m.]

“There's a clear pattern of gatekeeping information, denying patterns of harm, and protecting staff at the expense of student safety.”

“The playbook for dealing with incidents in education is dismiss, deny, ignore, delay, until we go away.”

Moreover, children and youth have made a number of important statements to my office relating to concerns about their own safety. Their quotes are as follows:

“I feel like the adults at school weren't taking me seriously and didn't believe how bad things were with the bullying.”

“I really want the school board to listen to me, but I don't think they will.”

“When I try to explain things, the adults don't listen.”

“What I asked the adults for help. They don't really make it better. They don't stop me from getting hurt.”

“I want adults to listen to me and believe me.”

“The principal will take the teacher side because she’s a teacher, and we are just kids.”

These are the genuine voices of children, families, and concerned adults in our Island schools community. I ask that we listen to them as we begin another school year, using a continuum of student safety as a frame of reference.

Key themes have emerged that raise concerns. Foremost is the recurring statement that students and their families are not feeling heard. Concerns and complaints are not being addressed or resolved effectively. There is a lack of a consistent protocol for reporting of incidents, and there’s a lack of transparency around the investigative processes within the school system. Children and youth explicitly referred to a lack of trust in the adults at school to act on information that children provide, which could help prevent further incidents.

In addition, members of my office’s Child and Youth Advisory Committee have identified specific safety issues in school including sexual assault, physical assault, bullying, cyberbullying, and safety in unsupervised areas – such as vaping and taking unwanted cell phone photos in school washrooms, change rooms, and on buses – but have collectively set racism in schools as their number one priority for their work that began last year.

Members have identified overt racist language, microaggressions, and unconscious bias. These are all contributing factors to the perception of an unsafe learning environment for some students in Island schools. They’re observations from lived experience, and should not go unheeded.

One of the members of the advisory committee indicated that when a student makes racist comments, it seems like it is something of a joke, but in terms of the person who is hearing this, this stays with them for the rest of their lives.

Another concern expressed there was that teachers often look to students of color to lead the conversation and discussion around the concerns around institutional racism, rather than educating themselves and providing the direction.

At a meeting last week with the members of the office’s Child and Youth Advisory Committee, I

mentioned that I would be appearing before this committee, and I asked them what they would like me to say this afternoon. Concern was expressed about school safety issues with the return to school through the following quotes – these are from members of our Child and Youth Advisory Committee:

“Students are told to trust the adults, but when the student reports some wrongdoing and isn’t believed, the trust is lost. Sexual assault isn’t taken seriously. It’s laughed off, but it isn’t a joke.”

I should probably acknowledge that today is the start of Sexual Assault Awareness Week.

“There isn’t enough education on setting boundaries. It focuses on the stereotype of the adult male sexually assaulting the female victim, but sexual assault can occur between students, even between friends of the same gender, but it’s swept under the rug. Unwelcome touching is normalized.”

[1:50 p.m.]

“There are too many unsupervised areas in school. For example, when using a stall in a washroom, there are spaces between the doors where others can look in and see female students.”

The child who made this comment indicated that when she goes to the washroom, she always makes a point of covering herself. She doesn’t feel completely safe.

“Sexual assault is a taboo subject. When raised by a student as a discussion topic during Sexual Assault Awareness Month, the topic was refused for discussion by the teacher on the basis that it was too sensitive a topic and could cause trauma – but then the students are not educated about sexual assault and inappropriate touching.”

The member of the advisory committee made the point that if there’s a student who would feel the impacted, that that student could be advised about leaving the classroom, but it’s kind of avoiding the whole discussion of that topic.

“Education rather than punishment is needed to stop the cycle and protect the victim from further bullying. If an offending student is simply suspended, they will just do it again.”

Final quote from the members of the advisory committee:

“There is a culture that allows students who speak up against racism to become targets for bullying.”

When this committee invited me to speak, I was advised that you would be open to hearing any recommendations I might have for safeguarding the rights and wellbeing of students within Island schools. I anticipate that upon my review of Commissioner Jenkins’ report, and particularly if my office conducts a subsequent independent investigation, I will make recommendations in the future, but it would be premature to advance new recommendations that are not fact-driven at this time.

What I will do towards the end of my presentation is identify areas of concern that we’ve been able to delineate within the office. However, it should be noted that my office has directed a total of 15 recommendations to the education system since 2022. A list of those 15 recommendations has previously been submitted for your review.

I released a recommendation implementation status report in June 2025 called *Waiting for Student-Centered Action* that addressed the exceedingly slow implementation of the five recommendations from our advisory statement on the inclusion of students who are neurodivergent or have complex educational needs. My office is currently in the process of formally evaluating the implementation status of the other ten recommendations, which were issued by my office in 2022 and 2023.

Given the limited time available today, I’ve chosen the focus on the six recommendations that were issued to the then department of education and lifelong learning in October 2022, presented before a previous iteration of the Standing Committee on Education and Economic Growth, and were set out in my submission, “children’s rights in education in Prince Edward Island.”

The Standing Committee on Education and Economic Growth at the time endorsed these recommendations. Both my office’s submission to the committee in October 2022 and the November 2022 committee’s report endorsing my office’s recommendations have been provided to you in advance of my attendance.

All six of these recommendations are child rights based and linked to enhancing the safety of children and youth in the education system.

Within these recommendations, I called on the department and education authorities to develop and implement a child-rights model for the inclusion of children and youth as active participants in education-related matters, and for child-rights education and the principles of the United Nations Convention on the Rights of the Child to be integrated into mandatory curriculum for students and in educators’ professional development training.

[1:55 p.m.]

As well, at the time, I called for an amendment to the PEI *Education Act* to include a comprehensive child rights section for students, noting that while section 49 of the *Education Act* lists an inventory of student responsibilities, there is no corresponding enumeration of the rights of students.

In the context of student safety, I refer to the United Nations Convention on the Rights of the Child, which underpins the work of the Office of the Child and Youth Advocate.

In a separate document that has been provided to you, you will find a short-form listing of the convention rights that relate to safety considerations. I encourage the committee to consult the original text of the convention for a more fulsome understanding of these rights.

I also called, within the same set of recommendations, for a further amendment to the *Education Act* to include the ability of a student who is under the age of 18 years to independently appeal a decision of an education authority significantly affecting the education, health, or safety without the consent of their parent or guardian, and for the education authorities to develop and implement operational student complaint reporting policy and procedure documents that are child and youth friendly and respect the right of students to be meaningfully heard.

It is my position that the absence of a student’s right to independently appeal or complain in youth-friendly language about a decision that compromises their education, health, or safety poses serious obstacles and unnecessary risk to children and youth who feel unsupported and

unsafe at school, which elevates their risk of harm.

Here, it is important to note that subsection 55(1) of the *Education Act* – which is set out amongst the legislative provisions provided to you – guarantees to a parent of a student the right to appeal “where a decision of an employee of an education authority significantly affects the education, health or safety of a student,” but does not recognize the agency of the student to initiate their own appeal on the very same grounds.

This, and other relevant sections of the *Education Act*, have been previously submitted for your consideration. The lack of urgency in implementing recommendations from my office over a period of three years that serve to enhance student safety represents, in my view, a missed opportunity to consult with my office, work together, and effect meaningful change for the benefit of Island students.

It is necessary that government act with urgency, because while we often speak out – and quite rightly – about children and youth as being our future, they are human beings in the here and now, with rights to be exercised, and not simply human beings.

Prior to the start of the school year, I requested a meeting with representatives from the Department of Education and Early Years and the leadership of the two education authorities to provide a briefing/update to my office on actions to safeguard students. I’ve also had a meeting with representatives from the PSB board of trustees.

To be balanced, I’m encouraged by the willingness of current senior staff within the education sector to meet with my office, and by a number of actions that were identified in the meeting to enhance student safety. I note that the education authorities have committed to improving systems of tracking and monitoring incidents, and that they’ve engaged with Child Protection Services and committed to targeted staff training on the duty to report.

I also acknowledge the increasing attention within the Public Schools Branch to youth engagement and obtaining the direct voice of youth. For example, in considering the school memorials policy, written material after the meeting was also kindly provided to me

subsequent to the meeting to respond to questions I posed.

Among other things, it is reported that the Public Schools Branch has drafted a dedicated sexual misconduct policy, and efforts are underway to strengthen internal sexual misconduct reporting processes.

[2:00 p.m.]

The individuals in attendance expressed cooperation and a desire to work together. This has followed recent instructive and collaborative meetings with the department and education authority staff to discuss draft inclusive education action plans. Nevertheless, considerably more work needs to be done to ensure the safety of students.

I should point out that a lot of these individuals have moved into new portfolios. There is an acting director of the Public Schools Branch, there is a new assistant director of the Public Schools Branch, and we have an acting Deputy Minister of Education and Early Years. So, a lot of these individuals are trying to get caught up, and when I raise issues and concerns that date back a number of years, there is very little institutional memory.

As I continue with my opening remarks, I wish to turn my attention to five outstanding areas of concern that I’ve identified regarding the safety of children and youth in Island schools.

The first area of concern is the lack of consideration of children’s rights. There appears to be little progress in implementing my office’s recommendations to incorporate children’s rights, as articulated in the United Nations Convention on the Rights of the Child, into the *Education Act*. These child-rights-based recommendations are core elements in contributing to student safety in schools.

I see a persistent conflation of children’s rights with general human rights; also with diversity, equity and inclusion initiatives, as though somehow this has covered off children’s rights.

While these other initiatives are important and should be supported, I maintain that children and youth have unique vulnerabilities which are to be protected by special rights outlined in the Convention on the Rights of the Child.

For some reason, there seems to be a disinclination in the education system to engage in a comprehensive review of the *Education Act* with a view to strengthening student rights. The willingness to look at the legislation is limited to nibbling around the edges.

This is in stark contrast to the positive experience I had with the Department of Social Development and Seniors, where my office worked collaboratively with Child And Family Services over a two-year period to produce new legislation in the form of the *Child, Youth And Family Services Act* that is child-centered and embeds a series of explicit rights for children in care.

I'm always attempting, in my position, to be balanced, fair and objective. I've commended the Department of Social Development and Seniors for producing such progressive legislation, which I have publicly described in a press release as historic, groundbreaking, and aspirational. Why don't we see the same kind of approach in the education system?

School culture and curricula should explicitly teach children their rights as set out in the convention. When children are aware of and educated about their rights, they are empowered and better equipped to recognize and speak up when their rights are not upheld. In this way, children's safety in school is not solely dependent upon a passive system of adult observation and response, or lack thereof, because children and youth themselves are literate about their rights and the rights of their peers to be heard, to be safe, and to be protected.

Recognizing the work of UNICEF and the United Kingdom over the last decade in implementing the Rights Respecting Schools initiative, data has indicated increased cultures of safety and belonging, and drastically lower rates of bullying in rights respecting schools where children are actively educated on their rights and the rights of their peers.

The second area of concern – not a new one – is the uncertainty regarding the legislated duty to report child protection concerns.

As I mentioned in my office's position statement, there seems to be a general lack of understanding regarding the duty to report child protection concerns to Child Protection Services and the police.

[2:05 p.m.]

The message to education staff and the public at large should be that when an individual has a suspicion but is in doubt or undecided about reporting child protection concerns, they should err on the side of child safety and simply report. This interpretation is based upon conversations with outside legal consultation, and conversations with the director of Child Protection here in PEI.

There is a clear, mandatory duty under section 12 of the *Child, Youth, and Family Services Act* and section 82 of the *Education Act* to report to the director of Child Protection or to the police upon reasonable grounds to suspect. Those provisions are contained in the legislative package that has been submitted to you.

The current language is acknowledged in case law as setting a very low threshold for reporting to Child Protection Services or to the police, who are the experts responsible for verifying and investigating reports. Teachers should not be doing the investigation or the verification. They should focus on teaching, educating, managing different educational needs, trying to manage a variety of behaviours in the classroom – that is challenging enough.

The duty to report is an individual duty and cannot be delegated. It overrides confidentiality, with the exception of solicitor-client privilege, and it overrides the provisions of any other piece of legislation in PEI.

There's also the protection from civil liability for any reports made in good faith. It's an offence to fail to report child protection concerns to the named authorities, and under section 62 of the *Child, Youth, And Family Services Act*, the penalty has been increased to a fine not exceeding \$10,000 or imprisonment for a term not exceeding six months or to both a fine and imprisonment. This reinforces the seriousness of exercising and complying with the reporting duty, and what's at stake in terms of children's safety if those reports are not made.

There's also the provincial child sexual abuse protocol issued in 2013 which has been previously provided to you, and which was signed by the Deputy Minister of Minister of Education and Early Childhood Development at the time.

Section 7 of the protocol deals specifically with sexual abuse protocols within the education sector. Section 7.2.2 of the protocol is crystal clear. This has been in existence for 12 years and explicitly states:

“The obligation to report is unrestricted by any precondition that the complaint be first reported within the respective departments, services, or agencies, even if the perpetrator is alleged to be an employee of that institution, service, or agency.”

It goes on:

“School program personnel who have information which causes them to suspect that a child has been sexually abused must report. Prior to referral, personnel who report the incident should not attempt to make a subjective determination as to whether or not the allegation is true or false. Mere suspicion is the legal requirement for mandatory reporting.”

The confusion within schools as to the duty to report is deepened by the misalignment of PSB policy with legislation, in the form of the procedural advice for reporting sexual misconduct, as set out in the Safe and Caring Learning Environments operational procedure and associated incident response guide that are aligned to the policy of the same name.

[2:10 p.m.]

The procedural direction in section 6 of the Safe and Caring Learning Environments operational procedure document, which has been provided to you, was approved as recently as January 2024, and states that allegations of sexual misconduct will be reported to the director of Student Services; it doesn't say only after a report is made to the director of Child Protection and to the police.

It goes on to say that police will be contacted where it's determined that the staff members' conduct is serious enough to warrant police involvement. Again, that just flies in the face of the legislated requirements under the *Child, Youth, and Family Services Act*, the *Education Act*, and the child sexual abuse protocol.

When I was looking at the policy, I was reflecting on whether or not I should talk about this policy because I know the policies are going to be the subject of the audit by Commissioner

Jenkins, but I felt an obligation to flag this because I'm an officer of the Legislature. I have an ethical obligation to identify the fact that the rights of children to be protected can't wait until that review is completed, and children have a right to be protected.

I think that this particular policy document also goes on to say that there's discretion in the principal as to whether or not they advise a parent or guardian that there's been an allegation of sexual misconduct. It's hard to think of an instance where a child has made a statement to a teacher or an educator indicating that there has been some touching, some molestation, some physical contact with that child, where the parent or guardian shouldn't be notified.

If one goes back to the submission that our office made in October 2022, I refer to the fact that there were conversations with the then Deputy Minister of Education and Early Years and the then director of the Public Schools Branch with a view to amending this document. This was three years ago.

I indicate in that submission, all of the concerns that I raised three years ago, and there seemed to be some indication that this policy document was going to be amended, that those concerns were going to be addressed.

It doesn't appear – this policy, this procedural document is still on the books. It's still something that educators can be looking to. This is often referred to as the seminal document.

When we've had conversations with senior representatives from the education authorities, when I've asked questions about educators looking to legislation, the response I've received is: “Well, they don't really look at legislation. They look at the policies.”

This is concerning when the policies aren't consistent with the legislation in the province.

As one family member said to my office:

“Teachers should agree to the duty to report, regardless of any policy that is put in place. If something is disclosed to you, you are the one who reports. Don't just pass it on to the principal. The duty is to report and not to play a part in the paper chain.”

If educators and others are uncertain of their reporting duty, then they can reach out to

Michael Henthorn, the director of Child Protection, and request training the duty to report.

I want to move on to the third area of concern. It's the potential for sexual misconduct by school staff to be considered as a separate matter from other safety concerns in schools, such as bullying, physical and sexual assaults, gender expression discrimination, institutional racism, the use of restraints and seclusion spaces, amongst others.

Quite rightly, we're putting a lot of emphasis – in terms of the Matthew Craswell case – on concerns about sexual misconduct by adult staff in school settings, but there are other things happening in the education system, in the schools, that undermine children's sense of safety and wellbeing. It's my position that the continuum of student safety concerns must be examined as a whole, rather than as isolated incidences.

[2:15 p.m.]

As to the issue of bullying, which we've heard a lot about recently, one case example that comes to mind – not one that's been in the media – is the depth of worry and frustration expressed to my office by a family whose child came home with visible injuries from bullying with no explanation or incident report from the school and no clear direction of how or from whom to get answers.

While staff could assist the child after an incident occurred, the prevention of harm lagged. From the family's perspective, proposed solutions focused on changing their child's behavior to reduce the likelihood of being a target, as though the victim was doing something wrong, but did not do enough to address the perpetrator or the actions.

Repeated incidents then seemed to happen when no adults saw them, and the compounding fear of harm and frustration for answers led to chronic absenteeism. I know that families have reverted, we've heard, to homeschooling or are intent on leaving the Island because of situations where school bullying isn't being addressed.

To be clear, my office has found that bullying is pervasive across the Island. It's not isolated to one school, one geographic area, or one age group. Bullying tends to be directed at children and youth who look or act differently. So, this

could be directed at racialized children, children with disabilities, children who are neurodiverse, children who are newcomers to PEI – children who are just seen as being different.

Also, bullying has significant impacts on children and youth that can persist into adulthood. The research indicates that some of the significant negative impacts are anxiety, depression, disrupted sleep, poor eating patterns, chronic school absenteeism, self-harm, suicide ideation, and even suicide itself.

Across three years of reports, the COMPASS survey – a self-report by youth in grades 7 to 12 – has indicated that the percentage of students who had experienced bullying within the previous 30 days of completing the survey – so, within 30 days before completing the survey – is consistently 10 percent higher in Island schools than the average reported by students in other participating provinces.

That's 30 percent here on the Island versus 20 percent as a national average across the country. In other surveys, it's one in five. Here in PEI, it's almost one in three students reporting within that snapshot 30 days before taking the survey.

It raises the question: Are we doing or not doing something differently here that is impacting bullying rates? I'm concerned that there's no fulsome data or understanding on the scope of bullying in our province. Is bullying more acute in certain age groups? Is bullying more acute in certain schools or in certain parts of the province?

There is certainly a need for more support in schools. For example, more education assistants, behaviour support specialists, and counsellors. We must collectively focus on education and the prevention of bullying, and not simply continue to respond to bullying after the fact, after it's happened.

I want to move on to the fourth area of concern, and that is the lack of transparent governance and accountability chains within the provincial education system.

It's a bit of a conundrum. The responsibility between the Department of Education and Early Years, the two education authorities – being the Public Schools Branch and the French language board – and their two respective boards of trustees are not clear. Currently, there is inconsistency in the publicly available

information regarding the organizational structure for the Department of Education and Early Years, the education authorities, and respective boards of trustees.

[2:20 p.m.]

At present, contradictory org charts previously submitted to you have been published, causing confusion about lines of accountability.

More specifically, as one of those documents provided to you, the 2023-2024 Annual Report of the Department of Education and Early Years has an official org chart on its very last page that indicates that the director of the Public Schools Branch and the director of the French language board each report directly to the Deputy Minister of Education and Early Years.

Yet, the org chart presented to this committee by the director of the Public Schools Branch back in June has the director of the Public Schools Branch reporting directly to the PSB board of trustees. At the time, the director of the Public Schools Branch described the PSB board of trustees as her boss, but it's interesting; in the org chart prepared by the department, there is no identification of the boards of trustees.

By the same token, the org chart presented by the director of the Public Schools Branch makes no reference to the Department of Education and Early Years – only to the board of trustees.

What is not clear is whether this is an official PSB org chart, or whether or not it was created for purposes of the presentation to this committee. We could not find that org chart that was presented to this committee posted on any website, posted on the PSB website, or posted on the boards of trustees website. It seems to have been generated for purposes of this committee.

In view of these contradictions, what is needed is a universally agreed-upon org chart, or flow chart, with all of these entities accurately represented in order to determine who reports to whom, and who has the ultimate responsibility for keeping students safe in the Island education system. I've been asking this question.

Notwithstanding the assertion that the accountability of the two education authorities rests with the respective boards of trustees, the *Education Act* delineates the broad authority of the Minister of Education and Early Years. The

Education Act, in various sections, provides the authority to establish policy to each the minister, the education authority, and the members of an education authority, who are the boards of trustees.

In reaching out to senior leadership in each the Department of Education and Early Years, the education authorities, and the PSB board of trustees, I've not been able to secure a definitive answer to my question as to who holds ultimate responsibility for ensuring the safety of students in Island schools.

When I spoke to the Deputy Minister of Education and Early Years and asked the question, "Doesn't the minister have ultimate accountability?" the response was: "It's complicated" and "It's a shared responsibility."

My concern here is that no one wants to own this responsibility and would prefer me to look elsewhere. This approach, which languishes in ambiguity and sidesteps transparency and accountability, is simply unacceptable.

The Public Schools Branch's board governance policy distinguishes that the board of trustees will normally be the initiator of governance policy, and the director of the Public Schools Branch will be the initiator of operational policy. What needs to be made clear is who has ultimate authority in signing off on policies, and where the responsibility lies for ensuring that policies align with legislation, including but not limited to the *Education Act* and the *Child, Youth and Family Services Act*.

[2:25 p.m.]

There's also the question of who is accountable for quality assurance in monitoring and comparing the policies, procedures, and practices in both education authorities to make sure that students in the English and French Language education systems are equally safe while at school. Who is making sure that policies relating to safety in one system are being replicated in the other system?

While I've been assured that there is ongoing communication between senior leadership of the two education authorities, there appears to be no one person or body holding that quality assurance function here in PEI. We need to make sure that children are equally safe in both systems.

the Government of PEI website – and currently, the Elections PEI website – describe the broad responsibilities of the Public Schools Branch board of trustees as including such things as strategic planning and setting policy for the English public schools; approving PSB budgets and operational plans; recruitment, employment, management, and evaluation of authority staff; ensuring facilities are maintained in a proper manner and to provide a safe learning environment for students; monitoring and evaluating the effectiveness of schools; and being accountable to students, parents, community members, and the minister for the performance and operations of the education authority.

This is also part of the package submitted to you.

However, what the position and role of the board of trustees has been with respect to Matthew Craswell was not clearly answered during the spring sitting of the Legislature and still appears to be unclear.

Due to the lack of transparency in defining the respective roles and responsibilities of the Department of Education and Early Years, the education authorities, and the board of trustees, everybody seems to be saying it's a shared responsibility. When it's a shared responsibility, there doesn't seem to be any ultimate responsibility.

The demarcation lines of who reports to whom are not clear. This may leave the staff of the education authorities in the unenviable position of being potentially accountable to two different entities, being the department and the board of trustees.

In addition, the current and potential members of the two boards of trustees should be clearly informed as to their level of responsibility for the actions and decisions of the education authorities, particularly as interested citizens put their names forward as candidates in the upcoming election. Students, families, and the public deserve to know who has ultimate responsibility for keeping students safe and how the boards of trustees fit into that equation.

I note that, pursuant to the *Education Act*, establishing an accountability framework for both the English and French systems is a ministerial responsibility, and the education authority is responsible to establish and maintain

governance and organizational structures that promote student wellbeing and success.

Moving on to my final area of concern.

This returns me to my position statement, when I noted students and their families do not have time to wait. The rights of students and the obligations of the education system cannot be placed on hold during the third-party review.

Like many Islanders, I approached the start of this school year with a sense of anticipation of what would be different and safer for Island children and youth. It is concerning to see that tangible actions to safeguard students largely continue to be placed on hold pending the results of Commissioner Jenkins' review.

When I spoke to one of the representatives at a meeting, from one of the education authorities, and I asked about policies and policies that could be looked at now, the response was that there's no review of the policies because they're waiting for Commissioner Jenkins to issue his report, because he'll likely be advancing some recommendations with respect to policies, so that would be the time to examine policies.

[2:30 p.m.]

So, granted, there may be some very beneficial recommendations that should be acted upon, but if something is identified now that's immediate and urgent, that poses risk to students in the education system within policy, within practice, that should be corrected right now. Children's rights aren't put on hold. Their safety shouldn't be compromised.

While it was encouraging to see an amendment to the *Education Act* section 21.1, requiring the education authorities to establish policy on the prevention and response to sexual misconduct, I will note that subsection 21.1(3) requires consultation with my office on any such policy. I can confirm for this committee that no such consultation has been requested from my office, which suggests that this policy is still some distance away.

Additionally, Island students and their families continue to wait for the release of a minister's directive on inclusive education, a finalized action plan for inclusive education, and a provincial youth cyberviolence prevention strategy.

We had a presentation at our office with respect to the cyberviolence prevention strategy. This was a presentation to the members of our Child and Youth Advisory Committee back in December of 2024. This is almost 10 months ago. I've received no further follow-up/update. I have no idea as to what is happening, with respect to that cyberviolence prevention strategy that apparently is being rolled out.

My office can also highlight – as I've done – the slow pace of implementation of the 15 recommendations directed to the Department of Education and Early Years and the education authorities, 10 of which have been public recommendations since 2022 and 2023.

I should mention that I had a conversation with the Deputy Minister of Education and Early Years yesterday to ask for an update on the minister's directive and the inclusive education action plan. The acting deputy minister could not provide any timetable as to when that action plan and minister's directive would be tabled. It seems to be part of the approval process.

On many occasions, I've emphasized my core belief that children and youth don't have time to wait to have their rights respected and acted upon. There's a limited window within which to act to support children and youth. As we know, children have a different sense of time. A year in the life of a child is perceived and experienced as being much longer than a year in the life of an adult.

Also, children and youth are only students for a short time. When action is delayed, we risk losing a generation of children and youth who may age out of school before meaningful change is actually taken.

In closing, I wish to turn back to the voices of children, their families, and interested adults to reassert the urgent need to address safety as a continuum that impacts the learning culture of Island schools. I'll quote a parent: "Schools are meant to be safe places for our children."

Children are taught they can trust teachers and helpers working in their schools, yet children tell my office – another quote by a child – "I don't feel safe at school," and by another child, "I'm worried about getting hurt at school."

We have to do better for children and youth in this province. I will continue to work cooperatively with government wherever

possible. That's part of my responsibility, but it's also my responsibility as an independent statutory officer to hold government accountable for actions and inactions that do not uphold the rights, interests, and wellbeing of Island children and youth.

I want to assure Island children, youth, and their families that my office is here for them and wants to hear their concerns. I invite them to connect with my office when they need support and when they have ideas of how we can work together to influence and support positive change.

That's the end of my opening remarks. Thank you for the indulgence of providing me with the time to present the perspective of the Office of the Child and Youth Advocate. Much appreciated.

[2:35 p.m.]

Chair: Thank you, Marv Bernstein, for that very powerful, very compelling presentation.

The floor is open for questions. Karla, and then we'll go to Carolyn.

K. Bernard: Marv, thank you for your presentation.

Marvin Bernstein: You're welcome.

K. Bernard: I knew it would be eye-opening, but I didn't realize it would be this eye-opening. As someone who is actively looking through these documents that you sent to our office, I almost feel that I have a gazillion question. As I was preparing for this meeting, I went through the documents and highlighted it and wrote my questions in it, but I feel like that might not be what happens today.

Shannon, I just want to thank you for being here as well.

Dr. Shannon Bruyneel: Thank you.

K. Bernard: I guess I come from a place of – I appreciate your professional role being here, and I also appreciate what you bring to your professional role, as a mom of three beautiful children and as a former EA within the Public Schools Branch. I think that you offer a very helpful, unique, and important perspective here. So, I just want to acknowledge the importance of you being here with us today.

I guess my first thing is a quick comment, and then I'll move on to my question. You made a comment about how the work shouldn't stop because there's a review happening. We've heard this now from Prince Edward Island's Child and Youth Advocate.

We've also heard it from – I heard it personally from Commissioner Jenkins when I went in for my consultation with him on Monday. The first thing we talked about was the importance of the work ongoing as it pertains to the safety of children.

If there's something identified between now and the time the review is finished that interferes with the safety of children, the work should not stop in anticipation of that. After I hear your whole thing – there are a lot of trends here with things not being implemented. If it's just the review holding it up, that's one thing, but I suspect that's just an excuse of why this work is not being done.

That's just a comment, and you don't have to respond. It wasn't fair of me, perhaps, to put that on like that.

These questions are kind of all over the place, and I'm kind of reading between the lines of my own experience as well. But a couple of things that I'd been advocating quite strongly for prior to being elected was that schools should be – based on what students are needing these days – more of a community space.

What I mean by that, when you talked about how sexual misconduct is not the only safety concern, but the ones you listed – bullying, cyberbullying, social media, physical or verbal assault; all those things – and that there are not the professionals in the building to support children with that.

What would you like to see us move towards in terms of supporting kids better? Are there other professionals who should be within that building given the main roles of educators are academics, and many are not equipped to deal with some of these things?

How would you like to see that unfold?

Marvin Bernstein: Well, I think that there should be more educational assistants. There should be more guidance counsellors. There should be more behaviour management consultants. I think it's come up in the

Legislature, different statements about part-time roles in the schools – I think we need stronger commitment in terms of full-time roles in the schools, people with that kind of expertise.

It's very difficult for teachers to manage a whole group of students who may have different learning capacities and may be neurodiverse and try to accommodate all of those students and make sure that each one of them is able to exercise their right to a quality education. So, I think we need to look at some of the gaps in terms of some of the resources – where can we plug into some of those supports?

I think I'm going to turn to Shannon, who may also have some perspective from her role previously, as an education assistant. Shannon also is a former president of the Home and School Federation; I should probably just reference that as well.

Dr. Shannon Bruyneel: Yeah. I was with the Home and School Federation for a period of about five years.

I agree with what Marv has said. I think that from the perspective of the work of our office, we look at having those supports in place, not only to address instances after they've happened, but to also work on the prevention aspect of – whether it's education, or training, or meeting the needs of students before a behaviour situation escalates to the point of having a crisis situation, or a situation where a student may be dysregulated, or before a bullying incident takes place. So, really focusing on that prevention.

I think that part of that discussion of looking at something like the Rights Respecting Schools movement that Marv mentioned is also important, where you're building in a foundational understanding and culture of students rights so that when children and youth are able to recognize their own rights, they also recognize that the children around them have rights too.

So, they recognize their own rights, but also the rights of their peers, and that builds, foundationally, a culture of respect for the people around you. When you're educated of what your rights are, then you're also aware of when your rights are not being upheld, so you're a more active participant in being able to speak up for yourself, but also to speak up for your peers.

Really, when we look at those historical recommendations made by our office to entrench these rights into curriculum, into legislation, that type of philosophy is really what we're looking at and what we're promoting and advocating for in terms of making rights the foundation, because everything builds up from there.

Marvin Bernstein: So, it's not just a question of looking at policies and if they are the right policies, and looking at the practice, but it's examining the culture, and the attitudes, and what needs to be shifted. That takes a lot of work, but there are other jurisdictions that can be looked to.

I did work at UNICEF Canada for a number of years and had conversations with colleagues at different UNICEF offices that were supporting a rights-respecting schools initiative where the use of the convention was front and centre, where students knew that they had the right to speak up if their rights weren't being upheld. They also understood that they had a responsibility to respect the rights of other students, and it just kind of created a different culture that was student centred.

K. Bernard: Wow. There was a lot of gold in that answer. Thank you for that. A lot of guidance on the direction in which our system should be moving.

Another thing that – while I'm hearing you speak, I think about our sexual health curriculum, which is another thing that I've been advocating for since prior to being elected because I believe a good, consistent sexual health course/curriculum is crucial. When you talk about relationships, when you talk about touching, when you talk about consent, when you talk about – I'm not putting words, but those are the things that I'm hearing – and that sexual assault is a taboo topic in the classroom.

I think back to something we all celebrated in the Legislature, when Kinley Dowling released her curriculum on sexual assault for junior high classrooms to be used as a resource, and now I hear that students are being shut down from talking about sexual assault, when one of the very resources this government approved and celebrated talks about sexual assault.

I know that the sexual health curriculum was being revised for the lower grades, and I was told that would move up. When I ask for updates

on that, I don't get much. Keeping in mind that sexual health deals with yourself and understanding your body autonomy, those things are important when we're considering safety. Have you heard of anything happening within the education system with our sexual health curriculum?

Marvin Bernstein: Nothing has been communicated to me.

The other point that I just wanted to mention is that if you go back to the submission that you have in front of you, back to October of 2022, there were concerns expressed – and I used some quotes then – around some of the students who said that they wanted to hear discussion and conversations around rape, and that was a taboo subject. Educators didn't really want to talk about rape.

[2:45 p.m.]

The member of the Child and Youth Advisory Committee who kind of raised the concern about being shut down was feeling as though the education isn't taking place, and that the sense of boundaries and “You have the right to your own bodily autonomy” isn't being communicated in the way that it should be.

So, nothing has been communicated to me – to my office – in terms of there being some further movement on that. I'm not sure that it isn't happening, but nothing has been conveyed.

Shannon wants to add something.

Dr. Shannon Bruyneel: My most recent experience in the school system, from a couple years ago – I had the benefit of being in a grade nine health class where that curriculum was used, so I have sat through the class of the Microphone Project in action.

I just want to maybe provide a little bit of context for the comment that was made by the member of the Child and Youth Advisory Committee, that that curriculum – in my experience – has been delivered or is being delivered in the classroom, but that sometimes the conversations are pliant. So, when it's the day or the days to deliver that portion of the curriculum, it can be spoken of, but it's the unplanned questions that might serve to catch off guard, which speaks to a broader cultural piece of what the committee member was maybe alluding to.

K. Bernard: I think it also has to do with an educator's comfort level with certain things, too, right? Not just as it pertains to sexual health, but any sort of conversation that you might have with a student.

Where to go next?

One of the things that you talked about was the importance of youth engagement. I challenged the former, former Deputy Minister of Education to remove "child-centered" from the inclusive education action plan, because – I said: "Our education system is not child-centered. It's child-centered from an adult perspective, and those are two very different things." So, they removed it. It's not in that document anymore.

From there, as it pertains to youth engagement, we've got students in front of us all the time, and they should be at the heart of all and every decision made impacting them.

One of the things that you said was that you were – correct me if I'm wrong – encouraged by some of the engagement that's been taking place. Is that what you said? If so, could you explain? If not, maybe....

Marvin Bernstein: Well, this was a statement made by one of the members of the education authorities, who indicated that there was outreach to students to speak about the memorial policy – some of the memorials to deceased students had been taken down – and reaching out, and then also referenced to the Lieutenant Governor engaging in conversations with youth and that this was facilitated by the Public Schools Branch.

I just want to be fair in terms of what was identified as some actions. However, I would be remiss if I didn't point out that with respect to the cyberviolence prevention strategy, there was a survey posted online, and the concern seemed to be to prevent cyberbullying as between students.

Well, the one group that wasn't invited to participate in the survey was students. So, there was no youth engagement to support some of the early analysis in terms of cyberbullying. It was adults who were asked to complete the survey.

One of the representatives from the education authorities – when I asked about children's rights, the indication was, "Well, we're interested in hearing from students and we want

them to participate," but there didn't seem to be an understanding of children's rights in a broader context.

[2:50 p.m.]

It seemed as though by moving some baby steps, they were thinking that they're addressing children's rights in the same way that when we talk about children's rights, well, the education authorities are indicating, "Well, there's instruction on human rights, or diversity education and inclusion," as though that is addressing children's rights.

I've spoken about this when I've released my annual reports, and that is: We get together with people – professionals, deputy ministers, directors in this province – really good people who are well intentioned. Everybody wants to do the right things for children, but we have the sense of paralysis.

The action doesn't seem to follow the commitments, or the statements of good intent, but there are children who are being impacted negatively. They're being harmed. We have to be able to move things more quickly.

I talked about the policy document on safe and caring environments. Also, if you go back to the submission that we tabled before this committee in 2022, I referred to the fact that we had identified school absenteeism as a systemic problem.

I indicate in that submission that I wrote a letter to three ministers to move out of silos – they were Education, Social Development and Seniors, and Health and Wellness – and said this problem of school absenteeism is crossing these different sectors, and then there was a meeting.

So, I talked about writing a letter in May of 2022. In July, there was a meeting where I met with the deputy ministers. The director of Child Protection was there at the time.

The position that we advanced was that there should be a working group bringing together all of these different departments, and then we should be monitoring the progress in terms of looking at chronic school absenteeism.

There was a commitment then made by the then deputy minister and the then director of the Public Schools Branch to provide us with ongoing reports. We have received no reports in

the past three years around school absenteeism, notwithstanding the commitment that was made in terms of bringing forward recommendations.

I indicated that these different sectors – different government departments – should work together, and from time to time, I would like to receive monitoring reports. That seemed to be the primary responsibility of Education. It's just another example of commitments, communications, letters, the office identifying issues, advancing recommendations, a failure to implement those recommendations.... Things just seem to lag.

There doesn't seem to be the sense of action, the sense of urgency. That's what I think our office wants to see – that when we identify that there's a problem, there's a gap in services/programs for children and youth, and we get together collectively, and we use our best resources, and formulate a plan.... Why don't we move on the plan?

Chair: Carolyn.

C. Simpson: Thank you, Chair.

Thank you. It's nice to see you both.

As Karla's already mentioned, this is an incredible presentation, and a great deal of information for us to dive into and unpack and sort through, and perhaps even have you back for further discussion.

You talk of that continuum of student safety, of child safety within our public education system, both within the Public Schools Branch and the French Language School Board. Completely agree; it is a continuum, and there's many factors.

I want to draw, just for a moment, back to our most recent incident, with the Craswell case. In your opinion, where would you say the Public Schools Branch and the Department of Education and Early Years failed to.... At what point did they fail to safeguard our children?

[2:55 p.m.]

Marvin Bernstein: Well, recognizing that our office hasn't engaged in an investigation, so I'm only operating on the basis of information that has come to my attention.... But it would seem that in June of 2023 at West Kent, and April of 2024 in terms of Stratford, the moment that

those children made statements that there had been inappropriate sexual touching – that's when the reporting duty was triggered.

There was this delay until August of 2024, when Matthew Craswell had been criminally charged, and it seemed as though – and this is the concern about looking at the procedure document Safe and Caring Learning Environments because it seemed to suggest that there should be internal reporting, within the department. It wasn't clearly set out in terms of reporting to the director of Child Protection or to the police. It talks about the discretion in terms of contacting the police if it's perceived as being serious enough.

The policy document, the procedural document wasn't updated, so my question is: Was there reliance upon that procedural document? Because the sense that we heard publicly, that there needed to be some verification of a criminal intent, of a malicious intent.... Children should be believed.

It really is just a mere suspicion to report. The salient concern is the harm to the child. It's not to try and read the intent of the alleged perpetrator. That's the job of the police. That's the job of the Crown Attorney in terms of whether or not there was criminal intent, whether or not to lay criminal charges. That's not something that should be the concern of educators, people working within schools.

If a child raises a concern about having been sexually molested, sexually interfered with, just believe the child, report this to Child Protection and to the authorities. They're the experts when it comes to verifying and investigating. We have to trust them to do that job well, and effectively, and objectively.

In an investigation, it would be important to determine who made this ultimate decision. What was the basis for determining that there could be a delay?

I go back to the time that the incidents occurred, and the communication and disclosure was made by the child to the staff member – that's when the obligation was triggered. It's not to kind of sit around and wait. And then of course, the incident that occurred earlier at West Kent wasn't disclosed publicly until much later than the incident that occurred at Glen Stewart.

So, just misinterpretation – and then that feeds into my concern about who has ultimate responsibility. I'm not engaged in an investigation, but we are doing some preliminary fact-finding. I'm meeting with directors of the education authorities. I'm meeting with the acting deputy minister. I've spoken to the chair of the Public Schools Branch. I feel like I'm chasing my tail trying to determine who has responsibility here.

[2:00 p.m.]

It seems as though the prevailing mantra is it's a shared responsibility. Everybody's got a piece of the pie. Somebody has to own it. It seems from reading the *Education Act* that the buck stops with the minister, but that doesn't seem to be the communication that comes from the department.

C. Simpson: I completely agree. When there's a shared responsibility, no one takes accountability. The act is very clear that the buck stops at the ministerial level.

So, a child reported that someone touched them and she felt uncomfortable, and that was brought forward, and the perpetrator was indeed believed in this incident – there's no other way to look around that – and in fact moved to another school, it would appear, until we find out these sorts of details.

You've brought forward other things that perhaps people were not aware of in terms of the continuum, and what is happening, and what has been a historical experience within our public education system that children have been victims of one form or another of – I'll just call it what it is; it's abuse of children.

Fast forward now to the fall of 2025 and the beginning of a new school year. For many, many children, it was their first time coming forward, and for many parents, it was their first time coming forward. I know with certainty that there were parents who were incredibly apprehensive. I can assume there were children that were incredibly apprehensive to begin this academic school year, which ought to have been a joy and a pleasure may not have been, for many.

The communications, as I understand it, from the Public Schools Branch related to this particular incident and review was nonexistent to families in terms of what has changed to ensure that what has happened won't repeat itself, and indeed your children are safe.

What would you recommend here – we're quickly approaching Thanksgiving, taking us six weeks into the academic year – that could be done immediately to assure families that their children are indeed safe for the six hours that they are in a school?

Marvin Bernstein: Well, I'd like to see some movement on the inclusive education action plan.

It's something of a mystery to me because our office has provided input on multiple occasions. There was some indication that there was some urgency to us providing a response to the latest iteration very quickly because they wanted to obtain the approval to get this in place.

We accelerated our timetable, and we provided feedback, anticipating that this would be in place for the start of the school year. So, I was rather surprised when I heard that there still is no timetable for releasing the inclusive education action plan and they're still working on the minister's directive, which we've also provided input into.

So, I think moving on these different – where there's been a lot of discussion, a lot of reflection, we met with some policy people from the department who were interested in terms of supporting the inclusive education action plan. They were very impressive and very energized, so we were anticipating something that would happen a lot more quickly. That certainly would be one thing.

Shannon, do you want to also elaborate on things that could be done?

Dr. Shannon Bruyneel: I would just go back to a big part of Marv's presentation in identifying the inconsistency in the Safe and Caring Learning Environments policy and operational procedure and the associated incident response guide.

If you go to the Public Schools Branch website right now, it's the policy and procedure section. Those are the documents that are online right now in terms of guiding a response – what to do if a child was to disclose sexual misconduct by a staff member.

[3:05 p.m.]

That incident response guide is still on the books. So, identifying that that does not

necessarily align with section 7 of the child sexual abuse protocol, doesn't align with section 12 of the *Child, Youth and Family Services Act*. I think that Marv identified very clearly that that should be a quick change to make sure that those policies are in line with what the legal requirements are in the province.

Marvin Bernstein: I think the other thing – if I could just add one point.

I found it curious because as I mentioned, the effective date of the Safe and Caring Learning Environments.... Even though I was raising concerns back in 2022, this was revised – it says reviewed and effective January 29th, 2024, yet the policy document reads an effective date of June 13th, 2018.

Why would the procedure document be updated and policy document not? Curious.

C. Simpson: There are two pieces of legislation that are on the books that are very clear – the duty to report and what that means. There's a protocol in place, so to have an operational policy stand in the way of that, for lack of a better word, does not make sense.

The system is filled with incredible teachers, incredible staff, incredible people trying to do their very best with potentially limited resources – be that classroom resources, additional human resources to do the job that needs to be done to support our children – that's ongoing. So, you're right, what's happening with the inclusion strategy will be critical. So, let's get moving on that. We will be asking further.

But you made a comment, Marv, as well, that parents of course are going to do everything that they can to protect their children, ultimately. You made comment that some are moving to homeschooling, and while homeschooling is obviously a choice that many families make not because they don't feel their children are safe, but for other reasons – would you have data to help us understand the parents that have indeed said that perhaps homeschooling and/or leaving our province is what they need to do to protect their child?

Marvin Bernstein: I can't really quantify it. What I can say is parents who have just been overextended, are sort of at wit's end – they've tried other things, they've tried to have discussions with the school, and they just don't see any remedy, any solution. So, they

sometimes say that they're going to have to pull their child out of a traditional classroom and homeschool.

Now, one of the things that is problematic is that we have sometimes single parents who are wanting to homeschool because they feel as though their children aren't being supported in the school system – they're working mothers, and so if their child is not at school, they have to be at home. Some of them have indicated that they just don't know where to turn because they're not experienced and accomplished educators. They're trying to engage in a situation that is not one that they would prefer. Other parents have just indicated that maybe this isn't the province where they want to live because the educational needs of their children aren't being supported.

It is very concerning when it reaches that point. I'm also concerned in some of the bullying situations that seem to be becoming very litigious, and where parents are becoming angrier, educators are becoming more militant, and students are caught in the middle, which is another reason why I feel this sense of urgency. We have to think about the students. We have to think about the children.

With this level of acrimony because parents are feeling as though they're not being heard, educators may be feeling as though they're harassed by parents, and so it becomes a very volatile situation. We have to find ways to de-escalate that and become more centred on the safety and wellbeing of those children.

[3:10 p.m.]

Chair: Robbie.

R. Henderson: Thanks, Chair, and thanks for your presentation here today.

From my own perspective, I had the opportunity to coach hockey prior to getting into politics. It was good training for politics, by the way. But part of me deciding I wanted to become a hockey coach was that I had to take mandatory training to interact with my players, to deal with any potential sexual abuse or any abuse you might see. I did take that particular course.

It was my understanding that you had an obligation of duty to report if you witnessed any abuse, or saw any child with bruises, or all those types of situations. I was of the understanding

that it was mandatory to report that. I also actually took it as it was a legal obligation for me to report that. There were no questions about it, and I was to report that to the police or Child Protection was my understanding.

You had mentioned there in the school system that the policy was that they report it to the director of student services after the police and Child Protection, or does any of the staff report it to the director of student services?

Marvin Bernstein: Yes.

So, is there appropriate training for those teachers or staff within the school system? I do know there are lots of staff development days. The staff start a week prior to the students coming in. So, do they get that kind of training? It would seem to me they should if they're not, but I'm assuming they are. Maybe you could clarify that a little more for me.

Marvin Bernstein: My understanding is they're getting the training now as a result of the Matthew Craswell incident. I'm not sure that the training was taking place in the past, in terms of bringing Child protection workers into the school environment and providing training. I think now, because there's a lot of concern and this has been in the news, that educators are worried that they could be vulnerable. They want to learn more.

Administrators are now calling in Child Protection to educate and train around the duty to report. My concern is that it wasn't visible to the same degree previously. It shouldn't take an incident such as this to focus on the duty to report. This should have been part of the training, the orientation, the on-course boarding.

The other point that I made is that the Department of Education signed on to the child abuse protocol. So, it's not like it's a new protocol and people are just getting acclimated to the protocol. The protocol is very well written – it's very clear, and it dates back to 2018.

So, why were educators not aware of this? Why weren't they looking at the legislation? Why weren't they looking at the child sexual abuse protocol? Why was the supposition that there would have to be some criminal intent, some malicious intent?

Something was askew, and the procedure document on safe and caring learning

environments seems to be highly problematic and seems to be reinforcing this supposition that you report. I'll just read it out.

It says under Sexual Misconduct:

“A student who believes they are a victim of sexual misconduct by a staff member, should report it to a teacher or the principal.”

Then it goes on:

“(c) The principal will notify the Director of Student Services of the allegation. The Director of Student Services will notify the Director of Human Resources.”

It doesn't say those internal reporting directions within the school should take place after a formal reporting, but that has to take place immediately, without delay. Then, if you want to kind of have the internal communication for others to know within the school system, that should take place afterwards.

[3:15 p.m.]

“(d) Police will be contacted where it is determined that the staff member's conduct is serious enough to warrant police involvement. The Public Schools Branch will conduct their own investigation at an appropriate time.”

“(e) The parent/guardian of the student involved will be contacted if the situation suggests it is necessary.”

R. Henderson: Wow.

I guess to add the equation, just to be more blunt about the question: If it's a legal obligation on behalf of a hockey coach – or I'll say any general person of the public that witnesses abuse or any kind of misconduct towards children – is that not the case with the school system?

I would assume that they are legally obligated to report the same things, whether they're reported to the principal or student services, but shouldn't they also be responsible to report it to the police or Child Protection too? Do you think there was a contravention of legal obligations on behalf of the school system on this?

Marvin Bernstein: I'll answer it this way: The duty to report applies to every person in the province. It's not localized to specific individuals – only professionals, only

individuals within certain sectors – it applies to every person in the province. So, yes; it applies to educators.

Chair: Gord.

G. McNeilly: Thank you, Chair. Thank you for coming in and speaking today.

Back in the Legislature – you had made reference to it – I’d asked on two specific days to send this to the Child Advocate because this involved a child. This involved children in our system.

It would seem that – I would’ve expected the minister to have at least spoken to you and your office before that, before I brought it up in the Legislature, because this is where I thought it should go, because it was about children.

Can you talk about that? You’d made reference to it. You never heard from government before they made a decision to go in a different direction? Can you talk a little bit about that? What was it like from your perspective?

Marvin Bernstein: Well, on the first day, I wasn’t viewing the proceedings in the House, and I received a call from a CBC journalist asking me if I was going to investigate the Matthew Craswell case. I asked her: “What do you mean?” She said: “Well, it was raised in the House.”

So, then I viewed it afterwards and saw the question being raised. My recollection was that the minister indicated that all the options are on the table. He didn’t support that. He didn’t disagree with it.

Then the next day, I was viewing the proceedings in the House, and it was raised again. The minister referred in the same way that he was conferring with staff and all the options were on the table. I think this was on April 30th and May 1st.

So, I was expecting that the minister, or at least the deputy minister, would be contacting me after it was raised in the House, just to consider the option. What would it look like if our office were to conduct an investigation?

I recognize that the minister has the discretion to exercise his authority under the *Education Act*, but I thought – I was reasonably expecting a phone call, just to kind of say that, well, there

may be different directions and different pathways. What would it look like? What would be the pros, what would be the cons if our office was to conduct an investigation? There was no outreach as a result of the request being made in the Legislature.

Then, on May 1st, on a Friday morning, I was surprised when the Premier announced that there was going to be an independent investigation announced the following week. At that point, I knew it wasn’t our office because the Premier had not been in contact with us, that it was going to be some other approach.

[3:20 p.m.]

When I saw that, I asked my executive assistant to contact the executive assistant for the then deputy minister. Then, the deputy minister’s executive assistant got back to my executive assistant, and said that she wasn’t available; could speak to me about the Premier’s statement on the following Tuesday at 3:30.

My approach was: “Well, so she’s just treating me as a member of the general public, not recognizing my position of Child and Youth Advocate in the province.” I found that unacceptable, so I responded by writing the email that you should have in front of you, indicating my concern in terms of not respecting the role of the office and that I was asking the deputy minister to reconsider her position, to speak to me about it.

Then a phone call followed, on the weekend. I indicated that I could be contacted on the weekend, and I was contacted by the deputy minister and joined by the clerk of Executive Council, in terms of the conversation on the weekend responding to my concerns.

I didn’t understand why there wasn’t some outreach, just to have a conversation in terms of understanding, and I’ve indicated in the position statement some of the areas of distinction, why there would be benefits – now, recognizing that the minister would have discretion, but recognizing why there would be distinct advantages over having my office investigate versus a third party.

G. McNeilly: I think the suggestion was good. I think that we’re in a position now where they went with a different approach – which could be a benefit, but I think that you had the expertise to represent children, to represent what needed

to happen, and you understood the legislation. So, I think it was a big mistake.

I think you got told Tuesday at 3:30 because that was after the end of Question Period the next day, potentially, and I don't know why the clerk of Executive Council wasn't on the phone calling you on the weekend. But that letter that you wrote – you wrote a letter back, asking the minister a few questions and being there.

What's concerning for me is that I think this committee asked for all the information from government. That letter should have been included in it and it was not. Why did government not include that letter? That's something for the committee to look at, potentially. I don't know, but it wasn't there.

After that, the investigation is going on or Commissioner Jenkins is looking into that. Have you spoken with him in that process, or have you looked at participating in that process at all? What is your avenue at this point?

Marvin Bernstein: I've responded to Commissioner Jenkins by indicating that I wouldn't be meeting with him and that it would be compromising my independence as the Child and Youth Advocate.

I indicated that the Department of Education and Early Years is a reviewable service. At the end of that process, I may be in a position where I'm reviewing the process, reviewing the report, reviewing the findings and recommendations, and I don't want to be in a position where I'm seen as contributing to something, and then coming out and saying: "Well, you provided the Commissioner with your perspective. Why are you challenging it now? Why do you see the need for an independent investigation?"

The other thing that I did say, respectfully, is that I wasn't going to have private conversations. My role as Child and Youth Advocate is to be transparent. I shouldn't be having private conversations that I can't say publicly before this committee.

[3:25 p.m.]

So, part of what I said in my response is that anything that I would be saying to Commissioner Jenkins is what I'm going to be saying today. He can view these proceedings today, or view an archive, read the transcript, and see my perspective. I'm not going to have

private, discreet meetings with Commissioner Jenkins. I'm an independent officer.

At the end of the day, I have access – I have the right to seek production of the original report that he provides to the minister. Once it's in the possession of the minister and it's in the possession of the department, then I have the ability through an investigation to require production of information. So, I should not be anywhere in the room with Commissioner Jenkins, engaging in conversations that would compromise my independence.

You know, this was a long time coming in this province. Over years and years, different individuals asking for an independent Child and Youth Advocate, it didn't happen easily. That is a sacred trust. That is so important to me.

This is not to detract from the credentials of Commissioner Jenkins. He's an individual who has tremendous integrity. I'm sure that the review will have some benefits. There will be some strong recommendations, some foundational information, but I'm not a part of that. I'm not partnering with him. I need to stay at arm's length, consider the results of the report, and then determine: Is that sufficient?

I've talked about convening a public forum and finding out from children, from family members, from concerned adults, from professionals: Is that good enough? Does that answer the questions? Do we feel that children are going to be safer? Are there still areas that need to be examined?

He's called his process an audit. I'm calling my process an investigation. So, I think that we just need to be very, very careful. I'm standing clear – let him do his work – but I don't see myself participating in that process.

Chair: Gord.

G. McNeilly: Thank you very much. That's great to hear.

I wish government would have taken a different approach and been more open to talking with you. I hope that....

After you said that – as much as the minister's called this an independent.... I don't know, because they get the report first; it's not going public. So, I would just like to – if the minister's watching, or the department: I think that that

report should go immediately to the Child Advocate without screening from government, and you made that clear.

The last thing I want to talk about – this school year, I wrote to the minister. He did write back about safeties in place for the school year. I don't think the PSB or department did enough to look at the school year.

What kind of communication have you had with the minister about this – or the PSB – regarding the safety of children starting off the school year? It's a similar question to the one that was asked before. Have you been in contact with them about that?

Marvin Bernstein: I've had no recent contact with the minister.

The meeting that took place with the acting deputy minister, the acting director of the Public Schools Branch, the director of the French language board, and the new assistant director of the Public Schools Branch took place at my request, trying to obtain an update in terms of student safety during the school year, and to just get a sense as to what was happening.

So, some of the events where I tried to be balanced and acknowledged what they said is information they said at the meeting. They then provided a written response afterwards, indicating some of the activities that they felt would support and ensure the safety of students.

[3:30 p.m.]

But as I said, for the most part, these are individuals who just recently moved into their positions, with the exception of the acting deputy minister, who's been in his position for a few months. But the current director of the Public Schools Branch has been absent for a period of time, so there is an acting director of the Public Schools Branch. The former assistant director of the Public Schools Branch has retired and so has recently been replaced by a new assistant director.

In terms of just the institutional memory of what has been committed to, what recommendations have been advanced, they're playing a lot of catch up.

Chair: Thanks, Marv.

Susie.

S. Dillon: Thank you, Chair, and thank you both for coming in.

I guess I'll start by saying that after spending a number of years in the school system, student wellbeing has always been at the forefront of what I believe is the most important part of our system. I know for a number of years, we've tried many different ways of trying to address bullying in our schools.

You mentioned about a survey being done. I didn't catch what year that was.

Marvin Bernstein: It's been done for the past three years. It was the COMPASS Survey.

This came up in the meeting, too, with the acting deputy minister, the two directors: What has been done to try and understand the data? Why is the incidence higher here in PEI?

I was looking for an explanation – what kind of evaluation, has there been discussion with other jurisdictions, and are they doing things differently? – but there didn't seem to be any detailed analysis.

This isn't something that was a one-year survey. There's a trend over the past three years that, by and large, the percentage is 10 percent higher in PEI. So, it seems to me that that should raise some red flags, and we should be asking a lot of questions and researching this, speaking to colleagues and other jurisdictions. Are there best practices? Are there things that could be adapted here in PEI? I wasn't getting a sense that that level of critical analysis was taking place.

S. Dillon: I had a few questions and you're answering them all in the first one.

I do want to go back and say that you did mention that an intake of educational assistants and maybe some more behaviour resource and more counselors be added into our system. We do have a chart here that shows investments that have been made in the system over the last seven years, and over the last seven years, there's been a 60 percent increase in educational assistants added to our system.

When we take in classroom teachers, along with support teachers – it would be like behaviour resource and many other resource teachers – there's been an almost 50 percent into the system in the last seven years.

So, my question to you would be that, even though we've infused a number of supports into the system, do you feel that there are other things that we could be doing to support student safety?

Marvin Bernstein: I'm going to turn to Shannon because she's been an education assistant.

Dr. Shannon Bruyneel: I think that you can look at the numbers of people that you're putting in, but having been a part of that system, I can say that I've worked at schools where EAs are not invited to staff meetings. A full-time EA is a six-hour day, so you essentially arrive when the student that you're supporting comes to the building and you leave when the student you're supporting goes.

So, things that might be extra – things like being at IEP meetings, being able to do some outreach with the rest of the support team, whether that's behaviour support or the occupational therapists or the speech language pathologists, or whoever it is that's coming in to support that child – the EA is not necessarily present.

[3:35 p.m.]

I think that there needs to be a consideration of these support people as the professionals that they are and have them be a part of the system and be able to support the child – have some planning time, have some prep time, have time built into your day. If you're there for an extra hour to have a seven-hour day, then that builds in some time outside of instructional time and that direct supervision and support time where you can review the child's IEP, go over some of the resource materials that that child needs, and have time to talk to classroom teachers, subject matter teachers and those other people who are supporting the child. Then you're a more holistic part of their team.

You're not just there to be there to support them; you have that foundational information on what is going on with this child and how you can better support them. When children are feeling supported, feeling like their needs are met, they're far less apt to be dysregulated.

So, if you're working with someone who is able to support you, who knows the elements of your IEP and knows the situations, whether it's sensory or transition times, the things that might be kind of affecting that child and leading them

to be on a more dysregulated path.... Once you have that understanding and you're able to work with different parts of the system throughout the school day, you're better able to support the child and really get to that without prevention aspect of preventing problems before they start because the child is feeling supported.

We still see situations where – there is a guidance counsellor, for example, that has a half-time appointment. So, they might be there on days 2, 4, and 6, but on days 1, 3, and 5, that support isn't there. It's hard to build up a relationship with a trusted adult when the trusted adult's only there every other day.

If a situation was to happen where that support is needed on a day that your counsellor or your behaviour specialist or your behaviour support teacher is at a different school, what do you do on those intervening days?

So, we really need to look at having those supports, I think, in place, but in place in a more fulsome way – make sure that the people who are there are supported, make sure that they're fully a part of the system, that they're included in all of these parts of supporting a child.

You can't sit down and read an IEP when the child is with you because you're helping the child at that point. So, you need that time to be able to, to really be a part of their team, and hopefully get to that that prevention part so we're not just continually dealing with responding to incidents after they happen.

S. Dillon: I guess my final question would be, you did mention that maybe people were leaving our system to go to a different province because of – I don't know if you actually said a better way, but that maybe there are ways that we were being done differently.

I wondered if you might have any type of suggestions, recommendations, or anything that you've heard that you know that other provinces are doing that they're having success with that we may not be doing here in PEI.

Marvin Bernstein: I can't speak to that in terms – I haven't really examined those practices in other jurisdictions.

It's interesting because when I speak to other advocates across the country – I belong to the Canadian Council of Child and Youth Advocates – many of those advocates don't have

jurisdiction over the education system, which I think is a major oversight as can be seen in terms of what's happening here in PEI. Many of those advocates have jurisdiction over the Child Protection system, youth criminal justice, maybe the health system, but not education. So, I think this is really important.

The other thing I just wanted to add in terms of the independence, when the question was raised about speaking to Commissioner Jenkins, I went back and kind of looked at when some of these incidents were happening back in 2018-2019.

There was an interlude where there was a children's commissioner and advocate that reported to government, and one of the CBC accounts that I read was that a statement was being requested from the then children's commissioner and advocate, and that request was declined.

Why was the request declined? Likely because that person was reporting to the government through Executive Council.

[3:40 p.m.]

I value my independence. You cannot be an effective Child and Youth Advocate without independence.

The other thing that I like to say is my role, I have great respect – we have a wonderful relationship amongst all the independent statutory officers, but I am the only independent statutory officer in PEI who's an advocate. So, I have a responsibility to advocate and to speak out in a robust way where I see injustice, when I see rights being violated, when I think that services are not addressing the needs of children and youth; I have an obligation to speak out and to amplify their voices. That's what I'm trying to do today.

Chair: Thank you, Marv.

We've gone around everybody who wished to ask questions, and I have a couple of folks – Karla and Carolyn – who wish to follow up with some more questions, but I'd just like to ask one question before we carry on.

You actually articulated it, Marv, that every Islander has a duty to report when they suspect that sexual misconduct or anything inappropriate may have happened. Robbie said that as a hockey coach, it was very clear to him that it

was his obligation. In my prior life, it was made very clear to me, repeatedly, that you have a duty to report.

When I see we have three educators sitting around the table today – Shannon, Susie and Karla – I think they're very representative of the teaching community here and that they are caring, committed, dedicated people who absolutely have the wellbeing and safety of children in their hearts, at the absolute core of the work that they do. I think they're representative of the teaching profession that we have here in Prince Edward Island.

It concerns me that the misalignment – that's the word you used, Marv – of the policy that exists with the law which mandates that they as teachers, or educational assistants, or counselors, or whatever your role – or custodian, a bus driver – within the education system, that they have the same obligations and that it's not clear to them because of the discrepancy between the policy and the law that exists.

My question to you, Marv, is: Had you been tasked with taking on the investigation, as you put it, would you have immediately requested or demanded that that discrepancy between the policy and the law be clarified for all teachers and staff within the education system?

Marvin Bernstein: The answer is yes.

It was interesting because I asked the question in our meeting: Is there any confusion between two different pieces of legislation?

You've got section 12 of the *Child, Youth and Family Services Act*. You've got section 82 of the *Education Act*. So, I said: "Are educators confused?" The response was that it's not a problem because they don't look at legislation; they rely on the policies.

So, who is making sure? The educators are not lawyers, so who's coming in to train them on their professional duty to report? Who's ensuring that the policies are consistent with the law?

Are department lawyers coming in and making sure that when policies are being developed and implemented by government departments, they are representative of the state of the law? How are these policies being developed that are clearly contradictory to the law?

We've seen this in other situations. We made the point in our previous report that parents have an absolute right to appeal a decision made by an education authority that significantly affects the health, education, or safety of the child. This is what the *Education Act* says: that the parent can appeal, that when an appeal is taken on those grounds, the review committee of the education authority "shall" – is required to – hear the appeal.

[3:45 p.m.]

The PSB has a policy and a request for appeal form that essentially requires the parent to go through a complaints resolution process – all the different steps – before the review committee will allow the parent to initiate the appeal.

I've said to them, and this was in our previous report: You can't create policies that are contrary to the *Education Act*.

If a parent feels that a child is unsafe.... And yes, they may be told that there is a complaint resolution process that they can follow through these different steps, but that is an option for them to consider. If they don't feel as though that's going to be responsive, they should be able to move to the appeal stage right away.

Or they might start to go through a complaints resolution process and say, "I don't think this is meeting my needs. I don't think people are hearing me. I'm going to trigger an appeal," but the PSB and the review committee is saying that you've got to jump through all these hoops.

And the document doesn't say "notice of appeal". The document says: "request for appeal." Generally, when an appellant is initiating an appeal, they are filing a notice of appeal. It's not a request for appeal.

That's another example that we have found in terms of the work that we've done, that concern about policies being generated that frustrate the rights of families, parents, children.... Something is askew.

K. Bernard: I agree. Something is askew. I was going to start this by saying: "How the heck did we get here?"

Self-admittedly, when I read legislation, it's over my head sometimes, but when I was reading through it, it was apparent to me, as

someone who has no training in that, that there were some severe discrepancies.

I find myself wanting to comment on everything, and I'm not going to, but one thing is the COMPASS survey. When I took part in the Home and School annual general meeting – I think it was the annual general meeting – they were sharing the results of the most recent COMPASS survey. They were showing the last one and the increase in numbers of bullying, and really, self-harming behaviors as well.

I was shocked to learn – so, it's administered by the University of Waterloo, but there's no follow-up done. It's presented to the government or it's presented to the Department of Education, and that's it. It's up to the Department of Education to analyze.

I'm guessing, from everything that's been presented here and from what I've heard, the only office tasked with looking at very specific parts of that, from my understanding, is the Chief Public Health Office. So, all of these other things are just – we have those numbers, period, and that's concerning.

I guess I just have so many feelings right now. I don't even know how to describe them. I'm not going to ask many more questions, because I need to digest this stuff, but I was brought back – and then when I read this – to the student protests that happened in 2021.

Students walked out of high schools across the country saying they felt unsafe, that they felt they were being sexualized within the schools, that they weren't being listened to, that they weren't being heard, that when people would bring things forward, there would be comments like "Boys will be boys" or "Oh, they're just kids. They're just figuring things out" – very, very harmful, very real things that these brave young people brought forward, to the point where they walked out of their classrooms to protest.

As a result, you shared in here that your office had been working – you said last fall, so this would be 2021 probably; maybe 2022. Your office had been working with the director of the Public Schools Branch specifically on a student complaint reporting policy and procedure.

One of my questions that I'd written – and I think you've already answered it: That was identified very clearly in 2021, that we need a

reporting mechanism for young people to share with the system when they did not feel safe. What a simple, groundbreaking, important step that should have been taken immediately.

Do you have any sense of where we are with that recommendation?

[3:50 p.m.]

Marvin Bernstein: Well, there is a form that was developed by the PSB called “Report it!” which allows students to report specific incidents. They can report it by using their name, they can report incidents that are anonymous, but it doesn’t enable them to use it clearly as a general means of expressing concerns about things that aren’t specific incidents, and we were looking for something a lot broader.

In the submission that you have in front of you, when I talked about the concerns about the procedure document, part of the conversation was that the procedure document on Safe and Caring Learning Environments was obsolete and should be replaced by a complaint process.

I think I indicated the concerns around the policy document in terms of there being no reference to our office. So, for children and youth who wanted to express concerns and wanted some support – no reference to our office. When there was all these different layers of school personnel who would become involved in responses, there were no time stipulations, no limits within which those responses should be made.

The document refers to incidents where students are taking actions against other students or taking actions against educators. Then, there’s another section that deals with students against students, or educators against students, and it builds in human resources considerations. It’s 11 pages, as you see. It’s convoluted. It’s not youth friendly.

So, we had some conversations saying we need to do better. Students need to know how they can register a concern, how they can express complaints. What if they feel unsafe? That’s when we talked about how there really needs to be two mechanisms. One is we need to have a complaint process – a document, a process where students can complain. We need to have an independent appeal mechanism.

You have a situation where you’ve got a 14- or 15-year-old, or even a 16-year-old who says, “I feel unsafe. I want to appeal,” and they have no authority under the legislation to initiate an appeal when they are the ones who are grieved. Their parents may not necessarily support them. Their parents may be part of the problem. They want to initiate an appeal, they want to be heard, and there’s no mechanism. There’s no mechanism for them to be able to initiate a general form of complaint.

We’ve had start-up conversations. Some of the commitments were made by people who are no longer there, so things get lost in translation. You raise them, and there just seems to be this sense of drift.

Chair: Karla.

K. Bernard: It’s a common theme, I’m noticing.

With the report, as well, a crucial step for anyone making a complaint is to be kept up to date on what actions have been taken, to be kept in the loop for resolution, so that they’re part of the process and they feel heard. I hear repeatedly of people who have put in complaints, and that’s where it stops, and they have no idea if anyone has looked into it. That is extremely concerning.

I think of various situations off the top of my head where there are student safety concerns that have been brought forward, and no sign that anything has been done. In fact, then, if staff members bring them forward, they get hauled in for meetings. Again, a common culture – you talk about cultures within our education system – for educators is “Shut up and do your job.” So, those cultures are really huge there, and... I have so many things, I can’t even get anything out.

[3:55 p.m.]

I guess my last question to you would be – I know that Carolyn’s still on the list, so I hope he doesn’t answer your question in this question.

I’m wondering: Are there any questions, or is there any information that you were hoping you would be able to get out through a question that we should have maybe asked, but didn’t?

Marvin Bernstein: I think you are covering all the right bases, which doesn’t surprise me.

This is such an important topic because when I go back and look at the coverage around Roger Jabbour, it just seemed as though, reading some of the accounts – of course, I wasn't in the province, but reading some of the coverage about the victims, and having this go on for so many years – people had a sense of what was happening and people felt muzzled, or they didn't feel as though they would be believed.

Then a number of the victims and professionals were calling for some kind of public review. Why did this happen?

This is another concern I have around the terms of reference, in terms of the review. It speaks to a time period between 2023 and 2025. I think we've got to turn back the clock – long before then – to find out: When these incidents were happening, why weren't certain actions taken by government at that point in time? Why were some of these situations just allowed to fester?

The other difference, too, is the focus of the review is on the education authorities, but in an investigation by our office, we can look at other services. So, what was happening with Child Protection? Was Child Protection providing enough information? We could look at the RCMP. What's happening with vulnerable sector checks? We would be asking questions of the department, questions of the minister.

So, we're just going to have to wait and see what comes out of that process – I respect the integrity of that process; I want to see what comes out – and then determine whether or not we need to move on from there, but this could have been handled much differently.

Chair: Carolyn.

C. Simpson: Thank you, Chair.

You're right, Karla. There's so much to digest and unpack and get our way through. Just to add, too, the comfort level of people stepping forward – you often hear that parents are very nervous to raise concerns because of the perceived or real impact on their child every day at school. So, that's another factor to be considered as well.

But to sum up from me, you talked about how there's no clear line of authority or responsibility – who's on first, so to speak. We have the trustees, we have the two school authorities, and we have the minister. However, with your

professional opinion – and clearly in your background and your understanding of the *Education Act* – is the minister not the person responsible, overall?

Marvin Bernstein: It seems to me.... I am a lawyer by profession.

C. Simpson: That's why I said. [Laughter]

Marvin Bernstein: It seems to me that the minister is ultimately responsible, but when I have the conversations with different people, including the acting deputy minister – I asked the question of the acting deputy minister: "Isn't the minister ultimately responsible?" The response was: "Well, Marv, it's complicated," and that it's shared responsibility.

We have to have a sense of ownership. Yes, there may be different individuals that have certain responsibilities, but ultimately, somebody has to take responsibility, and I think that students and parents need to know who is in charge. Who's making those ultimate decisions?

[4:00 p.m.]

I didn't start off thinking that there's necessarily a problem until I started asking questions and then getting different answers: the education authorities pointing to the board of trustees, the Department of Education saying the education authorities are really autonomous bodies. They're making decisions around policies; they're making decisions around operational policies.

Then, when I'm speaking to the chair of the PSB board of trustees, she's indicating that most of their work is around governance policies; operational policies are the responsibility of the PSB.

So, everybody's got a bit of a different take on this, and that's why I pointed to the discrepancy in the org charts in terms of trying to determine who's reporting to whom, who's accountable to whom. We need to have clear lines of authority and a clear sense of who's responsible.

That's why I raised the point around the staff working in schools. They should know who's making decisions that affect their day-to-day activities. Is it the department? Is it the education authorities? Is it the board of trustees?

And then I felt it important today to say that people who may be interested – because the deputy minister sent out a note encouraging people to come forward and put themselves forward as candidates for the boards of trustees.

I think, to be fair to members of the public, they should understand what their level of responsibility is. What's the job description? How does this all tie into the Matthew Craswell case?

Just so much here is uncertain and ambiguous and we have to be fair to people so that they understand how decisions are being made, what their role is. We don't want to set people up for failure or surprise. We want to give people the information and tools so they can carry out their roles successfully and effectively. That's what we all want.

Chair: Tyler.

T. DesRoches: Thank you, Chair. Thank you, Marv and Shannon.

Like everybody said, there's a lot to unpack there. Last night, when I was reading some of the correspondence that was sent, I had written down a bunch of questions. Then, after your presentation, I wrote down a bunch. Everybody around the table hit every one pretty much bang-on, on the bullying, and on the duty to report with Robbie.

There's only one that I had written down that I didn't hear. You being an independent office, and not being at an arm's reach of government and being told what to do by government, what benefit would it have been for government to get you to do your investigation rather than a third party to do it, and then allow you to do it the way it's going out where you can pick apart the third party's investigation and then come out with your own?

Marvin Bernstein: It just seems to me to be kind of a circuitous way of having our office engaged as opposed to doing this right from the beginning.

The other thing that I mentioned is that we have the ability to track and monitor the implementation of our own recommendations, and then to report publicly and hold government accountable.

So, Commissioner Jenkins, once he delivers his report, his role is over. He delivers it to the minister. He's got no authority to ensure that his recommendations are going to be implemented. He has no ability to control whether or not everything in his report is going to be made public. Everything that he turns over to the minister is going to be made public.

He's limited by the terms of reference. He's limited by section 38 of the *Education Act*, which speaks to the parameters so that when a minister appoints a commissioner – if you look at the legislation, it's limited to inquiring into the education authorities. It doesn't speak to the ability to examine the department. The department is not identified in the terms of reference.

[4:05 p.m.]

So, there's limitation by the terms of reference, but the terms of reference have to be consistent with the *Education Act*. The way that I read section 38 of the *Education Act*: that the authority to review is limited to the education authorities. That's all that section 38 speaks to: the function of the commissioner in relation to the education authorities.

The other thing is, we have a budget. So, in terms of the investigation that we would be conducting, it would fall within the budget that's been approved previously on an annual basis by the Standing Committee on Legislative Assembly Management. I'm sure that the third-party review has a budget, so we're talking about additional expenditures.

I would have thought that there would have been a conversation, and I would totally respect the minister's discretion to determine who should be carrying out this investigation or review, but it should be a discretion that's exercised on the basis of due diligence and information, and based upon a conversation, particularly when it was raised in the House on two consecutive days and the response was that all the options are on the table.

I thought in the course of considering those options, there would be a conversation with me.

Chair: Looking around the table, there are no more hands up.

On behalf of the committee, I really want to thank you, Shannon and Marvin, for being here

this afternoon, and for, again – I think I used the words compelling and powerful at the beginning, and it was certainly both.

I just finished a book written by Brené Brown on leadership called *Dare to Lead*, and lots of great stuff in there, but one of the lines that has stuck with me is: “Clear is kind. Unclear is unkind.” I think today I heard perhaps more – and maybe unclear is also unsafe, occasionally. Today, I heard really good examples of that truism, I think.

I really appreciate – and want to thank on behalf of the committee – you both for being here today.

We’ll take a short recess and then we’ll come back. We have a couple of other orders of business, but we’ll let Marv and Shannon leave.

[The Committee recessed from 4:07 p.m. to 4:12 p.m.]

Chair: ...members. Welcome back, everybody, to the meeting.

We have a couple of other items on our agenda. The first is to discuss the scheduling, and then if there’s any new business.

I’m going to pass it over to Samantha to discuss the scheduling.

Thank you again, Marv and Shannon.

Clerk Assistant: I just wanted to update the committee. I did send an updated workplan to all the members via email, so you should have a copy of the upcoming meetings. I just wanted to flag it because I haven’t sent out official notices yet because I’m waiting to hear from some of the groups on exactly who will be presenting.

But I just wanted to highlight that next week, on September 25th, we will have the Department of Education and Early Years to speak on – it’s an update on the recommendations from the *Better Together* report and the inclusive education action plan. So, that will be next week.

Following that, we have two weeks on the topic of an update on the immigration policy changes, especially as it relates to early childhood educators. On October 2nd, we have the Early Childhood Development Association of PEI.

Then on October 9th, we’ll have the Department of Education and Early Years and also the Department of Workforce, Advanced Learning and Population. We’ll do two separate presentations for that.

The following week, October 16th, we will have the Department of the Economic Development, Innovation and Trade regarding internal trade barriers. I believe that it will be representatives from Innovation PEI.

That’s the update.

Chair: Great. Thank you, Sam.

Anybody have any comments on that? Okay, great.

We’ll go on to new business. I’ll go to you first, Rob.

R. Henderson: I just have one I wanted to bring up regarding the school pickup policy.

I have a constituent in my riding who their child, who is in kindergarten, is being picked up at 7 a.m. on the bus. Is that normal? Is everybody else okay with that? Are there other people that have been doing that?

I guess I’m just trying to get some clarity, so I was thinking about somebody from the school bus policy. Because the argument that the parents and the school are saying: “We need another bus.” That’s the problem. They only have, I think, five buses for that particular school, and they’d like to have six.

I guess I’m bringing it to the attention of the group, and if others are having similar issues to that – I thought that was uncommon because the earliest I had previous to that was 7:30 a.m. in my district, and now I’ve got a 7 a.m.

[4:15 p.m.]

Anyway, if it’s the agreement of the committee, I would like to get somebody in from the public school board system and the bus system to sort of determine that. That could be the bus drivers’ union, or it also could be whoever makes the policy to say that that’s appropriate, the 7 a.m.

Chair: Karla.

K. Bernard: I agree, and I think that if we as a committee decide to do that – I wasn’t clear if

you were saying just the Public Schools Branch; I know CSLF has really long bus routes too.

R. Henderson: This is a French school. This one is.

K. Bernard: Okay. I'd just like to make sure we cover both of those.

Chair: I heard lots of positive grunts around the table in recognition of the same problem, so is it fair to say that we are in agreement to bring somebody or some people in from...? Okay.

Alright, and that would be PSB, I'm presuming, who would be in charge of that?

R. Henderson: Well, just whoever makes that decision. I'm assuming it's probably worse in the French system, but maybe it's a collaborative approach, both the English and French school board people who make that decision.

Chair: Carolyn.

C. Simpson: From what I understand, there are directors in each of the school boards that would...

Chair: Be responsible.

C. Simpson: ...identify bus routes.

Chair: Okay, great.

Okay, Sam?

Clerk Assistant: Yes.

Chair: Great.

Carolyn.

C. Simpson: Thank you.

For consideration of the committee this afternoon, I do have two motions that I'd like to bring forward. The first one is pretty timely, I would suggest, based on our presentation.

The first motion – and I have them here for you: Appearance of witnesses regarding the Matthew Craswell case.

The Craswell case exposed alarming gaps in how allegations of teacher misconduct were managed, and it has shaken public confidence in

the Public Schools Branch. Parents and students deserve answers directly from the senior decision makers responsible, not just filtered updates nor vague assurances.

The minister, the deputy minister, and the director of the Public Schools Branch are the individuals who must account for what went wrong and explain how government intends to fix it. A new school year has begun, and surely measures have been put in place, while the third-party review is underway.

Therefore, I move that this Standing Committee on Education and Economic Growth invite the following individuals to appear before the committee next week to provide updates and answers, and answer questions on the handling of the Matthew Craswell case and the broader issues of accountability within the Public Schools Branch:

- Mr. David Jenkins, to present an update on his third-party review, during the first half of the meeting; and
- the Minister of Education and Early Years, the Deputy Minister of Education and Early Years, and the acting director of the Public Schools Branch, to appear during the second half of the meeting.

Chair: Okay. Any conversation on that?

Brad.

B. Trivers: I think it's good to get an update. I don't think we need to have any of those people in to committee. I think just asking them for a written update would be enough at this point.

Chair: Anybody else want to contribute?

C. Simpson: I do. I disagree.

Chair: Okay. In that case, we should look to the will of the committee for this motion. Do you want to just read that – yeah, Tyler.

T. DesRoches: Sorry. I was going through the schedule, and I don't have it right in front of me. Sam, did you already have people scheduled that you've reached out to? Because we've done this through a committee, and put what we wanted in front, and she's reached out and scheduled all these people in.

C. Simpson: Yeah, the timing may not be, but as quickly as we can. Next week – although I

think Education is coming in next week, perhaps....

Clerk Assistant: Yeah. Just to confirm, we do have the Department of Education and Early Years coming in next week. I have not had an update from them on exactly who will be presenting, but the topic is on the inclusion report. That is what is booked in for next week.

Brad, I'll go to you.

B. Trivers: I was going to say, why do we need an in-person update? I think at this point, really, we really need to let Commissioner Jenkins finish his work, and that's when we're going to find out all the details. But right now, a written update – if you're really serious about getting a quick update, and you want to know what's going on right now because you're concerned, a written update is the way to go.

We don't need to have those people in right now, unless it's a political stunt of some sort. If that's what you're trying to pull, then go ahead and get the people in. But I think if you're really serious about getting an update and you want to know what's going on, a written update is all we need.

Chair: Carolyn, I'll let you rebut that.

C. Simpson: It is not a political stunt. It is the safety and concern of children, and that's at the forefront here.

[4:20 p.m.]

The reason I say people in person is because what's in written form can be interpreted in a variety of different ways. We don't have reason to believe it will be direct and succinct. Therefore, to have individuals who can respond to committee questions makes sense to me, so that it is public and parents can hear – because there's been no communication, to the best of my knowledge, out to families as to what is happening. That's why I'm requesting in-person.

So, it's not a political stunt. It's to get at the bottom of this to ensure that our children are indeed safe. We've had it confirmed that, with all due respect, the confusion that a policy is overriding legislation and the terrible position that puts our teachers and staff in.

We just need to do better, and we best start now, and not keep putting it off and waiting for a

report that we don't really know when it's coming. Maybe it will be here as a Christmas gift – likely New Years, I don't know – but we have children going every day to school now.

Chair: Rob.

R. Henderson: I think in light of the presentation today – which basically said there is no change in policies that happened that precipitated the Matthew Craswell case, and government is saying – or the minister, at least, is saying – that until they get the David Jenkins report....

So, I'm mostly concerned more about number two than I am number one. Number one is they'll hopefully make recommendations. Who knows where that's going to go, but number two is saying: What is the policy that is currently in place that protects children so that the Matthew Craswell case will not repeat itself in the short term until at least there's more longstanding implementation of new policies or rules?

The only thing that I'm aware of is that there's now criminal record checks. I think that's for substitute teachers. That's the only thing I know of, that I've heard of, of people who are doing – but that's all I know.

Chair: Okay. I have a few on the list.

I'll go to Karla, and then Susie.

K. Bernard: I guess I would agree. There was a lot of information presented today on things that, if the minister were listening today, he could take and run with and come and report to us whenever he comes in: "I listened to that committee, and these are all the things I did."

They are the lowest of the lowest of the lowest hanging fruit to make the schools safer, these things – the way that the policies that are good aren't good in practice, and the policies that are confusing are confusing in practice.

So, I think that there's been a lot of new information presented today that we didn't necessarily have before, and I would be interested in hearing why some of these changes weren't made when they were first identified, some of them three years, four years ago.

Chair: Okay, thank you.

Susie.

S. Dillon: I just wanted to make a comment here. I volunteer at a breakfast program and I, too, had to get a criminal record check, so we are definitely up on that.

I don't know what the timeline looks like, Sam, for getting presentations in, but I know one thing. For me, I'm anxiously awaiting for next Thursday. I wouldn't want it to get bumped, so if we can get a letter in the interim, and maybe.... We could do both, maybe, but maybe if we start with a letter. I know it was back in the spring when we asked for them to come in and speak on this inclusion report.

Chair: Carolyn, and then I actually have a breaking news update on this, but you go first, Carolyn.

C. Simpson: I respect that. That makes sense. I mean, the committee's been waiting. That's an incredibly report that we're waiting for, and strategy.

So, if it makes some sense to even amend to request Commissioner Jenkins at another point in time and extend what we're asking for next week potentially as well, so it doesn't displace it at all, because I wouldn't want to do that. I agree.

Chair: Okay. To give some new context to the conversation – Samantha.

Clerk Assistant: Yeah, sorry. I just wanted to update the committee.

I did just receive word from the department that they're no longer available to attend next Thursday, so I just wanted to update the committee with that. That is on the topic of the inclusion report. So, I don't know how that affects this particular motion, but I just wanted to advise.

C. Simpson: May I....

Chair: Please.

C. Simpson: The motion is back on the table, as it stands, yes.

Chair: Brad.

B. Trivers: I just think the language in the motion and maybe even direct language – I'll have to read it again – kind of insinuates or

states that we're in some sort of crisis right now in our school system.

K. Bernard: We are.

C. Simpson: We are.

[4:25 p.m.]

B. Trivers: Well, I fully disagree with that. I think you talk to people on the front line, you talk to administrators, and they are all there working for the best interest of students. Not a single one has come to me and said we're in crisis, and parents don't come to me and talk about this.

I think there are problems. I think we need to address them. I think we're going through the right steps. I think if you want an update, just ask for a written update. I think this painting of the picture that somehow our children are going to school and are in danger is a really.... It's almost fearmongering, really, and I think you guys are taking this way too far, and it's really insulting to all of the people that work in our public education system for you guys to characterize it that way.

Chair: Carolyn, and then I think we'll go for a vote on the motion.

C. Simpson: Thank you.

With all due respect, I do disagree. Obviously, clearly, our Child and Youth Advocate would strongly disagree, and so would the children. This isn't about –

B. Trivers: (Indistinct)

C. Simpson: Let me finish, Brad.

This isn't about anything other than – a new school year has started. The former year ended with families learning that children had been exposed, and some mistreated at the hands of a predator. We perhaps don't even know the scope and breadth of that. Laws were broken.

So, that's how the school year ended, and the school year began – to the best of my knowledge, unless I stand corrected – with no communication to families that it was going to be any different for their children. I'm simply asking for an update: What have you done in the interim as we await the commissioner's report?

Clearly and surely, you haven't done nothing, so what is it?

Chair: Okay. I'm going to call the vote on the motion, but before we do that, can we just read the motion back for clarity just so everybody's sure what we're voting on?

C. Simpson: As it stands – and I'm quite comfortable to remove Commissioner Jenkins for timing purposes – I move that this Standing Committee on Education and Economic Growth invite the following individuals to appear before the committee next week to provide updates and answer questions on the handling of the Matthew Craswell case, and the broader issues of accountability within the Public Schools Branch:

- Mr. David Jenkins, to present an update on his third-party review, during the first half of the meeting; and
- The Minister of Education and Early Years, the Deputy Minister of Education and Early Years, and acting director of the Public Schools Branch, to appear during the second half of the meeting.

Chair: Have you got all that, Sam? Great.

Alright, I will ask for all those in favour of the motion. Please raise your hands.

Okay, all those opposed.

B. Trivers: I'm – just for the record – opposed.

Chair: Thanks, Brad. The motion passes.

So, Sam will contact those individuals, as you just directed, and hopefully we'll be here next Thursday.

C. Simpson: My second motion perhaps won't be quite as a challenge: production of bus inspection reports.

Parents deserve clear, timely information about bus safety, and while the inspections may have been completed, government only confirmed that the buses were safe – and indeed, back in service – after questions from the media and the official opposition. Families, again, should not be left in the dark when it comes to children's safety.

I move that this Standing Committee on Education and Economic Growth request the

Department of Transportation and Infrastructure provide the following information to the committee by September 24th, 2025:

- The full results of all inspections conducted on Lion electric buses in use;
- The total number of inspections completed versus the number of buses in active service; and
- Any findings, recommendations, or corrective actions identified through these inspections.

Chair: Can I just clarify one thing, Carolyn?

C. Simpson: Absolutely.

Chair: Are you asking for a written report here?

C. Simpson: Yes, thank you. Sorry.

R. Henderson: It just says to provide the following information, so whatever they – I mean, maybe it might be the same people that are coming about the pickup times.

C. Simpson: Right.

Chair: Alright. Any further discussion on that motion?

Brad.

B. Trivers: I agree that getting that written information is a good thing for the committee to have, but I resent the insinuation that somehow the buses are unsafe, and that there was something that they were trying to hide because it was only after questions from the media that they brought forward any information.

[4:30 p.m.]

I think that our Public Schools Branch and the Department of Transportation and CSLF – everybody who looks after the buses – do a fantastic job of making sure the buses are safe for our children, so any insinuation that they're hiding information – because they're not doing that – I take a great deal of problem with.

Chair: Robbie.

R. Henderson: I'm not saying anybody's hiding it or not, but I have had bus drivers who drove electric buses identify problems after the inspection. How many? I don't know that, but I have had, in my district....

B. Trivers: Get some details. I'd love some details.

R. Henderson: Well, it's wiring harnesses that were melting, and things of that nature, so these sound a little serious.

It sounds a little serious, so that's why we do need clarity.

Chair: Okay, okay. Thank you, Robbie.

Carolyn.

C. Simpson: Just to echo Robbie's comment, there were other bus drivers that I've spoken with as well who also have concern, and are – for whatever reason, and I'll leave it to them – uncomfortable to come forward. So, I thought, well, let's see what the reports actually say.

I agree with you Brad, totally and 100 percent. The people going to work every day are doing the very best they can with what they have and what they have to work with. That's not the intent behind this. However, inspections were completed. What does it tell us? What can we learn from them? What do we need to know? And again, back to the communication back out to families.

So, it's not about the people going to work every single day doing their best, because I agree with you there.

Chair: Okay.

Anybody else have anything to add?

Just for clarity, do you want to start with a written report to come back, and then if that's not satisfactory....

C. Simpson: Yes. If we have any questions, committee can have a look at – yeah.

Chair: Okay, great. Do you want to read back the motion and then we know what we're voting on?

C. Simpson: I move that this Standing Committee on Education and Economic Growth request the Department of Transportation and Infrastructure provide the following information in writing by September 24th, 2025:

- The full results of all inspections conducted on Lion electric buses in use;

- The total number of inspections completed versus the number of buses in active service; and
- Any findings, recommendations, or corrective actions identified through these inspections.

Chair: Right. Can I just check – because you specify Lion buses, but I think they also provide us with the diesel buses. So, you're talking specifically –

C. Simpson: I'm specifically talking to the Lion buses.

Chair: The EV buses?

C. Simpson: Yes.

Chair: Maybe we need to add that –

C. Simpson: Is that clearer for you?

Chair: Yeah.

C. Simpson: Okay. Thank you.

Chair: Okay.

R. Henderson: I'll second that motion.

Chair: Okay.

All those in favour of the motion, please raise your hands.

Anybody opposed? Nobody opposed this time.

Okay, great. Thank you, Carolyn.

Any other new business?

Karla.

K. Bernard: Well, this one just kind of popped into my head as I was listening to the Child and Youth Advocate on absenteeism. If my memory serves me correctly, that was something that government said they were working on when absenteeism became a really – they noticed it becoming a big problem.

I know one way – when you're putting in the attendance, it's like: absence excused because you've heard from the parents; absence unexcused because you haven't; absence: appointment.... They're very specific reasons, but there are only very few, so I wonder if there

has been work done on that, that they are able to identify now when a student is out due to whether it be bullying, assault, harassment, not feeling safe for whatever reason, some of the other things he mentioned today – racism, cyberbullying....

From my understanding, it was going to be broken down more, so I'd love an update on that. It could be a written submission, actually.

Chair: Okay. Any discussion on that?

C. Simpson: I couldn't agree with you more. What do we really know?

Chair: You've got that, Samantha?

Clerk Assistant: That sounds good, yeah.

Chair: Okay.

All in favour? Okay, great.

Any more new business? Okay.

Can I call for an adjournment, please? Thank you, Carolyn.

This meeting is adjourned. Thanks, everyone.

[The Committee adjourned]