



## **Presentation to the Standing Committee on Education and Economic Growth – Marv Bernstein Speaking Notes – September 18, 2025**

I would like to begin my remarks by thanking the Committee for extending the invitation to me to appear before you today. I am pleased to be joined by Dr. Shannon Bruyneel, who is a Systemic Advocacy Representative with the Office of the Child and Youth Advocate. I would appreciate the Committee's indulgence in allowing me to take some additional time in making my opening remarks.

As we are still early in the school year, I want to acknowledge Island students, as well as 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 to 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 a part of a formal investigation by my Office.

As Child and Youth Advocate and an independent statutory officer, I have a very broad legislative mandate that includes oversight of the Department of 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 have 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; and 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 provide those. My Speaking Notes will also be posted on my Office's website for the benefit of the public and the media.

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 22<sup>nd</sup>, 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 this process then unfolded subsequent to the Premier's announcement is reflected in the dismay expressed in my email of May 2<sup>nd</sup>, 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 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 reserved my right to determine if an independent, systemic investigation is warranted after I have reviewed the report, findings and recommendations from Commissioner Jenkins. I am happy to address any questions the Committee may have about that Position Statement and my associated concerns with the third-party review process.

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 with 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 have reached out to share their experiences with us. As the school year is now under way, it is 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 continuum of safety.

Concerned adults have reached out to my Office because they experienced unwanted sexual contact 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 fall-out from the Roger Jabbour case and the failure of government to act on public calls for a comprehensive review. Even beyond that, in 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 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 a '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 cellphones and social media, particularly in unstructured or unsupervised 'hot spots' in schools – the school bus, at recess or break times, in the bathrooms and change rooms; racism; discrimination based on gender identity or gender expression; the use of questionable and inconsistent behaviour 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. Their quotes are as follows:

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

A second quote is "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.”

Another quote is: “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 their parents about it, that should immediately be flagged as suspicious. Children should be believed.”

A further quote is: “When something happens, everyone knows, but no one feels safe telling.”

A further quote is: “There is a clear pattern of gatekeeping information, denying patterns of harm, and protecting staff at the expense of student safety.”

And a final quote from parents and concerned adults is: “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.”

A second quote is: “I really want the school board to listen to me, but I don’t think they will.”

A third quote is: “When I try to explain things, the adults don’t listen.”

Another quote is: “When I ask the adults for help, they don’t really make it better...they don’t stop me from getting hurt.”

A further quote is: “I want adults to listen to me and believe me.”

And a final quote from children and youth is: “The Principal will take the teacher’s side because she is 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 is a lack of transparency around investigative processes. Children and youth explicitly refer 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 cellphone photos in school washrooms, changerooms, and on buses), but have collectively set as their number one priority 'racism in schools' for their work that began last year. Members have identified overt racist language, micro-aggressions, and unconscious bias. These are all contributing factors to the perception of an unsafe learning environment for some students in island schools. These are observations from lived experience and should not go unheeded.

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 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:

"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."



“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”

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

“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.”

“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.”

“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 well-being 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. 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-Centred Action*, that addressed the exceedingly slow implementation of the 5 recommendations from our Advisory Statement on the inclusion of students



who are neurodivergent or have complex needs. My Office is currently in the process of formally evaluating the implementation status of the other 10 recommendations, which were issued by my Office in 2022 and 2023.

Given the limited time available today, I have chosen to focus on the 6 recommendations that were issued to the then-Department of Education and Lifelong Learning in October 2022 and presented before a previous iteration of the Standing Committee on Education and Economic Growth, and were set out in my submission, *Children's Rights and 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 this 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.

As well, I called for an amendment to the PEI *Education Act*, to include a comprehensive child rights section for students, noting that while s. 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 United Nations Convention on the Rights of the Child 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 their 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* 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 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 3 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 about children and youth as being "our future," they are 'human beings' with rights to be exercised in the here and now, and not simply 'human becomings'.



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 have also had a meeting with representatives from the PSB Board of Trustees.

To be balanced, I am 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 to enhance student safety. I note that the education authorities have committed to improving systems of tracking and monitoring incidents, and that they have 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 was also kindly provided to me subsequent to our meeting to respond to questions I posed at our meeting. 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. The individuals in attendance expressed cooperation and a desire to work together. This has followed recent instructive and collaborative meetings with 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.

As I near the end of my opening remarks, I wish to turn my attention to **five** outstanding areas of concern I have identified regarding the safety of children and youth in Island schools:

- 1) **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 “human rights” and with “Diversity, Equity and Inclusion (DEI) Initiatives.” While these other initiatives are important, 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 to produce new legislation in the form of the *Child, Youth and Family Services Act* that is child-centred and embeds a series of explicit rights for children in care. I have 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.”

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 schools 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 in 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.

- 2) The second area of concern is the uncertainty regarding the legislated Duty to Report.** 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. To be clear there does not have to be a verified malicious or criminal intent on the part of the alleged perpetrator before the reporting duty is activated. The laying of criminal charges is not a precondition for a report to be made to the Director of Child Protection or to the police. The message to education staff and to 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 outside legal consultation and conversations with the Director of Child Protection.

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 based upon “reasonable grounds to suspect” that a child is in need of protection. 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. The duty to report is an individual duty and cannot be delegated. It overrides confidentiality (with the exception of solicitor-client privilege) and the provisions of any other legislation. There is also protection from civil liability for any reports made in good faith. It is 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.

There is 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 Education and Early Child 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 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.**

**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. 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*”, and that “*Police will be contacted where it is determined that the staff member’s conduct is ‘serious enough’ to warrant police involvement*”. These statements are inconsistent with the guidance in Section 7 of the

Child Sexual Abuse Protocol and contravene the legislated duty of mandatory reporting, as clearly stated in s. 12 of the *Child, Youth and Family Services Act*, that is reiterated in s. 82 of the *Education Act*. It appears that there are instances, such as this, where reliance on inaccurate PSB policy is overtaking the need to consult and adhere to legal requirements set out in legislation.

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, they can reach out to Michael Henthorn, Director of Child Protection, and request training regarding the Duty to Report.

- 3) The third area of concern is 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, among others.** It is my position that the continuum of student safety concerns must be examined as a whole rather than as isolated incidences.

As to the issue of bullying, one case example that comes to mind 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 behaviour to reduce the likelihood of being a target, but did not do enough to address the

perpetrator or the actions. Repeated incidents, that seemed to happen when no adult saw them, and the compounding fear of harm and frustration for answers led to chronic absenteeism. I know that families have reverted to home schooling or left the Island because of situations where school bullying was not addressed.

To be clear, my office has found that bullying is pervasive across the Island, and is not isolated to one school, geographic area, or age group. Bullying tends to be directed at children and youth who look or act differently and has significant impacts on children and youth that can persist into adulthood – such as anxiety, depression, disrupted sleep, poor eating patterns, chronic school absenteeism, self-harm, suicide ideation, and suicide.

Across 3 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 is consistently 10% higher in Island schools than the average reported by students in other participating provinces (roughly 30% versus 20%). Are we doing, or not doing, something differently here that is impacting bullying rates? I am concerned that there is 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 parts of the Province? While 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 it has happened.

**4) The fourth area of concern is the lack of transparent governance and accountability chains within the Provincial education system - The lines of**



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 organisational structure for the Department of Education and Early Years, Education Authorities, and respective Boards of Trustees. At present, contradictory org charts (previously submitted to you) have been published causing confusion about lines of accountability. More specifically, the 2023-24 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 in June of this year 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.” What is not clear is whether this is an official PSB org chart or whether it was created for purposes of the presentation to this Committee. In view of these contradictions, what is needed is a universally agreed upon org chart or flow chart with all 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.

Notwithstanding the assertion that the accountability of the two education authorities rests with their 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 of 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 of the Department of Education and Early Years, the Education Authorities and the PSB Board of Trustees, I have not been



able to secure a definitive answer to my question as to who holds ultimate responsibility for ensuring the safety of students in schools. The response has been that it is complicated, and it is a shared responsibility. My concern here is that no one wants to own this responsibility and would prefer for 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 the 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*.

There is 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 have 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.

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 education 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

However, what the position and role of the Board of Trustees has been with respect to the Matthew Craswell case was not clearly answered during the Spring Sitting of the Legislature, and appears to still 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 Boards of Trustees, 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 school systems is a Ministerial responsibility; and the Education Authority is responsible to establish and maintain governance and organizational structures that promote student well-being and success.

**5) My final area of concern 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.

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 that no consultation has been requested; which suggests that this policy will be some time coming.

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. My Office can also highlight the slow pace of implementation of 15 recommendations directed to the Department of Education and Early Years and the Education Authorities, ten of which have been public recommendations since 2022 and 2023.

On many occasions, I have emphasized my core belief that children and youth don’t have time to wait to have their rights respected and acted upon. There is a limited window within which to act to support children and youth. 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 made.

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 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 “I don’t feel safe at school”, “I am 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, but it is also my responsibility to hold government accountable for actions, and inactions, that do not uphold and promote the rights, interests and well-being 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, and I invite them to connect with my Office when they need support, and when they have ideas for how we can work together to influence and support positive change.

Respectfully submitted to the Clerk of the Standing Committee on Education and Economic Growth for distribution to the Chair and Standing Committee members, this 18<sup>th</sup> day of September, on behalf of the PEI Office of the Child and Youth Advocate, by:

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Child and Youth Advocate  
Office of the Child and Youth Advocate/PEI