

PRESENTATION AT TOWN HALL MEETING

May 29, 2019

What follows are notes of the presentation made by Mr. Sandler on behalf of the SMCS Respect and Culture Review Committee at the opening of the town hall meeting on May 29, 2019.

My name is Mark Sandler. I am the Chair of the SMCS Respect and Culture Review Committee. The other committee members are also here tonight.

Dr. Debra Pepler is a Distinguished Research Professor of Psychology at York University, best known for her ongoing research on aggression, bullying and victimization involving children and adolescents.

Priti Sachdeva is former legal counsel at the Office of the Children's Lawyer whose practice focused on areas of law affecting children and other vulnerable people.

Bruce Rodrigues is a former Deputy Minister of Education who has experience as a Director of Education for the Toronto Catholic District School Board, a teacher, principal and coach at the secondary school and university level

I have been a lawyer for almost 40 years, serving as counsel on over 20 systemic reviews or public inquiries including two involving misconduct at schools and the development of best practices in the public and private school systems.

Scott Bergman, counsel to the Committee, a highly experienced lawyer, and Naz Jaswal, our firm's articling student are also present. Naz has contacted a number of you in connection with interviews we have conducted.

Thank you all for joining us tonight. It shows a deep commitment on the part of the St. Michael's community to the school and its success. And most importantly, to the undeniable goal of ensuring that students thrive in a safe and nurturing environment.

This meeting is only open to members of the St. Michael's community. This enables you to provide us with your perspectives in a candid way. Any comments you make tonight will not be attributed to you personally in our report. Nor will we be electronically recording tonight's event.

Some members of the St. Michael's community wanted to be here tonight but advised us that they could not attend. After this meeting, we will be releasing a publicly accessible statement summarizing our presentation tonight. It will be available on the school's website. This statement will not include comments made by you – that would undermine the rationale for this meeting. The statement is simply designed to ensure that there is transparency about the Committee's work and that the public has access to an accurate summary of what we say tonight. Misinformation in the public sector does not assist anyone, particularly the students most affected by our work.

What we intend to do tonight is four things. First, we will briefly outline the process involved in our work to date. This process will lead to a report provided to the Board mid-summer (that is, at the end of July or early August). This will enable the school to implement certain recommendations at the beginning of the 2019-2020 school year and other recommendations, as may be adopted, during the school year. The Board has committed to making the report public.

Second, although our work is not yet complete and some interviews have yet to be done, we are able to share some important information with you tonight, particularly information relating to the extensive surveys filled out by students, alumni, past and present staff and parents.

Third, we intend to briefly explain why we are recommending that the sports programs, including the football programs be reinstated for the coming school year if and only if certain important and necessary measures are put in place to promote the safety of those involved in the programs, and a healthy culture within the sporting environment. Although we are not sharing our other recommendations tonight — since our work is not yet done — there is some time sensitivity to that recommendation to provide an opportunity for it to be implemented in time for the upcoming year.

Fourth, we intend to provide you with this opportunity – in addition to the alternative opportunities provided to the entire St. Michael’s community, to express your views. There are very few ground rules that govern your participation tonight. We ask that you be respectful of the views expressed of others. We also ask that you not discuss the merits of the ongoing criminal cases. It is important that we do nothing to prejudice those cases or the rights of those affected by them. Finally, we ask that you be as brief as you can be to enable others to speak as well.

So let me first describe our process.

Our role is to review:

- a) the traditions, social and cultural practices at the school that may have contributed to unacceptable behavior, including alleged student abuse
- b) policies, protocols and practices of the school that deal with abuse, including bullying and hazing, and the recording of this behavior by students
- c) Policies, protocols and practices on reporting alleged abuse to the police

- d) Support mechanisms in place to promote reporting by students who have been victims of abuse

Our committee is independent – no Committee member has any prior connection to the school. Nor has the school dictated in any way what we might say. Our report is to include recommendations that might be required on how to ensure an environment of respect and safety for students, on whether school policies, protocols and practices and support mechanisms should be changed or created and on whether anything else should be done to restore confidence in the school’s culture and values and to promote healing going forward. We are not looking into the incidents that are the subject of the criminal charges. Nor is this a finger pointing exercise designed to find individual fault and responsibility.

Through our communications to the St. Michael’s community, most or all of you will already have some familiarity with how we are going about our work. We have requested many documents from the school, including existing policies. We have conducted surveys filled out by past and present students, past and present staff and parents of students at the school. We have met with many members of the St. Michael’s community – both those who have asked to speak with us and those whom we have identified as individuals we needed to speak with. Many more members of the St. Michael’s community have provided comments to us in writing. Participation was entirely voluntary. The surveys were anonymous. To promote candour, we have advised everyone that their comments to us, in writing or in person, will not be attributed to them in our report.

The response has been overwhelming. Truly overwhelming. Again, this signaled to us that the St. Michael’s community cares deeply about this institution.

It is hardly surprising that our extensive engagement with the SMCS community produced a range of perspectives and shared experiences about life at the school both historically and currently. The majority of former and current students describe their experience at the school in positive — often in glowing terms. There is no doubt that for many students, the school has

represented and continues to represent an institution that promotes excellence — whether in academics, fine arts, athletics — within a supportive environment. For many, the school also has instilled spiritual values in its students.

The data also support our finding that although hazing, in its most extreme form, prompted this independent review, and has occurred in less violent forms in the past, viewed in isolation, it does not figure prominently in the culture at the school. As you will hear, approximately 5% of current students said that they have been subjected to some form of hazing. Some hazing has also been reported historically. Although the incidents that form the basis of the criminal allegations are deeply disturbing on multiple levels and do require remedial measures to prevent or reduce their likelihood in the future, they can fairly be described as infrequent events. This view is also based on our meeting with the police and with the prosecution involved in this matter although we were careful not to discuss the specific allegations before the courts.

Our finding as to the relative infrequency of hazing is based on a wealth of information rather than speculation or conjecture. It informs our recommendations relating to continuing team sports activities at the school. As indicated earlier, one of our recommendations is that the football program be reinstated, with important safeguards in place, for the 2019-2020 school year.

However, that is not the end of the story.

Although hazing does not figure prominently in the culture of the school, this finding cannot be viewed in isolation. It is deeply concerning that the incidents currently before the courts were apparently observed by a number of students and that the most serious incident was captured on video and viewed or distributed by students on social media. These facts confirm the critical

importance of introducing robust measures to address not only potential hazing, but also the larger moral issues associated with the observation of serious victimization of fellow students and the misuse of social media to further victimize a fellow student.

Many members of the SMCS community, even those who were unaware until after-the-fact of this concerning behaviour, questioned how these things could have happened, and what it says about the success of the school in promoting the Catholic virtue of goodness to which the school aspires.

Some members of the SMCS community characterized this situation as involving “a few bad apples” who should not taint the reputation of the school or its students. We are sensitive to the concern that all students “not be tainted with the same brush” especially in the context of our finding that hazing does not figure prominently in the culture of the school. However, it is equally true that the characterization of this situation as involving a “few bad apples” has the potential — however inadvertent — of undermining an important opportunity to strengthen the values of all students who attend and will attend the school and promote a safe and welcoming environment for every student.

This opportunity cannot be missed for another critical reason. The input we received demonstrated that while hazing does not figure prominently in the school’s culture, bullying is a systemic issue that must be addressed. The anonymous surveys completed by 1,010 students at the school reflect that approximately 22% of current students describe themselves as victims of sexual, physical or verbal bullying. The surveys revealed that bullying has had a profound impact on most of these students.

The data also revealed that despite measures put in place by the school after the hazing allegations came to light, they have not been successful in reducing the number of students for whom bullying remains a concern.

The existence of bullying at the school was also supported historically by both the surveys of alumni and teachers and by in-person interviews. In this regard, however, we were careful in recognizing that the historical information had more limited utility given changed dynamics over the years, including very different teacher and coach behaviour that is countenanced in today's educational setting.

The point here is not that SMCS has higher levels of bullying than other secondary schools, whether public, private, independent or faith based. Indeed, our surveys were professionally designed to enable some comparisons to take place. These showed that levels of bullying at SMCS are comparable to those reported by boys of similar ages across Canada.

The point here is that the issue is a significant one that must be addressed through additional measures. Every student at SMCS has the right to be free from bullying and the right to thrive in a safe and nurturing environment. It is no answer to say that SMCS is not for everybody. Surely, that cannot be the answer for vulnerable students who are members of the student body and who can reasonably expect that everything possible will be done to promote their physical, emotional, sexual and academic well-being. Our recommendations will be designed to meet those expectations. This is an opportunity for the school to take the lead in instituting effective measures to severely reduce bullying.

I will not elaborate further on the survey results. Dr. Pepler will provide you with some additional information on them shortly.

I indicated that the third topic to be addressed tonight is the status of the football program.

The school announced that the football programs would be cancelled for the 2018-2019 and 2019-2020 school years. The basketball program was originally suspended though later reinstated during the 2018-2019 school year.

Quite a few parents have submitted to us that it was unfair to cancel the football programs this current year and that it was particularly unfair to do so in the upcoming year. They described the impact of these decisions on their children, and their reliance on the existence of the football program at the school for their children. They point out that the prime wrongdoers were identified and subject to expulsion and criminal sanctions. They describe the values and character building associated with sport, which carries over to academic pursuits. Students described similar feelings to us as well in a variety of ways. Many felt that innocent students were being punished for the conduct of others.

We do understand how these parents and students feel. We respectfully did not agree with some views expressed by some parents and students, including the view that cancellation of a sports program is not a legitimate tool to be used when issues of this type arise. However, we are satisfied that in the upcoming year, the reinstatement of the football programs, if and only if it is coupled with effective measures to prevent or address hazing in particular and bullying more generally, can better serve the student body while promoting a safe and healthy environment within the school. These effective measures to combat hazing and bullying will be fully described in our report. They will address training and education of students and staff, including coaches, and a range of safeguards to directly address the issues raised at the school around hazing, bullying, and the culture within a sporting environment. They will also address the dialogue that must take place involving parents, students, coaches and the administration going forward to address the impact of recent events, particularly on students affected in a variety of ways by what has transpired.

When the criminal allegations came to light, there was some highly inappropriate scapegoating of certain members of the student body by some members of the St. Michael's community. Not only was this scapegoating unsupportable by the evidence, it was deeply concerning and will also be addressed in recommendations in our report.

During our extensive outreach and engagement, we have been asked to make recommendations about a wide range of issues: the school's governance model, the role of alumni in the ongoing life of the school, what it means to be a St. Michael's man, diversity and inclusiveness, including the creation of a safe environment for all students, regardless of sexual orientation, how and when discipline is administered, the promotion of Catholic values at the school in the 21st century. That list is not exhaustive though you may be exhausted hearing it. It is also fair to say that there was little consensus among the many people we heard from on these and other issues though there was broad consensus on others.

We will address some of those issues in our report to the extent to which they relate to our mandate. In some instances, we will identify those issues without necessarily resolving them all. We believe that the airing of these issues, whether all of them are addressed in our report, can only enhance the ability of the school to begin or continue that healthy dialogue with the larger St. Michael's community once our work is done.

As my final comment, we are deeply appreciative to the St. Michael's community for the outpouring of advice, insights, and perspectives you have provided us. Your level of engagement, also reflected by the attendance tonight, has been overwhelming.

Thank you.

I will now invite Dr. Pepler to address you.

[see the PowerPoint presentation]