

Page 01 to/à Page 07

Withheld pursuant to/removed as

s.14

From: Sutherland, Scott GCPE:EX
Sent: Sunday, March 15, 2015 11:55 AM
To: MacFarlane, Paige EDUC:EX; Pauliszyn, Robert PSEC:EX; Clarke, Wilma EDUC:EX
Cc: McMullin, Shawn EDUC:EX; Mercer, Sally EDUC:EX; Green, Ben GCPE:EX
Subject: CTV SMUS

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Mino, Lise MTIC:EX

From: Sutherland, Scott GCPE:EX
Sent: Thursday, March 12, 2015 10:50 AM
To: Clarke, Wilma EDUC:EX; MacFarlane, Paige EDUC:EX
Cc: McMullin, Shawn EDUC:EX; Mercer, Sally EDUC:EX; Preston, Bruce EDUC:EX; Pauliszyn, Robert PSEC:EX
Subject: CTV-W5 promo'ing SMUS story "Prersonal Foul"

Good Morning, Heads Up

Video promo says a school that trained a sport's legend "All time greatest Canadian athlete" accused of "foul" behaviour.

<http://www.ctvnews.ca/w5/>

Nothing on the Toronto Star site.

Copyright

Scott

Mino, Lise MTIC:EX

From: Sutherland, Scott GCPE:EX
Sent: Sunday, March 15, 2015 12:38 PM
To: MacFarlane, Paige EDUC:EX; Clarke, Wilma EDUC:EX
Subject: Re: CTV SMUS - follow up questions - Please review response

Thanks, don't have her cell (which she probably is glad about).
Still embarrassed re: human rights comment yesterday, read Ombudsman, wrote HRC.

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Sent from my iPhone

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Suggested response:

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From: Sutherland, Scott GCPE:EX
Sent: Sunday, March 15, 2015 1:02 PM
To: Clarke, Wilma EDUC:EX; MacFarlane, Paige EDUC:EX
Subject: Re: CTV SMUS - follow up questions - Please review response

Scott Sutherland
Media Relations
BC Ministry of Education
O: 250 356-8713
C: 250 213-1042

From: Clarke, Wilma EDUC:EX
Sent: Sunday, March 15, 2015 1:01 PM
To: Sutherland, Scott GCPE:EX; MacFarlane, Paige EDUC:EX
Subject: RE: CTV SMUS - follow up questions - Please review response

Okay. Forwarding to Stephanie right now.
Wilma Clarke,
Executive Director ,
Teacher Regulation Branch, Ministry of Education
400 - 2025 West Broadway, Vancouver, BC V6J 1Z6
Phone: 604.775-4817 Wilma.Clarke@gov.bc.ca
www.bcteacherregulation.ca

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From: Clarke, Wilma EDUC:EX
Sent: Saturday, March 14, 2015 10:23 AM
To: Sutherland, Scott GCPE:EX
Subject: RE: Toronto Star CTV SMUS

Thanks for the heads up Scott.

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Heads up

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Airing on CTV at 7 local time.

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www.bcteacherregulation.ca*

From: Sutherland, Scott GCPE:EX
Sent: Sunday, March 15, 2015 12:38 PM
To: MacFarlane, Paige EDUC:EX; Clarke, Wilma EDUC:EX
Subject: Re: CTV SMUS - follow up questions - Please review response
Thanks, don't have her cell (which she probably is glad about).
Still embarrassed re: human rights comment yesterday, read Ombudsman, wrote HRC.
Scott

From: MacFarlane, Paige EDUC:EX
Sent: Sunday, March 15, 2015 12:34 PM
To: Sutherland, Scott GCPE:EX
Cc: Pauliszyn, Robert GCPE:EX; Clarke, Wilma EDUC:EX; McMullin, Shawn EDUC:EX; Mercer, Sally EDUC:EX; Green, Ben GCPE:EX
Subject: Re: CTV SMUS - follow up questions - Please review response
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Sent from my iPhone

On Mar 15, 2015, at 12:30 PM, Sutherland, Scott GCPE:EX <Scott.Sutherland@gov.bc.ca> wrote:

Thanks Paige,
Can you and Wilma pls take a look. Here's Q and suggested response:

I'm told by one of the parents that the TRB imposed a "gag order" on Jennifer Fraser-Brown. She's not talking about this so I'm afraid I have to ask you: what is a "gag order" from the TRB? On what grounds can one be issued? How often are they issued? Why was one issued in this case?

Suggested response:

Believe that's a question for Ms. Fraser-Brown.
Think it likely she may be acting on legal advice.

TRB doesn't issue "gag orders."

Believe, as reflected in the statement from the Office of the Commissioner, care is required in regards to privacy protection.

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Original Message

From: Sutherland, Scott GCPE:EX

Sent: Sunday, March 15, 2015 11:55 AM

To: MacFarlane, Paige EDUC:EX; Pauliszyn, Robert GCPE:EX; Clarke, Wilma EDUC:EX

Cc: McMullin, Shawn EDUC:EX; Mercer, Sally EDUC:EX; Green, Ben GCPE:EX

Subject: CTV SMUS

CTV reporter Jon Woodward called, they are planning to do a follow to the W5 story because the school "won a big championship in Langley today."

Have sent him the following:

on Friday, Dec. 5, 2014, in response to an interview request from Robert Cribb of the Toronto Star, on behalf of TorStar and CTV, Mr. Cribb was provided with this link to the TRB website to provide more about the commissioner's role and responsibilities;

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Mino, Lise MTIC:EX

From: Clarke, Wilma EDUC:EX
Sent: Sunday, March 15, 2015 1:02 PM
To: Sutherland, Scott GCPE:EX; MacFarlane, Paige EDUC:EX
Subject: RE: CTV SMUS - follow up questions - Please review response

Okay. Forwarding to Stephanie right now.

*Wilma Clarke,
Executive Director ,
Teacher Regulation Branch, Ministry of Education
400 - 2025 West Broadway, Vancouver, BC V6J 1Z6
Phone: 604.775-4817 Wilma.Clarke@gov.bc.ca
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From: Sutherland, Scott GCPE:EX
Sent: Sunday, March 15, 2015 1:01 PM
To: Clarke, Wilma EDUC:EX; MacFarlane, Paige EDUC:EX
Subject: Re: CTV SMUS - follow up questions - Please review response

That would be great Wilma, never hurts.
:)

From: Clarke, Wilma EDUC:EX
Sent: Sunday, March 15, 2015 12:44 PM
To: Sutherland, Scott GCPE:EX; MacFarlane, Paige EDUC:EX
Subject: RE: CTV SMUS - follow up questions - Please review response

I agree that this is the correct information Scott. No need for embarrassment re: yesterday's comment. This stuff is hard to keep track of (especially for us non legal beagles!) – a very complex case, which is why I checked with Stephanie. If we want extra assurance, Stephanie did say that we can continue to run things by her as well. Would you like me to check with her to be especially confident in our response?

*Wilma Clarke,
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Teacher Regulation Branch, Ministry of Education
400 - 2025 West Broadway, Vancouver, BC V6J 1Z6
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www.bcteacherregulation.ca*

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Think it likely she may be acting on legal advice.

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Mino, Lise MTIC:EX

From: Clarke, Wilma EDUC:EX
Sent: Sunday, March 15, 2015 12:45 PM
To: Sutherland, Scott GCPE:EX; MacFarlane, Paige EDUC:EX
Subject: RE: CTV SMUS - follow up questions - Please review response

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relevant information concerning a particular complaint, they are encouraged to contact the Teacher Regulation Branch immediately.

Sutherland, Billy EDUC:EX

From: Sutherland, Scott GCPE:EX
Sent: Friday, January 9, 2015 3:57 PM
To: Sutherland, Billy EDUC:EX
Subject: RE: Statement to media

Here is the statement sent to the Toronto Star's Robert Cribb on Dec 5, 2014 (9:58 am PST)

Statement from the Office of the Commissioner for Teacher Regulation

The safety and wellbeing of all students in British Columbia is absolutely paramount, as is maintaining high standards of conduct for the teaching profession.

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In addition, in response to a very similar request to the Education Minister for response and an interview, this was provided to Mr. Cribb on Dec 12, 2014:

Statement from Education Minister Peter Fassbender

"I have full confidence in the British Columbia Teacher Regulation Branch and the Commissioner for Teacher Regulation.

"We are fortunate to have Bruce Preston, a retired B.C. Supreme Court Justice with vast experience in administrative law, as our commissioner.

"In all cases where the commissioner investigates, detailed reasons for his decisions are shared with the complainant or complainants."

"If a complainant is not satisfied with decisions made by the commissioner, the complainant has the option to seek a judicial review."

SwS.

From: Sutherland, Billy EDUC:EX
Sent: Friday, January 9, 2015 2:16 PM
To: Sutherland, Scott GCPE:EX
Subject: Statement to media

Hi Scott

Do you have a final copy of the written statement issued to the press team that wanted to know about the SMUS complaints?


I'd like a copy for our records, if that's possible.

Hope all is well.

b

| **Billy Sutherland, Intake Officer**
| Teacher Regulation Branch, Ministry of Education
| 400-2025 West Broadway, Vancouver BC V6J 1Z6
| Phone 604.775.4874 Fax 604.775.4858
| www.bcteacherregulation.ca

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 **Please consider the environment before printing this email.**

Sutherland, Billy EDUC:EX

From: Preston, Bruce EDUC:EX
Sent: Monday, December 22, 2014 9:24 AM
To: Sutherland, Billy EDUC:EX
Subject: FW: Important Information for SMUS Parents

| **Hon. Bruce M Preston, Commissioner for Teacher Regulation**
| 400-2025 West Broadway, Vancouver BC V6Z 2B9
| Phone 604.775.4874 Fax 604.775.4858
| <http://www.bcteacherregulation.ca/ProfessionalConduct/CommissionersOffice.aspx>

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🖨️ Please consider the environment before printing this email.

From: Sutherland, Scott GCPE:EX
Sent: Wednesday, December 17, 2014 4:30 PM
To: Preston, Bruce EDUC:EX
Cc: Clarke, Wilma EDUC:EX
Subject: FW: Important Information for SMUS Parents

FYI



St. Michaels University School
Outstanding preparation for higher learning and for life.

December 17, 2014

Dear SMUS Parents

The school was recently contacted by a Toronto media outlet that is investigating a story concerning allegations of bullying, verbal abuse and unfair decisions about playing time by SMUS basketball coaches, arising from parental complaints almost three years ago. We do not know when this story may run but I want to provide you with the facts now.

To begin with, I want to assure you that our focus has always been, and continues to be, the creation of the best possible educational environment for all of our students.

Since the initial complaints were brought to the administration's attention in the spring of 2012, the complaints have been investigated on four occasions by independent parties. These investigations have included the police, the Ombudsman of BC Independent Schools, an independent investigator approved by all parties involved, and finally the Teacher Regulation Branch, the government body responsible for the conduct of teachers.

All of these processes made no findings of bullying, verbal abuse or unfair playing against the coaches.

Throughout, students' welfare has been our top priority. In all our programs, we are committed to providing an environment that is full of challenging and rewarding opportunities. We aspire to offer all our students a positive and fulfilling experience, and if we fall short in that regard we must and will address shortcomings. We have implemented the recommendations that have emerged from these processes and have taken additional steps beyond those recommendations. We have instituted a code of conduct for everyone: players, coaches and parents; we have contracted for the past three years with one of Canada's top coaching performance consultants to work with our coaches from the elementary division to Grade 12. In addition our "coaches' coach" has provided rigorous observation and feedback sessions, conducted workshops for groups of coaches, and contributes research and guidance to SMUS's Athletic planning.

We have also undertaken a review of our Athletic program to follow on the review conducted in 2005. This review has recently been completed, and I look forward to sharing its key findings and recommendations with you in the new year. The survey results connected to this review are very positive and the recommendations will deepen the ways our Athletic program aligns with our mission and vision.

The school cares deeply about its students, their welfare and their experience of education – and by extension, their experience of sport. The allegations and the resulting investigations have been a difficult challenge for everyone. Our staff have responded with patience and professionalism throughout this process.

A point-form summary of the facts follows this message. Many of the details of each of the four investigations, given the involvement of students, are confidential. I have shared with you all the facts that I am able to share. Please feel free to contact us should you have any questions but also understand that there are few details beyond what is in this email that we can disclose at this time. The first point of contact for your questions over the next

few weeks will be our Director of Communications, Laura Authier.

The Toronto media outlet working on the story has invited us to comment on the allegations in an interview. We have a very compelling message to convey – of timely, thorough and professional examination of all the complaints – and we are considering the offer seriously. However, we see no purpose in answering allegations in the media that have been thoroughly and repeatedly addressed in four formal external processes; therefore to date we have not been persuaded. All the allegations were dealt with in the investigative processes outlined below, and the coaches have been cleared of the allegations that were raised. Any interaction with the media on behalf of the School will be conducted by the Head of School, Bob Snowden, or our Director of Communications, Laura Authier.

Finally, I repeat that our priority always is to create an environment that fulfills the promise of our students.

With sincere regards,

Bob Snowden
Head of School

Timeline of Events

- In the spring of 2012, a small group of parents approached the school with concerns regarding the treatment of players by coaches during games and practices. The complaints focused on alleged bullying behaviour, vulgar language, and unfair allocation of playing time. At one point, allegations of verbal and emotional abuse were raised.
- The school took the mention of abuse very seriously and immediately approached the school's Police Liaison Officer for guidance. He reviewed the situation, spoke with several parents and coaches, and in consultation with his colleagues at Saanich Police, determined that there was no basis for further investigation or criminal proceedings.
- The Head of School then met over a period of weeks with a those parents and students who voiced complaints. In June, 2012, as the coaches had not yet had a chance to hear the allegations, the Head of School asked the Ombudsman of BC Independent Schools to review the situation and make recommendations.

- The Ombudsman conducted an investigation, considered submissions, spoke with affected parties and reviewed student statements. The Ombudsman found it impossible to make conclusions without questioning students, a step which the complaining parents would not permit. Instead, the Ombudsman made recommendations that included a code of conduct and professional development for our athletics coaches. These recommendations were implemented.
- The Board of Governors felt that it was important to look into the issue as thoroughly as possible and therefore commissioned a third investigation conducted by John Sanderson, a respected lawyer who is part of the Sport Dispute Resolution Centre of Canada panel of arbitrators and mediators, and a member of the Indian Residential School Abuse Adjudication Program. The choice of John Sanderson was approved by the complaining parents and their lawyer, who met with Mr. Sanderson to discuss the terms of the investigation.
- Mr. Sanderson interviewed over 30 students and met with the complainants and teachers. He conducted an exhaustive investigation. In his written report, Mr. Sanderson determined that the coaches displayed “no behaviours that were deliberately abusive or demeaning or constituted inappropriate interference with a person’s enjoyment of a school activity.” They were, in fact, committed and highly qualified. He recommended a reconciliation process, among other things. None of the complainants responded to the offer of a reconciliation process. The school shared the full report with the parents, students and staff members involved in this case.
- Almost immediately after the release of the Sanderson report, in the fall of 2012, one of the complaining parents made several complaints to the Teacher Regulation Branch, the body that oversees teacher conduct. These complaints against a number of school staff, stemming from the same incidents, resulted in a fourth investigation by an external body.
- This investigation was also exhaustive and comprehensive. The Teacher Regulation Branch (TRB) appointed an investigator who was a former lawyer and senior RCMP officer. The investigation lasted from December, 2012 until the middle of April, 2013. Again, dozens of students were interviewed, along with parents and the teachers involved.
- The results of the investigation were then passed to the Commissioner of the Teacher Regulation Branch, a former BC Supreme Court Judge. The individual reports, with the findings, were issued at intervals over the summer and fall of this year. The last one was issued in October of this year. In each case, the reports dismissed the complaints against all of the coaches for any allegations of bullying,

verbal abuse, or unfair playing time. Throughout, students' welfare has been our top priority. In all our programs, we are committed to providing an environment that is full of challenging and rewarding opportunities. The school cares deeply about its students and their experience of education – and by extension, their experience of sport. We believe that every action taken reflects these principles.

SMUS
3400 Richmond Rd.
Victoria, BC V8P 4P5
Canada

[Add us to your address book](#)

1-800-661-5199  or 1-250-592-2411 

[unsubscribe from this list](#) | [update subscription preferences](#)

Sutherland, Billy EDUC:EX

From: Sutherland, Billy EDUC:EX
Sent: Tuesday, December 23, 2014 2:12 PM
To: XT:Ard, William FLNR:IN
Subject: FW: Important Information for SMUS Parents

Hi Bill

Bruce asked me to forward the communiqué below.

Hope your holidays are enjoyable.

| **Billy Sutherland, Confidential Assistant, Commissioner**
| Office of the Commissioner for Teacher Regulation
| 400-2025 West Broadway, Vancouver BC V6J 1Z6
| Phone 604.775.4874 Fax 604.775.4858
| <http://www.bcteacherregulation.ca/ProfessionalConduct/CommissionersOffice.aspx>

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affected parties and reviewed student statements. The Ombudsman found it impossible to make conclusions without questioning students, a step which the complaining parents would not permit. Instead, the Ombudsman made recommendations that included a code of conduct and professional development for our athletics coaches. These recommendations were implemented.

- The Board of Governors felt that it was important to look into the issue as thoroughly as possible and therefore commissioned a third investigation conducted by John Sanderson, a respected lawyer who is part of the Sport Dispute Resolution Centre of Canada panel of arbitrators and mediators, and a member of the Indian Residential School Abuse Adjudication Program. The choice of John Sanderson was approved by the complaining parents and their lawyer, who met with Mr. Sanderson to discuss the terms of the investigation.
- Mr. Sanderson interviewed over 30 students and met with the complainants and teachers. He conducted an exhaustive investigation. In his written report, Mr. Sanderson determined that the coaches displayed “no behaviours that were deliberately abusive or demeaning or constituted inappropriate interference with a person’s enjoyment of a school activity.” They were, in fact, committed and highly qualified. He recommended a reconciliation process, among other things. None of the complainants responded to the offer of a reconciliation process. The school shared the full report with the parents, students and staff members involved in this case.
- Almost immediately after the release of the Sanderson report, in the fall of 2012, one of the complaining parents made several complaints to the Teacher Regulation Branch, the body that oversees teacher conduct. These complaints against a number of school staff, stemming from the same incidents, resulted in a fourth investigation by an external body.
- This investigation was also exhaustive and comprehensive. The Teacher Regulation Branch (TRB) appointed an investigator who was a former lawyer and senior RCMP officer. The investigation lasted from December, 2012 until the middle of April, 2013. Again, dozens of students were interviewed, along with parents and the teachers involved.
- The results of the investigation were then passed to the Commissioner of the Teacher Regulation Branch, a former BC Supreme Court Judge. The individual reports, with the findings, were issued at intervals over the summer and fall of this year. The last one was issued in October of this year. In each case, the reports dismissed the complaints against all of the coaches for any allegations of bullying, verbal abuse, or unfair playing time. Throughout, students’ welfare has been our

top priority. In all our programs, we are committed to providing an environment that is full of challenging and rewarding opportunities. The school cares deeply about its students and their experience of education – and by extension, their experience of sport. We believe that every action taken reflects these principles.

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