



Third Session - Thirty-Seventh Legislature

of the

Legislative Assembly of Manitoba

Standing Committee

on

Law Amendments

Chairperson

Mr. Doug Martindale

Constituency of Burrows



MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Seventh Legislature

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STEFANSON, Heather	Tuxedo	P.C.
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TWEED, Mervin	Turtle Mountain	P.C.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

LEGISLATIVE ASSEMBLY OF MANITOBA

THE STANDING COMMITTEE ON LAW AMENDMENTS

Tuesday, June 25, 2002

TIME – 6:30 p.m.

LOCATION – Winnipeg, Manitoba

**CHAIRPERSON – Mr. Doug Martindale
(Burrows)**

**VICE-CHAIRPERSON – Ms. Bonnie
Korzeniowski (St. James)**

ATTENDANCE - 11 – QUORUM - 6

Members of the Committee present:

Hon. Ms. Barrett, Hon. Messrs. Caldwell,
Smith

Ms. Allan, Mr. Gilleshammer, Ms. Korzen-
iowski, Messrs. Loewen, Martindale, Mrs.
Smith, Messrs. Struthers, Tweed

APPEARING:

Hon. Jon Gerrard, MLA for River Heights
Mr. Ron Schuler, MLA for Springfield

WITNESSES:

Ms. Ruth Ann Furgala, Trustee, Evergreen
School Division
Mr. Malcolm Jolly, Chairperson, Board of
Trustees, Brandon School Division No. 40
Mr. James Durston, Dauphin-Ochre School
Area #1
Ms. Bobbi-Lynn Geekie, President, Birdtail
River Teachers' Association
Mr. Peter Wohlgenut, President, Rhineland
Teachers' Association
Mr. Craig Blagden, President, Midland
Teachers' Association; President-Elect,
Prairie Rose Teachers' Association
Mr. Andrew Peters, Private Citizen
Ms. Lauren Andrushko, Private Citizen
Mr. Greg Andrushko, Private Citizen
Ms. Hilda Froese, Chair, Board of Trustees,
Garden Valley School Division No. 26
Mr. Paul Wiebe, Private Citizen

Ms. Gladys Hayward Williams, Private
Citizen

Ms. Diane Duma, Co-Chair, Manitoba
Association of Parent Councils

Ms. Karen Carey, Springfield Schools
Parent Council

Mr. Peter Williams, Private Citizen

Ms. Maja Kathan, Chair, Parent Council,
École Dugald School

Mr. Robin Glowacki, Private Citizen

Ms. Layna Penner, Private Citizen

Ms. Doraine Wachniak, Private Citizen

Ms. Diana Risbey, Private Citizen

Ms. Norah Bailey, President, Agassiz
Teachers' Association

Mr. John Friesen, Private Citizen

Ms. Maria Kantyluk, Private Citizen

Ms. Linda Archer, President, Manitoba
Association of School Trustees

Ms. Carolyn Duhamel, Executive Director,
Manitoba Association of School Trustees

Ms. Sandra Oakley, CUPE Manitoba

Mr. Craig Stahlke, Secretary-Treasurer, Fort
Garry School Division

Mr. Dennis Wishanski, Trustee, St. James-
Assiniboia School Division

Ms. Elizabeth Kozak, Assistant Superintend-
ent, St. James-Assiniboia School Division

WRITTEN SUBMISSIONS:

Ms. Kathy Andersson, Private Citizen
Mr. John Ehinger, Private Citizen
Ms. Karen Lalonde, Private Citizen
Ms. Monica Ptak, Private Citizen

MATTERS UNDER DISCUSSION:

Bill 14–The Public Schools Modernization
Act (Public Schools Act Amended)

* * *

Mr. Chairperson: Good evening. Will the
Standing Committee on Law Amendments
please come to order.

The first order of business is the election of a Vice-Chairperson. Are there any nominations?

Mr. Stan Struthers (Dauphin-Roblin): I nominate the Member for St. James (Ms. Korzeniowski) for Vice-Chair.

Mr. Chairperson: Ms. Korzeniowski has been nominated. Are there any further nominations? Seeing none, Ms. Korzeniowski has been elected Vice-Chairperson.

This evening, the committee will be considering the following bill, Bill 14, The Public Schools Modernization Act (Public Schools Act Amended).

We have presenters who have registered to make public presentations to this bill. It is the custom to hear public presentations before consideration of bills. Is it the will of the committee to hear public presentations on the bill, and, if yes, in what order do you wish to hear the presenters?

Mr. Struthers: Mr. Chairperson, I have been looking at the list, and there are quite a number of out-of-town presenters. I would like to seek the agreement of the committee to see the out-of-town presenters first. I would also see if there is willingness on the committee to look at the ones who are furthest away to make sure that they can get on earlier to allow them to get back onto the road and head back to wherever they are coming from.

So, if that is agreeable to the committee, I would propose that.

Mr. John Loewen (Fort Whyte): Well, just for clarification, because for the people who are here, there are a number of people from close to town. Perhaps we could define for their benefit what the member means by out of town.

Mr. Struthers: I was looking at the list and I see places like Rolling River, Dauphin-Ochre, Intermountain, Evergreen, Duck Mountain, Bird-tail River. These people all have a long distance to go.

An Honourable Member: Brandon?

Mr. Struthers: Brandon is on the list. That is over two hours back to Brandon this evening.

I think that, if we just exercise a little common sense, we can look to see which communities are a distance away, and I think allow them to speak first, then work in closer to the rural communities that are outside of the city of Winnipeg, if that is agreeable to the committee.

Mr. Chairperson: Is there agreement of the committee that we deal with the far-distant people first and then other out-of-city people next? *[Agreed]*

We are going to ask people whose school divisions are not listed to go to the table at the back where the Chamber attendant is registering new people. Those who are private citizens, we do not really know where you are from. So, if you could identify where you are from to the Chamber attendant, he will let the Clerk know. *[interjection]* If they are from far distance. Well, I guess we know where some of them are from. We just do not know where all the private citizens are from.

So, if you would like to move up the line so that you can go home earlier, please let us know.

* (18:40)

The persons who have registered to make presentations this evening are as follows, and I need to read this list into the record: Gladys Hayward Williams, private citizen; Diane Duma, private citizen; Karen Carey, Springfield Schools Parent Council; Karen Lalonde, private citizen; Peter Williams, private citizen; Lauren Andrushko, private citizen; Greg Andrushko, private citizen; Maja Kathan, Chair, École Dugald School; Linda Archer, President, Manitoba Association of School Trustees; Robin Glowacki, private citizen; Terry Egan and Sandra Oakley, CUPE Manitoba; Karen Velthuys, Chair, and Craig Stahlke, Secretary-Treasurer, and Jean Beaumont, Superintendent, Fort Garry School Division; Christopher Saunders, Springfield Parent Council; Layna Penner, private citizen; Doraine Wachniak, private citizen; Dale Kallusky, private citizen; Ruth Ann Furgala or Vivian Leduchowski, Evergreen School Division; Judy Edmond or Brian Ardern, Manitoba Teachers' Society; Kristine Barr, Trustee, and David Bell, Treasurer, Winnipeg School Division No. 1; Reg Klassen, Garden

Valley School Division; John Ehinger, private citizen; Bob Land, private citizen; Glenn Anderson, private citizen; Dennis Wishanski, Jan Paseska, Sandra Paterson-Greene, School Trustees, Bruce Alexander, Chairperson, Elizabeth Kozak, Assistant Superintendent, St. James-Assiniboia School Division; Malcolm Jolly, Brandon School Division No. 40; Marilyn Seguire and Roy Schellenberg, Louis Riel School Division; Mr. Terry Borys, St. Vital School Division; Colleen Jury, Chair, Rolling River School Division No. 39; Mary Hudyma, Dauphin-Ochre School Area # 1; Floyd Martens, Intermountain School Division; Gwynn Ketel, Duck Mountain School Division; Diana Risbey, private citizen; Bobbi-Lynn Geekie, Birdtail River Teachers' Association; Craig Blagden, Prairie Rose Teachers' Association; Paul Wiebe, private citizen; Gayle Wilson and Kevin Wilson, private citizens; Andrew Peters, private citizen; Murray Grafton, Louis Riel Teachers' Association; Peter Wohlgenut, President, Rhineland Teachers' Association; Mike Kukelko, private citizen; Norah Bailey, President, Agassiz Teachers' Association; Roland Stankevicius, River East Teachers' Association; Marijka Spytzkowsky, Transcona-Springfield Teachers' Association; Virginia Larsson, private citizen; John Friesen, private citizen; Wendy Moroz, Chair, and Paul Moreau, Superintendent, Assiniboine South School Division; Zeeba Loxley, CEDA (Community Education and Development Association); Kathy Andersson, private citizen; Bert Kornelson, private citizen; Barrie Stevenson, private citizen; Maria Kantyluk, private citizen; Joyce Penner, private citizen; Bob Hopper, private citizen; Otto Mehl, private citizen. Apologies to anyone whose name I mispronounced.

Those are the persons and organizations that have registered so far. If there is anybody else in the audience who would like to register or has not yet registered and would like to make a presentation, would you please register at the back of the room. Just a reminder, 20 copies of your presentation are required. If you require assistance with photocopying, please see the clerk of this committee.

Before we proceed with presentations, is it the will of the committee to set time limits on presentations?

Mr. Struthers: Mr. Chairperson, I would suggest that we maintain the practice that we have adopted over the last number of years, certainly since I have been here in 1995 and before, to limit presentations to 15 minutes and allow 5 minutes for a question-and-answer period following that 15. If we don't take the 15 minutes for the presentation, I would suggest we just add the 5 minutes on to whatever amount of time has been presented.

Mr. Chairperson: It has been suggested 15 minutes for presentations and 5 minutes for questions and answers. Is that agreeable to the committee? *[Agreed]*

How does the committee propose to deal with presenters who are not in attendance today but have their names called? Shall these names be dropped to the bottom of the list? *[Agreed]* Shall the names be dropped from the list after being called twice? *[Agreed]*

Mr. Ron Schuler (Springfield): I take it the committee is also going to be sitting tomorrow. Is that correct?

Mr. Chairperson: Yes. There is a meeting scheduled tomorrow night starting at 6:30.

Mr. Schuler: Those individuals who are called today and cannot stay until all hours of the morning will then have an opportunity for tomorrow. Is that correct?

Mr. Chairperson: Yes. If we are not finished tonight, they will be called tomorrow. They are dropped to the bottom of the list. They would be called tomorrow night. If they were not here a second time when their name is called tomorrow night, they would be off the list.

As a courtesy to persons waiting to give a presentation, did the committee wish to indicate how late it is willing to sit this evening?

Mr. Struthers: There are a lot of names here, a lot of people that are going to be presenting tonight. I would suggest that at midnight we reassess where we are on the list and make a determination then, if that is acceptable to the committee.

Mr. Chairperson: Is that agreed?

Mr. Harold Gilleshammer (Minnedosa): I would suggest that we make a decision that we adjourn at or around midnight.

Mr. Struthers: My suggestion was that we reassess at midnight, that we see how far we get along on our list, and if that is a possibility and it looks like we might have to adjourn at midnight, that would be open. I think we should just leave it now to reassess if we are close to being finished with the number of rural presentations.

My worry on this is that we get to midnight, we see some rural people who have not presented, and we have tied ourselves in to shutting things down at midnight. I do not want to be sending people back out of the city to come back again tomorrow night. So I think we need to reassess at midnight and see just where we are at that time.

Mr. Gilleshammer: I think if we say at or about midnight, it gives us a little flexibility at that time.

Hon. Becky Barrett (Minister of Labour and Immigration): I just think we have done this reassessment at midnight quite regularly in committee hearings. We are at the beginning of the committee hearing process. We need to leave the committee and the presenters with as much flexibility as possible. I think the suggestion by Mr. Struthers is a good one, that we assess the situation at midnight and leave ourselves and the presenters who might still be here and would want to present at that time the ability to do so. Closing it down at or around midnight, to my way of thinking, does not allow the flexibility the committee should have and the presenters who might still be here should have as well.

Mr. Chairperson: If I could summarize and maybe incorporate Mr. Gilleshammer's suggestion that we would reassess at or about midnight. Is that agreed? [*Agreed*]

I would also like to inform the committee that a written submission has been received from Monica Ptak, resident of Transcona-Springfield School Division No. 12. Also, I have been advised that Karen Lalonde, private citizen, who appears as No. 4 on the list of presenters, John Ehinger, private citizen, who appears as No. 21 on the list of presenters, and Kathy Andersson,

private citizen, who appears as No. 48 on the list of presenters, have asked that their briefs be included as written submissions to appear in the committee transcript for this meeting. Copies of these briefs have been made for committee members and were distributed at the start of the meeting.

Does the committee grant its consent to have these written submissions appear in the committee transcript for this meeting? [*Agreed*]

If people do not want to stay, or cannot stay, but you would like to have your written submission as a part of the official transcript, please indicate that to the clerk and we will get the consent of the committee to include it in the written transcript.

As well, I would like to advise that room 254, the committee room down the hall from this room, is being used as an overflow room. The sound from this room will be piped into that room so you will be able to hear the proceedings.

Now, we are going to try and deal with the names of out-of-town presenters.

The Clerk of the committee indicates to me that some people have expressed a preference to proceed early who live a fair distance away, so I am going to suggest we start with No. 17, No. 25, Nos. 34 and 37. After that, unless other people come forward, we will proceed with the other out-of-town presenters as listed. So No. 17, No. 25, Nos. 34 and 37.

The first one I would like to call forward is Ruth Ann Furgala or Vivian Leduchowski from Evergreen School Division. Please come to the podium. Please proceed.

* (18:50)

Ms. Ruth Ann Furgala (Trustee, Evergreen School Division): Thank you. Ruth Ann Furgala, Vivian Leduchowski representing the Evergreen School Division No. 22. Thank you for receiving us.

On behalf of the Evergreen School Division trustees, I thank the committee for the opportunity to present our division's views on Bill 14,

The Public Schools Modernization Act. We are concerned that the legislation goes beyond the purvey of school board amalgamations and provides authority for decision making at the ministerial level that will weaken and reduce the ability of local school boards to represent their communities.

Section 7(1) of The Public Schools Act gives the minister the authority by regulation to amalgamate any two or more school divisions. This was reinforced in a June court ruling. The provincial government has all the needed authority under the existing legislation to conclude the current round of amalgamations. The Evergreen School Division recommends that the Government proceed with amalgamations under the existing legislation. We would further recommend that the Board of Reference be reinstated to decide any matters relating to the amalgamation that are not covered under The Public Schools Act.

Should the Government choose not to withdraw Bill 14, then the following recommendations are made for additions, deletions and amendments to the legislation.

Recommendation No. 1. That Bill 14 be amended by striking section 7(5) and consequential amendments to retain the right to appeal concerning Board of Reference decisions that exist in the current Public Schools Act. We feel that the right to appeal is a fundamental part of a democratic society. Since the current right to appeal has rarely been used, we feel that it is reasonable to retain the right under the revised legislation.

Recommendation No. 2. We would recommend that the proposed PSA sections 12(b), (c) and (d) be stricken. We have no objection to the establishment of rules that relate to the minister establishing interim boards. We are concerned, however, that the legislation gives the minister authority to establish the eligibility and the residency qualifications applicable to trustees serving on the interim board. The amalgamating board should have the authority to determine the make-up of their interim board, and the interim board should reflect the same eligibility and residency requirements as do the boards of the constituent divisions.

Sections 12.2(c) and (d) give the minister authority to make regulations concerning transitional matters. We are concerned that clause (d) effectively gives the minister boundless authority in this area. We are further concerned that the authority conferred upon the minister in the regulatory authority provides for unaudited authority. The making of regulations is not subject to the same public scrutiny and political debate as is the making of the legislation.

The making of regulations does not require consultation and discussion. Regulations may simply appear one day in the *Manitoba Gazette* carrying with them the full force of the law. School boards would have little or no opportunity to shape the regulations. As such, we cannot endorse the proposed section 12.2 of the PSA.

Recommendation No. 3. We recommend that section 16 of Bill 14 be amended to ensure a greater degree of stability and flexibility in the definition of and the limits of administrative costs. This part of the bill gives the minister regulatory authority to prescribe administrative costs, establish reporting requirements related to the costs, and setting limits.

We are concerned that the school boards may not have the stability to facilitate long-term planning. In addition, rural Manitoba school boards have very lean administrative structures as is. The present definition of administrative costs includes things like transportation which we argue are a direct service to the students.

Evergreen School Division has no concerns about the previous definition of administrative costs. However, the new definition in our opinion is an unfair definition, particularly for school divisions in rural Manitoba.

Evergreen School Division is committed to providing that maximum dollars be directed towards the classroom. With the increased demands from the Government in terms of administration, accountability and reporting, sufficient administrative services are crucial. If the present legislation is enacted, we are concerned that the time and energy our administrators have directed towards providing a service to schools and students will be directed in a different direction

and therefore will be a detriment to the students in Manitoba.

The cost of administrating school divisions varies from school division to school division based on many criteria, including geographic formation. We are concerned that the present section 16 will impede our ability to provide fiscal responsibility at the local level.

Our school division makes every effort to control costs, and, as a result, we recommend that we not be saddled with a financial accountability that is general in nature and very difficult to administer on a wide scale. Again we would like to reinforce the impact that such legislation would have on rural Manitoba.

Recommendation No. 4. That the current section 7.2 of The Public Schools Act be amended to include a limitation on the time that may pass between the receipt of the boundary commission report and the implementation. We believe that the Norrie report is dated and had little relevance to the establishment of school divisions in 2002. We would encourage the minister to establish time limitations on the receipt of boundary commission reports and the ability to use those reports in the implementation of amalgamation.

In conclusion, Evergreen School Division feels that the minister has the necessary authority to follow through with amalgamation under the current Public Schools Act. Should the Government decide to continue to implement Bill 14, we recommend that the recommendations contained in this presentation be considered before continuing to final reading. We would also encourage that the bill be amended so it not undermine the authority of elected school boards.

As a school board, we take seriously our roles and responsibilities. We feel that the present legislation should be a balance between the ability of the Government to direct and the ability of school boards to implement an effective educational program in Manitoba.

On behalf of the Evergreen School Division, we would like to thank you for having an opportunity to present our concerns and ask that the committee consider our recommendations to

the legislation so that it protects the needs of local communities and students as well as guarantee a fair and democratic process for us.

Yours in education, the Board of Trustees of Evergreen School Division.

Mr. Chairperson: Are there any comments or questions for this presenter?

Mr. Gilleshammer: Thank you for your presentation this evening on Bill 14. I am just wondering if you feel you had any opportunity to have input prior to this in the drafting and the coming forward of this bill.

Many people in the public are telling me they were quite surprised at what they refer to as a power grab within this bill. I am just wondering if there was any warning to school divisions, any input from school boards that you are aware of.

Mr. Chairperson: I need to acknowledge you by name for Hansard every time before you speak and all the other presenters too. So, Ms. Furgala.

Ms. Furgala: Extremely little and to date nothing. I understand that there are a number of amendments to this bill already in place. Or is that just a rumour?

Mr. Gilleshammer: There are no amendments that have been proposed to this bill at this time, and the minister has not announced any.

Ms. Furgala: Very, very little information.

Mr. Loewen: Well, just for clarification, there were amendments introduced in the House in second reading, and they were all voted down by the Government.

Ms. Furgala: Okay. Thank you for that.

Mr. Gilleshammer: The minister has said throughout this process that he has used the Norrie report as his instruction for the new boundaries and this new legislation. Was there anything in the Norrie report that indicated the minister should make changes to legislation to give himself more authority?

Ms. Furgala: I have not got a current copy, sir, so I would not want to comment on that. I would like to make it clear at this point, though, that Evergreen School Division has not been affected in the current round of amalgamations. So we are speaking at arm's length but very, very concerned with the legislation in this bill.

Mr. Gilleshammer: Yes, so your concerns are not necessarily with the redrawing of boundaries. It is with the other portions of the legislation which, in the minds of many, take power away from school divisions and school trustees and place it in the minister's office. That is your main concern.

* (19:00)

Ms. Furgala: That is correct, sir.

Mr. Loewen: The minister, on a number of occasions, has indicated that he feels that there be a \$10-million savings in the amalgamation. Has your division been given any hard facts or information that will tell you exactly where the minister expects those savings to arrive from and quantified in dollar amounts?

Ms. Furgala: Again, Evergreen School Division has not been affected, so it does not directly affect us, and I would not want to speak on behalf of any other division.

Mr. Loewen: Thank you, and I do realize that you are not being amalgamated. I am just wondering, in a general sense, if the minister has given your school division any indication of exactly where savings and how that \$10 million is going to be saved.

Ms. Furgala: I understand the expectation would be from reduced administrative costs.

Hon. Drew Caldwell (Minister of Education, Training and Youth): Vivian and Ruth, I would like to thank you for your presentation. I think some of your recommendations are insightful and thoughtful. They reflect some of my own thinking as this has evolved. I look forward to hearing from some of your colleagues as the two days proceed. So thank you very much.

Mr. Chairperson: Thank you for your presentation.

No. 25, Malcolm Jolly, Brandon School Division No. 40. Mr. Jolly. Please proceed, sir.

Mr. Malcolm Jolly (Chairperson, Board of Trustees, Brandon School Division No. 40): Mr. Chairman, ladies, gentlemen, on behalf of the board of trustees to the Brandon School Division, I would thank the committee for the opportunity to present our views on this bill. Our board consists of nine trustees elected by the citizens within the division which comprises the city of Brandon and the surrounding rural areas, including Alexander and DND Shilo, serving approximately 7700 students with 1000 employees and an operating budget of approximately \$47 million.

Our board has considered this legislation in regard to our primary obligations and responsibilities. These are: to provide all students with the best possible education; to prepare our students to the best of our ability and the best of their ability; to contribute to the future well-being of our society; to be as fair as reasonably possible to our employees and, within our financial resources, to afford them the best possible security and working conditions in their employment; and, finally, to ensure that local taxpayers and the community receive the best possible return on investment from our education system.

Within this context which we have taken, there are aspects of this bill which are of serious concern to us. Our board in fact believes that the legislative changes proposed will have negative implications on Manitoba school boards and their communities. We hope that the committee will recognize the validity and the importance of these concerns.

As proposed, Bill 14 will increase the decision-making power of the minister at the expense of local control of education by school divisions. The board of trustees note that the proposed changes to The Public Schools Act will result in the minister having an expanded role in the day-to-day operation of school divisions, and it will restrict the authority of the local school board to some extent.

The proposals for control of administrative cost and approval of school division budgets by

the minister causes us concern. Our trustees weigh any increase in administrative costs carefully and, over the past several years, we have conscientiously protected or directed increased budget support into the classroom. However, with increased demand for information and accountability and with the need to periodically upgrade our technology and information systems or to replace obsolete equipment, it becomes necessary to allocate additional resources in this area.

Section 16 of Bill 14 would allow the minister, by regulation, to prescribe and set limits on the administrative costs, and we are concerned at the type of administrative cost I have just mentioned.

In a similar manner, under section 22 of the bill, the minister would have the authority to revise school board budgets for amalgamating divisions. This would appear to us to be a shift of authority away from the historic local control of education. Matters relating to the operation of public schools are best handled, we contend, locally and are the responsibility of publicly elected boards who understand the local circumstances.

We believe that school divisions and local boards of trustees are in the best position to make spending decisions in the interest of educating students. We assert strongly that whether it be control of administrative costs or approval of budgets, the board of trustees takes all such decisions very seriously in meeting the educational needs of students in our division.

Trustees deal with these issues in a very responsible manner. They are closest to the user and they are publicly elected to make these decisions which affect students, parent, staff and taxpayers. We believe that trustees have done a good job in controlling administrative costs in the past and will do so in the future, as providing direct services to children is their main emphasis. As such, the increased ministerial control as contemplated is neither necessary nor, we feel, desirable.

In reference to section 17 regarding budget consultations, we do not oppose the process outlined. In this division, we have consistently

endeavoured to provide the fullest possible opportunity for the community to have input into our decision making and budget process, and we shall continue to do so. However, we do have some concern regarding the shortness of time to undertake the public consultation required by this legislation.

The provincial funding announcement is made in mid to late January with divisions required to notify municipalities of the special levy by March 15. During this time frame, the board must finalize a proposed budget and subsequently present it at an open meeting giving at least 14 days notice. This time frame, I think you will agree, is limited and would be particularly troublesome, I think, for amalgamating boards if the minister is also required to provide his approval.

A further concern relates to section 5, the Board of Reference decisions. The legislation as proposed no longer provides the school divisions to request changes to boundaries unless amalgamating with another division or by applying through the minister who would then determine whether or not to submit the request for consideration to the Board of Reference. Groups of resident electors apparently would also lose this right. Further, the Board of Reference decisions would no longer be subject to appeal but solely to review of process only, thus unfairly restricting the opportunity, previously available, for public input. Again, I think this is an erosion of local control and a diminution of local democratic practice in public education.

* (19:10)

In concluding, Mr. Chairman, as stated earlier, Bill 14 expands the role and control of the minister in decisions related to division operations. Much of this control exercised through regulations as opposed to legislation would I think gravely reduce the public's right to have input into the decision-making process. Locally elected boards understand the educational needs and expectations of their communities, and we feel strongly decisions are best made at the local division level. As the local taxpayer funds a large part of these decisions through the special levy, local school boards should, we feel, be retaining their decision-

making authority and should not have it eroded, as we fear, through the proposed legislation.

Mr. Chair, ministerial control by regulation could become a draconian method of acquiring control of local school divisions. A local school board's ability to give direction reflective of community interests to administration would be seriously impaired in that local direction may well be superceded by ministerial direction, enabled by regulation and not by legislation. Any attempt to restrict the authority of local school boards while expanding ministerial control should be proceeded by very careful examination of the deleterious effects of similar actions in other provinces and jurisdictions.

Both the Premier and the minister have appeared to support the view that the use of school boards as the ideal delivery vehicles for public education is the appropriate model for Manitoba and that their local decision-making powers within The Public Schools Act are essential to the provision of effective educational services. It would therefore seem proper that any real or perceived erosion of local powers is to be avoided.

The Brandon School Board of Trustees thanks you for this opportunity to express these misgivings and requests that you consider amending the legislation to address the concerns that we have expressed. Thank you.

Mr. Gilleshammer: Thank you, Mr. Jolly, for a very well-presented and well-written brief on what we feel are some of the shortcomings in this particular bill. I wonder if the Brandon School Division has had any experience with the Board of Reference in its current form. It seems to me that the Board of Reference, as it is currently structured, is not used that often but by the legislation in place today it works quite effectively to resolve some of these disputes. This is going to make the Board of Reference more remote from school divisions and people.

Mr. Jolly: Indeed, yes.

Mr. Chairperson: Sorry, Mr. Jolly.

Mr. Jolly: Pardon me.

Mr. Chairperson: I need to acknowledge you every time. I am sorry. So, Mr. Jolly, go ahead.

Mr. Jolly: Sorry. I am afraid I have to explain to the committee that my hearing is the one thing about me which has not improved by age. Sorry, Mr. Gilleshammer. I think I took your point. I believe there has been in my time one Board of Reference way back in the 1990s, I think, but I do agree of course that a Board of Reference is the ideal way to handle any boundary matters that may occur.

Mr. Gilleshammer: In your comments as well I get the sense that this legislation could sort of drive a wedge between local trustees and their ratepayers in that the minister is going to have to approve and perhaps change the budget of a school division. Not only is there a time crunch there, but there is that erosion of the ability of the board locally to make those decisions. There hardly seems to be any evidence which makes that necessary.

Mr. Jolly: That would seem to me would probably affect Brandon less, I am sure, but I agree. Our main concern here is that this bill seems to suggest an erosion of that local decision-making power which we regard as absolutely vital.

Mr. Gilleshammer: Just one final question. Was there any ability for school boards across the province to give the minister or the Government any input into this bill. Is it fair to say some aspects of this bill sort of appear from left field and were quite a surprise to the school boards?

Mr. Jolly: Yes, that is so. I think that is a fair comment. We wonder, having looked a little more into the matter, whether indeed this bill is necessary at all. We wonder whether the minister does not already have sufficient powers to accomplish what he has set out to do. But if such a bill becomes necessary, then we would ask that it be tempered by the sort of concern which we have expressed.

Hon. Jon Gerrard (River Heights): Mr. Jolly, thank you for your presentation. The Brandon School Board is known for the care which it takes when it looks at its budget and the financial responsibility of the board. In your view, the concern here of the minister taking control, or having control, in deciding budget

matters for school boards is unnecessary because, basically, school boards like the Brandon School Board are very careful in how every dollar is spent.

Mr. Jolly: Well, thank you very much indeed for that tribute. Indeed, we have prided ourselves on that for many years, and I am sure that most other school boards approach their budget in the same careful kind of way that we do. At least, I hope so.

Mr. Caldwell: Malcolm, thank you very much for your brief. I know we reviewed some of this when I met with the school board last week. It has informed my thinking as we have moved through process and I expect that we will be discussing some of the points you make in greater detail as this process moves forward. So thank you very much for coming from Brandon and all the best.

Mr. Jolly: Thank you for hearing me.

Mr. Chairperson: The next presentation is from Dauphin-Ochre School Division school area No. 1. I would like leave of the committee to substitute Mr. James Durston for Mary Hudyma. Is there leave? *[Agreed]*

Mr. Durston, please take the podium.

* (19:20)

Mr. James Durston (Dauphin-Ochre School Area # 1): The Board of Trustees of Dauphin-Ochre School Area and its administrators have spent many hours working with the trustees and administrators of Duck Mountain and Intermountain school divisions, Mr. Chairman, to ensure that we are ready for the July 1, 2002, amalgamation date, mandated by the Minister of Education in his announcement of November 8, 2001.

Ours is a unique amalgamation including: Dauphin-Ochre School Area; the communities of Ethelbert and Winnipegosis, which were mandated; the community of Pine River, which was added at the request of that community and with the subsequent approval of the minister; and the later voluntary amalgamation of Intermountain School Division. The uncertainty of the status of Pine River and the decision of Intermountain

School Division made the last week of January to voluntarily enter into the amalgamation greatly compressed the time line for our decisions. The many meetings and intense planning were done with confidence that the enabling legislation would be in place for the Mountain View School Division to come into existence July 1, 2002.

The passage of this legislation by June 30 now seems in jeopardy. This leaves us with much uncertainty for the measures that have been put into place for the interim board.

There are, however, several sections of Bill 14 that cause us great concern. It was our anticipation that the enabling legislation would dissolve the existing school divisions that are now in the process of amalgamating and would outline the role and authority of the interim boards that were described in the ministerial announcement.

The definition of the new amalgamated school division came by regulation rather than by legislation, that refers to regulation 61/2002; and Bill 14 is much broader in scope than the current round of amalgamations. The provisions of the bill have significant implications for all the school boards and communities.

We can appreciate the need for a moratorium on Board of Reference hearings in the amalgamating divisions for a period of three years. However, we do not see the need to alter the list of those who made request to a Board of Reference hearing. We are concerned that the awards made by the Board of Reference would not be able to be appealed. The right of judicial review, which Bill 14 stipulates, would look only at the process by which the decision was reached rather than the substance of the decision itself.

Of even greater concern is the propensity for making changes by regulation rather than by legislation. Regulations are not subject to the same public scrutiny as is legislation, which is open to debate in the Legislature and through the Law Amendments Review process.

All school boards have, for the past number of years, held public consultations as part of the

budget process. The budget process outlined in Bill 14, section 178(1), would mean that Mountain View trustees would have to meet with 17 school councils or committees in 8 communities. We certainly agree with public consultation but feel that the number of meetings can best be determined and scheduled by local boards.

Bill 14 includes new powers for the minister in the budget process of amalgamating divisions for a period of three years. We are offended at the intrusion of the minister in a process that has been traditionally a major responsibility of local school boards. As do all school boards, the board of Dauphin-Ochre School Area recognizes its dual responsibilities to its students and its taxpayers. We take very seriously the challenge to provide the best educational opportunities for our students that we can within the capability of our communities to face ever-increasing school taxes. Almost half, and that is 46 percent, of the costs of educating our students is paid by the local taxpayer through property taxes. It is imperative then that locally elected trustees be empowered to set the budget for their division.

We have a record of managing our resources effectively and efficiently, recognizing and appreciating the implications of increased taxes on our community. This has also been the case with our amalgamation partners and will not change in Mountain View School Division. The imposition of caps on administrative costs and the definition by ministerial regulation of what is included in those costs is a further intrusion of the minister in the authority of locally elected school boards.

Further to this concern, the first several years of an amalgamated division are the years where administrative costs seem likely to be the highest. The administration of a number of collective agreements, the harmonization of job descriptions, policies and programs, all require administrative personnel, and costs may be reduced once the transition period is over.

To summarize, we feel that the best educational decisions are made at the local level. School trustees are elected for the sole purpose of setting the budget, developing policy and hiring effective administrators for their school divisions. They are knowledgeable about local

priorities and the local economy, and they are accountable to the local citizens. We urge you to modify the legislation to reflect the concerns that we have expressed, and we also reiterate that timely passage of appropriate legislation is essential. Thank you.

Mr. Gilleshammer: Thank you very much for your presentation this evening. When the amalgamation was first announced, Duck Mountain was going to be split three ways, part to Dauphin, part of it to Swan River and part to Frontier; then this was changed. Was there an appeal process that you folks went through in that area?

Mr. Durston: Well, this was all a very kind of a convoluted sort of a thing. Frontier School Division was going to take a piece, Swan Valley School Division. There was not necessarily any appeal process. I do believe that the communities themselves had meetings, and a lot of that pressure came from the local community of Pine River to join Dauphin-Ochre, as opposed to going the other way.

Mr. Gilleshammer: How were those community concerns taken to government?

Mr. Durston: Those concerns, I believe, likely were done mostly by letter and probably through the local MLA, who is seated here today, too. Hi, Stan.

Mr. Gilleshammer: So the appeal process consisted of local MLAs being involved in redrawing the boundaries. Is that what you are saying?

Mr. Durston: No. They were not involved with the redrawing of the boundaries, but they were involved in taking a lot of heat from the communities in terms of what would happen.

Mr. Gilleshammer: So the heat that was put on Mr. Struthers and Ms. Wowchuk eventually landed on the minister's desk and changes were made from the original announced boundaries to something different after this heat was applied?

Mr. Durston: The minister subsequently approved the Pine River coming to Mountain View.

Mr. Gilleshammer: So in your mind there was no formal appeal process that other school divisions and other individuals could make reference to. This was simply done by appealing to the local MLA and then somehow these changes were made.

Mr. Durston: A lot of pressure, a lot of letter writing. I would like to state that, as Dauphin-Ochre, we were more or less waiting to see what would happen. We were not necessarily involved to any degree at all in terms of lobbying or pushing for this community or that community. We were waiting to see with bated breath and hoping things would happen in a timely fashion as well to see where we were going to go from there.

Mr. Gilleshammer: The minister has announced there will be a realization of a savings of \$10 million due to this redrawing of boundaries. What savings will occur in the Dauphin-Ochre School Division and the Duck Mountain School Division and Intermountain? Have you been able to sort of quantify the amount of savings that are going to be achieved?

* (19:30)

Mr. Durston: We have discussed that considerably around our board table. I posed the question to Mr. Caldwell when he came to Dauphin-Ochre. He suggested to us that that would happen over a longer period of time through things like attrition and that nature. It is about as specific as I was able to get an answer for in terms of where \$10 million would come from.

Mr. Gilleshammer: Do you see any immediate savings in year 1, year 2 and year 3?

Mr. Durston: We have just put in place new contracts for our senior administrators. We are not anticipating that collective agreements, which are obviously all different, are going to head downwards. They are likely all going to necessitate increased costs as all amalgamating divisions, all policy manuals which are all different, are all going to have to be put in place, harmonized. There will not be any cost savings over the short term.

Mr. Caldwell: James, thank you for your brief. I think a lot of folks do not know that Dauphin-

Ochre was the first school division to amalgamate in the 1940s, Dauphin-Ochre school division. I would like to think that most folks do not know, as well, that the most complex merger in the province is in fact the one being undertaken in Dauphin-Ochre with Intermountain, Duck Mountain, Frontier and yourselves being involved.

I just wanted to say that I have appreciated working with your division as this is moved forward. Certainly your senior management team has done tremendously good work in bringing four divisions together in your region, and that is a credit to the work you have done in the Parkland Region.

Mr. Gilleshammer: Mr. Chairman, I have one further question.

Mr. Chairperson: Does the member have leave for one short question? *[Agreed]*

Mr. Gilleshammer: Sir, do you quantify the additional costs there are going to be through the harmonization of contracts?

Mr. Durston: We are currently—

Mr. Chairperson: Sorry, Mr. Durston. I was trying to get leave to ask one more question. Is there leave of the committee for Mr. Gilleshammer to ask one short question? *[Agreed]*

Mr. Durston: We are currently in the process of tracking all costs. We do not really at this point have any idea what those costs are going to amount to over the amalgamation process. Indeed we do not know even how long it will take to harmonize policy, as one example. The longer that process goes on, the more administrative costs there are going to be. We are tracking them and we will be able to have a better idea of those costs but, as of right now, we would be I think naive to even attempt to guess at what those costs are going to end up being.

Mr. Chairperson: Thank you, Mr. Durston. Unless I hear objections from the committee I am going to call for presentations or presenters from Rolling River, Duck Mountain, Birdtail River, Rhineland and Intermountain.

Next we will go to No. 28, Colleen Jury, chair, Rolling River School Division No. 39. Is

Colleen Jury here? Please take the podium. Colleen Jury?

We will go next to No. 31, Gwynn Ketel, Duck Mountain School Division. Is Gwynn Ketel here, please?

We will go now to No. 33, Bobbi-Lynn Geekie from Birdtail River Teachers' Association. Please proceed.

Ms. Bobbi-Lynn Geekie (President, Birdtail River Teachers' Association): Good evening. My name is Bobbi-Lynn Geekie, and I am a teacher in Birdtail River School Division. I am also president of the Birdtail River Teachers' Association.

Why are we, the teachers of the Birdtail River Teachers' Association, in favour of supporting Bill 14? We feel this is a progressive step towards putting resources back into the schools and particularly back into classrooms. We would like to applaud Minister Caldwell for this advancement in education.

It has been nearly 50 years since the last major restructuring of the school divisions. In these 50 years, society has changed dramatically. Transportation and communication have become easier. Enrolments have decreased and societal expectations on our graduates have increased. Our school divisions must reflect these changes.

In 1971, Birdtail River School Division had approximately 3200 students and 155 teachers. In 2002, we have 1180 students and 86 teachers. Therefore we have seen our enrolment decline by more than 60 percent. How can anyone expect a division to operate using the same structure for over 30 years with a 60% decrease in student population? Yet Birdtail River School Division maintained one superintendent, one secretary-treasurer and 11 trustees.

Fewer students have meant a decrease in the ability for the division and the schools to provide resources and maintain programs. Yet for 30 years the Birdtail River School Division administration has maintained status quo, one superintendent, one secretary-treasurer and 11 trustees. Would this have eventually changed? It appears highly unlikely. When given the chance

to voluntarily pursue amalgamation, the Birdtail River School Division made it clear they were not willing to pursue voluntarily any kind of structural change.

The cuts continued. Schools cut staff and/or programs, yet administration was not. Fewer students meant fewer teachers. Fewer teachers meant more combined classes. It is not unusual to find classes like the K-1-2 combination that happened in our school, or the Grade 3-4 combined class of 34 students.

Fewer teachers also meant program cuts. One of the most common programs to be cut is the French program. At a time when technology is making our world smaller and our eastern neighbour, Ontario, is encouraging three languages before you graduate, many of our schools are forced to cut programs. Still, after 30 years, the Birdtail River School Division maintained administrative status quo, still no changes to the administrative numbers, still no way to get the resources out of the bureaucracy and into the classroom.

Amalgamations are a major step towards helping save these programs. Combining with Pelly Trail will help increase our school's ability to offer programs by reducing some of the duplicate overhead. With approximately 2000 students in the combined divisions, we do not need 19 trustees, we do not need two busing systems, and we do not need to run two school division offices. These finances can then be redirected back into our children's education.

As an aside, I had a conversation with a trustee who had said cutting 10 trustees is not going to be that much of a fiscal saving. She said, our \$2000 indemnities times 10 trustees is very little. But, when you add in their expense accounts and their mileage, that is money that can buy us math manipulatives, science equipment and textbooks that our schools do not have and cannot afford. We need those finances to go back into our children's education.

In addition to programs, Bill 14 will help our division look at the possibility of a full-time psychologist, counsellor and technology coordinator, just to name a few. In the past it has been virtually impossible to have these people as

full-time employees of our school division. Yet Birdtail River managed to maintain a priority of trying to keep a fairly high clinician ratio. Pelly Trail has had fewer students and has not been as fortunate. This lack of clinician service has often led to frustration on the parts of students, parents and teachers.

* (19:40)

Now, with the larger student population, justifying and financing these essential services will become possible. This should eliminate the times when you could not reach a clinician because they were only hired for part of the school year. This was not uncommon to find out that a clinician was done in the middle of May. Sorry, you cannot have the psychologist's assistance. She is done for the year. Sometimes they were not hired at all. The stakeholders will now have access to the services that they so desperately need.

In addition to the reduction in administration costs, we also applaud the minister for including budget consultations and presentations in Bill 14. Local autonomy is one thing, but so often teachers, parents and municipal representatives have been told at budget meetings that the budget and expenditures are not debatable. We have been informed that the presentations are for information only. It is not debatable. It has already been decided. Then we are presented with a few percentages that are more often than not a smokescreen that have already been passed by the board.

The public feels that there has been little accountability on where we invest public education dollars. The stakeholders want to ensure that our students' education is the priority. Communication between stakeholders is imperative in education. Bill 14 will allow for this communication between government, divisions, teachers and parents. A working relationship is necessary between all parties so that we can see first-hand the effects of our decisions and provide our students with the best resources and education possible.

Amalgamation makes sense for Pelly Trail and Birdtail River. Bill 14 helps make this a positive transition. Teachers, parents and students are accepting the change with open arms.

This has been primarily due to the fact that the change has come with clear guidelines that addressed their concerns. Will schools be closed? How is it going to affect my child? There have been answers to those. Teachers, parents, students and communities believe this will improve the programs and services we offer, as well as working towards protecting the viability of the small schools.

We support Bill 14, and we, once again, want to thank the Minister of Education (Mr. Caldwell) for taking us in the direction that we feel will help us in our goal to provide the best education possible for our children. Thank you.

Ms. Barrett: Thank you for your presentation. It was interesting to get a first-hand view of the challenges facing small school divisions. I was particularly struck by your comment that it is not unusual to find classes like kindergarten, Grades 1 and 2 combinations. I do not know, but it seems to me that is not pedagogically, it is not in the best interests of students to have a combination like that at the very front end, the very beginning of children's school times. I am assuming that, in your presentation, you are seeing that these combination classes will be reduced if not eliminated as a result of the amalgamation.

Ms. Geekie: We are certainly hoping. We are hoping that this will allow the finances to go back so that we are not having to cut the teachers. The teachers, therefore, will be there to provide the programs for the students. By having a larger student base, it will give us more finances for the division, and therefore they should be able to provide us with more teachers for the classrooms.

Mr. Gilleshammer: Thank you very much for your presentation. Schools around Strathclair, like Sandy Lake and Oak River, with 45 and 50 students, do have combined classes. Are you anticipating that this legislation and changes are going to do away with combined classes in these small schools?

Ms. Geekie: No, of course, it is not going to eliminate it, but it will help to alleviate some of the problems. You cannot say that a classroom with K-1-2 or another classroom of Grades 3-4

students with 34 kids is a positive thing, and some of those finances will be able to help alleviate that problem. It will not completely rectify it but will alleviate some of the stress.

Mr. Schuler: Just in that line, I mean, you mentioned here, Grades 1-2 combination and Grades 3-4 combination, and I take it that is commonplace in both school divisions, because you have mentioned that they have lost enrolment. Is that correct?

Ms. Geekie: Yes, that is correct. Not necessarily those combinations in particular, those two do exist in some schools, and there are other combinations in various schools.

Mr. Schuler: Then I guess I am a little bit confused because, on the second page, you talk about protecting the viability of the small schools. Yet, if you have low enrolment in small schools, how do you, by combining two divisions, protect the viability of small schools when there is low enrolment and you need 3-4 combination or 1-2 combination, or whatever the combination is, if that already exists, how does amalgamation make these small schools all of a sudden viable?

Ms. Geekie: What it will do is it will help us put some of the finances back into the school system. Due to the decisions that the school division has had to make, there have been cuts, cuts, cuts in order to maintain their administrative status quo and in order to provide things like new bus garages, et cetera. Now, what I feel that amalgamation will do is take some of that duplicate overhead and allow the school board to put that money back into the classroom so that we will be able to hire more teachers.

Mr. Struthers: Thank you for your presentation, Ms. Geekie. Over the course of the 1990s, we watched one year after the next of cuts to public school funding being announced, minus 2, minus 2, minus 3, a freeze in an election year and then back to minus 2 again. What would your opinion be on the impact of those cuts made by the previous government on this school setting, your own school setting, your classroom? What impact was that for the students as opposed to the impact that you foresee when we can manage to take some of the record level of funding that has gone into

education the last two years and put it into the classrooms? What would be the difference of the impact on the kids in your classroom?

Ms. Geekie: In the years that I have been teaching, I have seen cuts of teachers in the schools that I have been working every year. I have seen combinations of classes increase so, where it used to be a rare occurrence, it has become more and more commonplace. I have seen classrooms running without textbooks. I have seen teachers saying I cannot do the math curriculum properly because we cannot afford math manipulatives. All of this is starting to wear on the education that our students are receiving and on the lives of teachers. We are losing more and more teachers because they are just saying they cannot do it anymore.

This year is the first year in a long time that we are seeing some minor improvements. Now that has of course not been due to amalgamation in total because that has not really occurred yet, but we have seen increase in the funding and that seems to have helped somewhat.

Mr. Chairperson: We have run out of time, so thank you for your presentation.

Number 39, Mr. Peter Wohlgenut, President, Rhineland Teachers' Association. Please proceed.

Mr. Peter Wohlgenut (President, Rhineland Teachers' Association): Good evening, ladies and gentlemen. I would like to thank you for the opportunity to present to you this evening on Bill 14. My name is Peter Wohlgenut, and I am the president of the Rhineland Teachers' Association. I live and work in Rhineland and my own children attend school there. The Rhineland Teachers' Association itself represents 105 teachers who work in the Rhineland School Division. As a result of amalgamation, our division will shortly be part of Border Land School Division and our association will then become part of the Border Land Teachers' Association.

* (19:50)

My division chose to amalgamate with Boundary and part of the Red River School

Division over a year ago. Since then the Sprague School District has been added to the group to form the Border Land School Division. I have been very impressed with the co-operation and the good will with which the divisions have worked through the amalgamation process to date. Our trustees and administration have worked hard to ensure that the public and the employees have been kept up to date with developments. We were regularly asked for feedback and concerns, though there have been few of that latter that I am aware of. Each of these amalgamating entities is quite small on its own, despite most being the result of amalgamations themselves back in the sixties and seventies.

While there are some advantages to being small, these divisions have long recognized in fact the advantages of a larger operating scale. They have shared clinicians and other divisional personnel to ensure that needed student services are available. They have worked together to arrange shared vocational programs, resulting in a range of opportunities that none of them could have offered students on their own. Amalgamation really is a recognition of what has been going on in our area for some time. Now many of these things can be managed under one administration instead of several.

My hope is that Bill 14 will be passed into law well before school starts in the fall, as the current uncertainty is creating unnecessary stress in our division. As we have already seen, there are a number of issues that can arise during amalgamation. My understanding is that this bill will put in place a process to deal with issues arising from the transfer of assets and liabilities. It will also change the role of the Board of Reference so that it can be more effective in amalgamation proceedings such as those we are facing now, balancing the need for review and the need to move the process along.

There are other provisions which I believe will have little impact on my division. The Rhineland School Division has made a practice of involving both the public and the employees in the budgetary process for some years now. Judging by the efforts they have made to keep the public and employees informed about the process of amalgamation to date, the new Border Land School Division will probably follow this

practice. This bill will ensure that such is the case right across the province, not just where we are. The limits on board size and administrative costs, again, do not appear to be causing any undue concerns.

I do know that the possibility of school closures has been a concern in our community, though that is not a recent thing. Our boards have stated several times that there is no intention of closing any schools in the near future. The moratorium contained in this legislation will ensure that new divisions do not close schools before the advantages of larger operating scales become evident. It will also reassure communities like the one I teach in and the one I live in. I teach in a small rural school, one that has survived several amalgamations to date, largely due to strong community support. My own children attend another small rural school. I am firmly convinced that a larger division would, in fact, be quite capable of keeping such schools open, provided the community commitment was there.

Another concern I have heard voiced is taxes. While I would prefer to see Manitoba move to a more equitable method of funding public schools, such as funding them from general revenues rather than through local school board levies, the gradual aligning of taxation levels provided for in this bill will ensure that local taxpayers have time to acclimate to any changes in taxation. This will also reduce some of the disparity currently seen between adjacent divisions.

Finally, in this week's editorial in our local paper, the local paper accused the minister of meddling in local affairs through this bill, especially in the area of divisional budgets. The fact is that education is a provincial responsibility. In addition, the majority of the money that a division spends on education comes from the Province. With predictions as to the financial impact of amalgamation ranging from bringing significant savings to being cost-neutral to resulting in huge costs, it only seems prudent that a process be in place to check on those budgets.

This bill will provide the framework needed in order for amalgamations currently in process

to proceed smoothly in time for fall classes. What would be gained by holding up the process at this point? I know that there are concerns that there may be another round of amalgamations in the offing. The fact is that some 30 years ago, the many small districts in my area amalgamated to form the Rhineland School Division in order to provide better educational opportunities for students. We have amalgamated again to form the Border Land School Division. I fully expect the result will be the same, better educational opportunities for the children living in our corner of Manitoba. This bill will ensure that this latest amalgamation can proceed smoothly and in a timely fashion, and I would expect that any future amalgamations would be able to occur in an appropriate and timely fashion as well.

I would urge the Government to pass this legislation into law well before the fall term begins so that boards and administrations in amalgamating divisions are not left in limbo. Plans are in place. Things are ready to go. Let us keep the process moving.

Thank you for giving the divisions the push needed for them to take a look at issues of size and delivery of service. I do hope that it does not take another 30 years before we take a look at these issues again. Thank you.

Mr. Gilleshammer: Thank you very much for your presentation. I did not see the local editorial about the minister being accused of meddling in local affairs through this bill and that in your view education is a provincial responsibility.

There was an editorial in the *Free Press* not too long ago talking about the minister taking more and more authority for local school divisions. Would you see the need for local school divisions disappearing down the road?

Mr. Wohlgemut: Actually, I had that question asked by our local media not long—

Mr. Chairperson: Sorry. I need to acknowledge you. Mr. Wohlgemut.

Mr. Wohlgemut: It is quite a mouthful, I know. Our local radio station, actually, asked me a similar question not long ago, and what I told them at that time was that I think what you will

see happening is a shift in the emphasis of local school boards.

Right now, we have quite a bit of concern about how money is spent, looking at budgets, looking at some of those sorts of matters. What I would see down the road is a shift towards boards concentrating more on what programs are being offered, what sort of educational needs there are in the community and that sort of thing.

I think that would be a good shift and one that I, as a teacher, would certainly welcome. I think we already have trustees who focus in that area and I would like to see more of them.

Mr. Gilleshammer: Would it be of concern to you that the Province provides on average 59.2 percent of the operating costs of schools and the other 40 percent is raised locally? In an earlier presentation, the gentleman representing the Dauphin school division indicates that 46 percent of the cost of educating students is paid by the local taxpayer.

Given the fact that there is less provincial money going to the operating side and more local money, would this not fly in the face of taking power away from local trustees?

Mr. Wohlgemut: If the trend that we certainly were seeing earlier in years past continued, I would certainly see that as being a concern, where you are seeing more and more local money, less and less provincial. I think with the recent trend towards having more money coming from the Province, and, as I mentioned in my presentation, I would like to see even more yet, I think it certainly would make sense that more of that decision making be at the provincial level.

Mr. Gilleshammer: Well, the 59.2% funding is current. That is what is being provided in this year's budget. That is the lowest level that the Province has contributed in modern times to the operating of school divisions. Given the fact that the local taxpayer is picking up more and more of the cost, would it not follow that they should at least maintain the authority and the control that they have at the present time.

Mr. Wohlgemut: Again, I think I would say if that trend were to continue, that argument might

be made. My understanding from what I have heard coming from the minister and from the department is that that trend may be turning around. I would certainly hope it is turning around.

Mr. Struthers: Thank you for your presentation, Mr. Wohlgenut. One of the little games that goes on around here quite often is that we take part of the statistics and we throw them out to people as if they are all of the statistics. When you take capital and announcements we have made in terms of pensions, the figure rises dramatically from 59.2 percent to something closer to the area of 76 percent. I would wish that when we take a look at the figures that we use that we tell the whole story.

Certainly, the other part of the story is that the slide in percentage of drop that has been talked about across the table has continued for quite a number of years. It is just not something that has come up overnight.

I was very interested in one of the statements that you made that the amalgamation in your part of the world is something that is a recognition of what is happening already. You said that amalgamation is really a recognition of what has been going on for some time. Do you mean that there have been shared services already between these divisions? If so, do you see this amalgamation as enhancing those positions, and what maybe are they, what are those positions that are shared?

Mr. Wohlgenut: Yes, actually this has been going on for some time. Vocational programs have been shared between a number of divisions in that area. Just recently we were sharing our student services co-ordinator between a couple of divisions. Clinicians have been shared between divisions for quite some time as well. So certainly I think it would make sense, going into amalgamation, that a division that is larger would no longer have to share. They would be able to provide some of those services within their own division rather than having to share with another one because they simply cannot afford it on their own.

* (20:00)

Mr. Chairperson: Thank you, Mr. Wohlgenut, time has expired. I would like to apologize to the

public and particularly to presenters who may have heard their name or number read out, and then I did not even follow my own sequence. So we are going to back up a little bit and we are going to hear from No. 34, Craig Blagden from Carman, and then Andrew Peters from Birtle.

So is Mr. Craig Blagden in the audience? Please come forward.

Mr. Craig Blagden (President, Midland Teachers' Association; President-Elect, Prairie Rose Teachers' Association): I have two pieces of good news. First, this presentation will not take 15 minutes, and, second, I see that there are still no screens on the windows, so I have brought some insect repellent, because as soon as it gets dark the mosquitoes in here will be coming in and coming in fast.

Hello, I am Craig Blagden, president of Midland Teachers' Association and president-elect of Prairie Rose Teachers' Association. I would like to thank you for giving me the opportunity to speak on behalf of Bill 14. In case you are not sure of the area I teach in, Midland School Division covers the area from Miami, Manitoba, to Elm Creek and has about 100 teachers. Prairie Rose School Division will go from Miami, Manitoba, I think, to St. Laurent and will have about 185 teachers.

I welcome the upcoming amalgamation. I feel that improving our public school system in Manitoba is an important goal for everyone and amalgamating school divisions will improve our school system.

Right now, there are 100 teachers in the Midland School Division. While that seems like a large number to some, when you break down the teachers into their specialties, the number becomes quite a lot smaller. When we have inservices and the senior math teachers get together, the problem is not finding a room big enough for us, it is finding a room small enough because there are only 6 of us and only 4 that teach only senior years. The other 33 percent also teach in middle years.

As you can see, having such small numbers does not do well for inservicing or for networking. Having the resource of more teachers,

which a larger division creates, helps us share the information about our courses and helps us be better teachers and in turn give our students better education which is the most important.

This networking is also important for our Hutterian teachers. The new Prairie Rose School Division will now have 16 Hutterian colony schools. This will give the teachers a lot of support because most of these schools have only 1 or 1.5 teachers working there, and the more people these teachers have as a resource, the better. I know this from personal experience because I have worked in a two-room school, and the more people you can get to assist you, the better.

A bonus of teaching in a small school division is that the class size allows students to learn at optimal levels. But one of the disadvantages with small schools concerns a number of options Manitoba Education, Training and Youth now allows students to take. If you offer three math courses, three English courses and four science courses for students to take and they do not all want to take the same course, you may have very small classes.

For example, if you have a class of 20 students and you want to offer all three math courses: Pre-Calculus, Applied, and Consumer Math, and divide the classes equally into the three courses, you have a real big problem because I think it is hard to split students into thirds. But since I am a math teacher, let us do the math. You would have a class of about six for each subject. Twenty divided by 3 gives you 6.33 students. Even I realize that is a very small class.

With amalgamations we can have larger classes with the use of technology. Still using the math example, if three schools in the new division have six students enrolled in each course, we could use the IITV system. This is a system of broadcasting courses based in one school to other schools in the system. This would now create a class of 18 in each course. This then makes all the courses viable to be taught and it allows the schools to offer all the courses that students would like to take.

Amalgamating school divisions is a good thing. It should have been done earlier but it is a

good thing. I know that there is some opposition to amalgamation and I know that people are afraid of change. But we should not be afraid of change if it is for the better which I feel amalgamations are. We have gone 46 years without major changes to Manitoba school divisions. Imagine what our classrooms would look like if we had not changed them in the last 46 years. It is time to do what is best for our students. Thank you.

Ms. Barrett: I think that I would have guessed that you were a math teacher even without your saying you were a math teacher. As a former English major, I do know what I am hearing in your presentation, and I think it is very interesting when you are talking about the Hutterian colonies having more access to larger resources. Your image of having 1.5 teachers working in some of these schools is very vivid. Teaching is an incredibly challenging profession at the best of times and not having people to link with and to talk with and to share ideas with must be very, very difficult. So I appreciate your sharing those kinds of images and ideas and positive things about the process of amalgamation.

Just one question: Do you see your new school division as having challenges or problems or do you think that everyone involved in this school division thinks that this is on balance, there is more positive outcomes that can happen as a result of this?

Mr. Blagden: I cannot speak on behalf of the trustees and I do not think they would want me to. As with anything that is new that is going to happen, there will be challenges for everyone, for the teachers, for the trustees and for the administration of the schools. But as I see it, I think it is a good thing and I think that the challenges can be dealt with and that by amalgamating the new school division will be one of the largest ones, area-wise. It is about 150 kilometres from Miami to St. Laurent. I still think that that is something that can be dealt with. If you want this to work, if all parties want it to work, it will work when we can get over the rough bumps in the road.

Mr. Schuler: Thank you very much for your presentation. You do mention that there was a

major amalgamation some 46 years ago in which there were positive changes that came out of that. I suppose you are also aware that was all voluntary. I think there is real positive to that.

My question to you is you mention about the smaller classroom size or that there are small classroom sizes in a lot of the divisions. You put in here larger classes through the use of technology. Do you need amalgamation to have larger classes through technology, or should we be looking at perhaps not even amalgamation but just having a lot more, a combination of classes through the use of technology, that crosses a school boundary, that can even cross a provincial boundary?

Mr. Blagden: I think, if we look at how many school divisions voluntarily amalgamated, we could see how well school divisions want to work with each other at times. I do see that would be a problem if it is from one school division to another. Are they going to ask for money because I am teaching someone else's students?

If they are all in the same school division, you are not going to be complaining if I am doing something for Miami and it is going to St. Paul's Collegiate in Elie. You are not going to say those are students in another school division; therefore, we need funding for it. I know that, for some of the courses that are being taught over at technology with a computer, part of the process is, if you are teaching and taking your course from another school division, that there is some monetary consideration being asked for by the school divisions.

Mr. Struthers: Thank you, Mr. Blagden, for your presentation here today. Just before we let my friends across the way paint the picture of everything being rosy during the first time school divisions were amalgamated, I want you to know that there was a varying level of volunteerism even back then. So I do not want people to think that everything was smooth and everything was voluntary and that it was all rosy. As a matter of fact, there are still people in our area who fight over school amalgamation from the mid-1960s, and it becomes an election issue every now and then. So it was not as rosy as what members across would have us think.

* (20:10)

Mr. Blagden, throughout the 1990s, deep cuts were made to public schools in this province, put a huge impact on local trustees and local tax base. What we are trying to do is provide a steady level of funding. We have tied it to the provincial growth rate, which has meant record levels of money going into our public schools. That in combination with trying to use amalgamation to get more funds into the classrooms is what our goal is.

I think we need to understand what kind of a positive impact that could have on your classroom. Can you kind of make this a little more human for us and tell us what that impact could be?

Mr. Blagden: Any way that we can get more resources—

Mr. Chairperson: Mr. Blagden.

Mr. Blagden: Sorry. I am a teacher, and I do not usually have other people talking to me first. Any resources that come into the classroom, whether its monetary or more resources, is much welcomed. That is whether you are teaching in a classroom where I have taught multi-aged Grades 4 to 9 into a classroom where I have taught one class of 32.

The resources are needed, whether it is with textbooks, whether it is with people, and how we get it, if it is through more funding, that is excellent. If it is through amalgamations where the funding trickles back down to the classroom, that is excellent as well. I think what has been said here is that more money is needed for the classrooms, and this is one excellent way to hopefully get that into our hands so that we can use it for educational purposes for our students.

Mrs. Joy Smith (Fort Garry): Thank you and thank you for your presentation. Have you done any analysis as to whether or not you will have more money in the classroom? Has there been any hard data, because I just wanted to point out that Prairie Spirit is well known for the amalgamation and the kind of things that have happened in the past at the local ground level?

I guess you already know that amalgamation can occur without Bill 14, so I am just wondering if there has been any cost analysis, any

paperwork done on the money that will be saved as a direct result of Bill 14 passing.

Mr. Blagden: We have not done any cost analysis, but I would think, to look at this, we have to look at it as a long-term process, that there may not be any cost analysis right off the bat. But we are looking for things that are going to happen like further on down the line. Forty-six years ago, I do not think that they were looking at cost analysis right away and it eventually had some cost saving. I think we need to look in the future, hopefully not 46 years. But I think we cannot look at it as a short-term influx of money that, in the long-term once everything is worked out because it is going to take a while to work things out, there will be a cost-saving analysis.

Mrs. Smith: We keep talking about increased resources. Is there some reason? Has the minister or some part of the Government led you to believe that you would be more fully funded with Bill 14 going through? I am trying to get a handle on the reasons why it would be more beneficial for the children in view of the fact that you can amalgamate now. There is nothing stopping you. You are aware that The Public School Act provides that. I am trying to get my head around the concrete reasons. Has there been some sort of assurance that it would be more fully funded?

Mr. Blagden: There are sort of two questions here. The first question is that, yes, I know that school divisions could voluntarily amalgamate. Midland did not voluntarily amalgamate, as a matter of fact. White Horse Plain had come to them to amalgamate and they refused. So, yes, I know it can happen, but it did not.

Resources that I am talking about are not necessarily monetary. I am looking more, in my presentation, at the resources of teachers. We now will have almost double the population of teachers, which gives us double the resources of just teachers to start sharing information. While there are a number of school divisions, once you become a larger school division, I think that there is more camaraderie and more free-flow sharing of ideas.

I think that is more what I am looking at that is going to happen when we amalgamate. Talking with the teachers of White Horse Plain, we

have got together already to start planning the sharing of ideas. The one important point is with Hutterian colonies, that they now have a larger resource, and that I now have a resource of double the number of teachers that teach math, that can work with me to try and help me with my classroom and I can help them with their classrooms.

There are also the different communities. We now become a wider cultural base by taking in the whole area of even St. Laurent, and by having that cultural mosaic added to our division. I think those are all wonderful resources that might not even cost any money, that I think are being ignored by a lot of people. We do not realize the resource of teachers and the resources of communities that these amalgamations bring to us.

Ms. Nancy Allan (St. Vital): I would like to thank you for your presentation and I would just like to respond to the MLA for Fort Garry's question in regard to the benefits of amalgamation. In Prairie Spirit, the first time they went through the amalgamation voluntary process, they were not sure exactly what those cost savings would be, but they intuitively figured that there would be savings. They informed us in a meeting that one of the cost savings that they found shortly after amalgamating was photocopying, \$25,000 in photocopying. So I wish you all the best and thank you for your presentation today.

Mr. Chairperson: Thank you, sir. Next is No. 37, Andrew Peters, private citizen from Birtle. Mr. Peters, please proceed.

Mr. Andrew Peters (Private Citizen): Good evening, everyone. I am principal and a teacher in what happens to be the largest elementary school in the division, and I am even in the amalgamated division as well. Teaching and education are my life, and I do have children in the system as well. So I am going to be speaking today on a number of points to cover all those areas.

I am extremely pleased to be allowed the opportunity to present at these hearings. This bill has been a long time coming, and I welcome it wholeheartedly. I congratulate this Government

in its willingness to create a modern, effective, functional, public school system that is accountable to all stakeholders—teachers, students, taxpayers, and, especially, the public at large.

Under the British North America Act, the sole authority of public education are the provincial governments, not boards and not trustees. A government can change boundaries when it is needed, as it did with St. Norbert, St. Boniface and Prairie Spirit. In Manitoba, our education has suffered and continues to suffer because of small school divisions, trustee turf wars, and a lack of operating skill to meet the needs of all students.

What this act does do, however, is put some accountability into the system by limiting trustee numbers and ward boundaries. In the division I work in, for example, we had about 1100 students and 12 trustees with an annual cost of just over a hundred thousand dollars for board costs alone. That is absolutely ridiculous for that number of students. It also limits upper administrative costs. Unfortunately, this is not in effect in the first year as our amalgamating division is keeping all six upper administrators from both the old divisions. It is ironic that classroom teacher positions have been cut for the next year due to declining enrolment. I guess the knife only cuts one way.

The key to any education legislation is that it should improve the public education system for all students, making the system equitable for all, including taxpayers. It has been 46 years since any restructuring of Manitoba schools has occurred, Mr. Chair. Since then we have a few changes in demographics, economics, technology and transportation. We have rural divisions with far fewer students and much smaller tax bases. The current boundaries no longer meet the needs of today's students or the taxpayers.

I grew up just outside of Winnipeg and can tell you that when I was in school in Winnipeg and Oakbank, my educational opportunities were far more than those my children presently have. In Grade 7 I had the choice of metal working, woods, sewing, home economics, electronics, a music program, a phys ed specialist and a guidance counsellor. My child in Grade 5 gets a teacher, yes, a split teacher, it is a 5-6 class, and

no hope of any other options that I had and will not have any going through high school as well.

I believe that my children deserve as good an education as I had or at the very least as good as anyone gets in Manitoba. There is no way that that is occurring now. In fact, the disparity is growing. Small divisions have a much harder time providing a full range of services than do large ones. Equal access to programs and services can only be achieved when there is greater symmetry in operating scale. These changes to the boundaries in Manitoba mean that more school divisions will benefit from economies of scale.

In addition, increased school division size will increase access to provincial and local funding and lower per pupil costs. Larger divisions also provide more tax equity with a larger tax base and less duplication of services such as busing. Everyone becomes a winner.

* (20:20)

The requirement that boards look at the educational purpose and need is extremely welcome. It is important not to lose sight of the purpose of public education and that the educational needs of the students be paramount.

Too often boards are embroiled in fiscal issues and formulas where their focus should be on the needs of students. This review of boundaries was a long time coming. This amalgamation is a good thing. Boundaries need to be reviewed more regularly than every 50 years. We still have some pretty tiny divisions out there. Even with amalgamation, I consider my division as tiny.

Perhaps it is time to really look at the whole purpose of school divisions and school boards. Most countries, besides United States and Canada, follow a much different model, but this is perhaps a topic for the next review, hopefully a lot less than 50 years into the future.

I would like to thank you again for giving me the opportunity to present.

Ms. Barrett: Thank you for your presentation. You have a lot of interesting ideas. One I would

like to ask you if you could expand on a little more is your statement that you like the requirement that boards look at the educational purpose and need as welcome news. Could you expand on that a little bit more, what you see, how you see that happening, what the positive outcomes of that might be?

Mr. Peters: The positive outcome of that is that boards can focus their energy on educating students. When in a rural division you have trustees from one community and another community and another community, it becomes a turf war. If my school does not get this, you will not get that, and every school must receive exactly equal things. There is a real problem in that, because not every school is the same. The resources need to go to the students who need it. For example, if you have one school that has a large First Nations population and one that has a fairly middle-class population, the needs in those two particular buildings are going to be significantly different. If you have a community that is French speaking feeding into your school, you are going to have different needs, and those things are not being dealt with.

Mr. Gilleshammer: Thank you very much for your presentation. On page 2 you say increased school division size will increase access to provincial and local funding. Are you anticipating the closure of some schools so that other schools would get more provincial funding?

Mr. Peters: Under this legislation smaller schools cannot close. That is correct. But, as someone once said, not myself, size does not matter. In some schools, being small is not a viable option. I am presently principal of the largest school, and, you know, it makes sense to be bigger. I have a fairly large budget compared to some of the schools around me. If I have an emergent need in my particular building, I can take money from somewhere else and meet that emergent need. If I was in a tiny school with 15 students, my money is pretty tied up. So that is where I see to have that flexibility to meet emergent needs more so than if you are tied to a smaller budget.

Mr. Gilleshammer: I am just trying to understand how you arrive at this conclusion, as most of the funding is per-pupil funding, and you are

saying increased school division size will increase access to provincial and local funding. That will only happen if you increase the enrolment of that school, and to increase the enrolment, how would you anticipate that is going to happen?

Mr. Peters: Well, with some of the changes to L2 funding and L1 funding, that is specifically what I am talking about, when the funding becomes blocked to the divisions as opposed to being on an application basis. The larger divisions will have more access to the block funding to disperse to the individual schools. That is one example.

Hon. Scott Smith (Minister of Consumer and Corporate Affairs): Thanks for your presentation. You identified that you had options for yourself and you identified your child having the possibility of some options, and we had some of the other presenters mention the possibility of networking, the possibility of more resources. Do you see that as a real possibility and an enhancement with the amalgamation process that we see before us?

Mr. Peters: With the amalgamating divisions, there is so much opportunity with larger size that you could come up with a vast number of models where you could try to meet those needs.

I do not think at some of these schools you are going to get the same programs I had, but you could develop, for example, centres of excellence where kids could be bused to larger centres that were in different divisions at one time when it would not have been an option because, as one of the previous presenters said, there are costs involved to pay the other divisions, et cetera.

Mr. Struthers: Thank you for your presentation, Mr. Peters. People have tossed around the term power grab in debates having to do with Bill 14. I could not help but notice that in your presentation and some of the presentations that preceded you, a number of times you have made the point, and I would suspect that this may vary from one division to the next, about declining enrolment in rural school divisions, some schools getting smaller, the number of teachers

being reduced, resources for classrooms being reduced, and yet the number of superintendents and administrative people has remained constant. I notice that is part of what your presentation gets at as well.

Now, does that justify the sections in Bill 14 where the minister would have a role to play in overseeing the transition on a three-year basis from the old school divisions to the new school divisions?

Mr. Peters: Well, I would have far preferred to see that tightened up significantly more than that. I would not have given them any time at all, and if they have to pay out the contracts, do it.

Let us get this thing on the road right away. If there is an initial first cost, let us eat it, and let us do things right and as quickly as possible, rather than lingering under some archaic two systems. We are running with two school division offices next year, which is just absolute silliness.

Mr. Chairperson: Thank you for your presentation, Mr. Peters.

The next presenter is Mr. Floyd Martens from Intermountain School Division. Mr. Martens, No. 30. Is Mr. Martens in the audience? Okay, I have had a special request from presenters 6 and 7, who have young children, so we are going to accommodate them and ask them to present next. Lauren and Greg Andrushko, private citizens.

Are you presenting together or sequentially? Is it two presentations?

Floor Comment: There are two presentations.

Mr. Chairperson: Okay, please proceed.

Ms. Lauren Andrushko (Private Citizen): Firstly, I would like to say that I am not usually inclined to speak out politically, but my presentation will explain why I felt so strongly about coming here this evening. This is not as positive as some of the previous presentations, and I am sorry that I cannot apologize for that.

My name is Lauren Andrushko, and myself and my husband are the parents of four children

attending École Dugald School in Springfield municipality, which belongs to the Transcona-Springfield School Division.

Up to this date, many members of our community have been speaking out against the separation of our school division and not the amalgamation of our present division with another. We personally were open to whatever division that we would be amalgamated with, but it seems that Springfield, of the Transcona-Springfield School Division, has come up with the short end of the stick. Right from the start we were not fairly represented by our own trustees, the Minister of Education, Mr. Caldwell, and the final blow, our justice system.

I naively thought that justice would prevail when our Springfield Schools Parent Council went to court on June 17, this month. It may have, if the whole truth came out. Needless to say, it was disgusting how the truth was left out by Mr. Caldwell's lawyer and our school division's lawyer. From what I heard that day in court, Mr. Caldwell's lawyer firmly stated that Mr. Caldwell was not ordering anything to actually be done for the separation and amalgamation of Transcona-Springfield division, but for the division to just prepare for when Bill 14 would be passed.

To my knowledge, our school division has been doing and not just preparing. If only their lawyer would have told the court some of this evidence, like how many teachers are leaving Springfield schools, that the new Sunrise School Division has hired the Transcona-Springfield School Division's present superintendent when the amalgamations are finalized, and, to boot, our school division has already been celebrating all of this with a pancake breakfast, et cetera, with our taxpaying dollars.

We have learned many things that day in court, including that challenging the Government in the court of law is definitely a no-win situation, even when it involves children. In hindsight we did not have a hope. It is so disheartening when no one is really listening or caring about the negative effects that these unjust decisions have on our children. Many parents have tried so hard to be heard through letters, newspapers, phone calls, and in person. Just maybe all of our efforts were not in vain.

So now we hope, which may be a long shot, that Bill 14 will not be passed. We the people have the right to speak, even if you do not want to listen. The fact that Bill 14 is being considered by this Government is appalling. It says to me that we are moving closer to a communist government more than a democratic one.

What is going on here? This is unbelievable that this is happening in our country. Many of us are here tonight and it is very clear that we refuse to sit back and let this happen without a fight. Our children and their future matter. They should not be treated as a number or statistic to go down into your books after your day is done at work. Our children's future should not be based on political wars and then be left for us to pick up the pieces.

* (20:30)

I am disgusted how Mr. Caldwell has handled this situation and in such an unprofessional and uncaring manner. We hope that each of you will put more thought into your decision. You, the Legislative committee, have the obligation to choose what is right and know that your decision will affect our children and their future.

So on behalf of our four children, I pray that you will consider all the facts in this matter and do what is right in the name of justice. Do not deny us of our rights and possibly yours. Maybe one day one of you will be in our situation and will want to be heard too. Thank you.

Mr. Chairperson: I would like to remind the public that you are prohibited from participating in the proceedings.

Mr. Schuler: Sounds to me like the parents have heard that for many months, Mr. Chairman. Lauren, I want to congratulate you. I am sure this is not something that comes easy for you. I think the committee appreciates, it is nice to actually hear from parents and not just special interest groups, and certainly they are lined all the way out the door. It is important to hear from parents with children in the program, to hear what the effect will be.

I am also very concerned about some of the things that have been happening. On June 20,

our Premier (Mr. Doer), when he was speaking about you the parents and in particular the Springfield Parent Council, said: Are the minority going to be the tyranny against the majority of people to speak out? Do you believe that you are the tyranny against the Government, or do you believe that the Government has been using tyranny against the parents?

Ms. Andrushko: Can you explain that to me a little bit better? I am not quite sure what you mean by that. See, I said I was not politically—

Mr. Schuler: What it means is that you, the parents, have been trying to push around the Government instead of the Government pushing around the people.

Ms. Andrushko: No, definitely not. The Government is pushing around the people, and that has been very obvious.

Mr. Caldwell: Mr. Chair, I appreciate your remarks, and I know that I have certainly had a lot of dealings with Springfield trustees, as well as attended meetings, most famously, I suppose, to one at Springfield Collegiate, where there were approximately 900 in attendance.

I was just wondering, Ms. Andrushko, if you were aware of the conclusion of a shared service agreement between the River East, Transcona-Springfield School Division, the Agassiz School Division, that would ensure continued access for Springfield students to French immersion and vocational programs, transportation services and existing programs. As well, I guess I was wondering if you are aware that we had accommodated the taxation concerns that were raised by the Springfield councillors and residents and that the R.M. had raised in terms of the tax base and providing the tax base, I guess, lastly, if you were aware that the assets would be divided fairly between the divisions and that the new Sunrise School Division would have a significantly higher per-pupil assessment than in the Transcona-River East scenario.

Ms. Andrushko: Okay, I do not know if this will answer your question completely, but we have children ages 6 to 12. Your shared agreements have nothing to do with us. It is for three years for the children who are attending in

Transcona at this point. Our children will not be attending Transcona for another year and a half, so our kids do not have a school to go to as of next year. My oldest one does not have a school to go to. It has nothing to do with shared agreements, as far as I understand. Can you answer me, where are my kids going to go?

Mr. Gilleshammer: Mr. Chairman, earlier this evening, we found that, when residents and ratepayers in Dauphin and Duck Mountain put some heat on the NDP MLAs up there, there was a process by which some boundaries were changed. Have you had an opportunity to put some heat on the minister on this issue, and do you think he has listened to you?

Ms. Andrushko: I am hoping that today I am trying to put some heat on Mr. Caldwell.

Ms. Allan: I would like to thank you very much for your presentation. I am a parent of two children that have gone through actually amalgamations. They went through the Norwood and the St. Boniface amalgamation-*[interjection]*-and now voluntary amalgamation. That is correct. Now they are going through the amalgamation of Norwood and St. Boniface directed by our Government.

I can tell you that, as regards both amalgamations, the Norwood-St. Boniface amalgamation was a very positive amalgamation for our family and for my children, and I have every confidence in the school division, the new Louis Riel School Division, that it will be a positive amalgamation for my children in that school division, as well. I know this is a very difficult time, and you are going through a very difficult time in the transition, but I just wanted to tell you that, as a parent, it has been positive for my family.

Ms. Andrushko: I would like to respond to that. You know what, I have nothing against amalgamation. I mentioned that. It is the split. If we were not splitting and our division was staying together, we would be part of River East, part of Agassiz, I would not be here tonight. There would be no problems. Our kids would have a school to go to.

Again, where are our kids going after a year from now, Mr. Caldwell? Do you have an

answer for that? I would like to know. My child that is in Grade 7 is going to be leaving École Dugald School next year. He has no school to go to. He is asking me: Mom, where am I going in Grade 8? Can you tell me where my child is going so I can tell him tonight?

Mr. Chairperson: The time is expired. Thank you for your presentation. The next presenter is Mr. Andrushko. Number six, Greg Andrushko, private citizen. We have a point of order from Mr. Schuler.

Point of Order

Mr. Schuler: Can you canvass the committee to see if there is leave to give the minister time to respond to the parent? I understand this is all about the parents and the children, so why do we not just take some time and actually respond to a real parent who actually has her children here? Why do we not give the minister an opportunity to respond to a real parent instead of special interest groups?

Mr. Chairperson: On the point of order, I am going to rule that the minister does not need leave, that he is free to answer or not to answer.

Mr. Caldwell: The Member for Springfield has talked a lot about special interest groups. I do not consider school boards who are making presentations before us here tonight to be a special interest group. I do not consider teachers' associations who have been making presentations before us here tonight to be special interest groups. I do not consider individual parents or parent councils to be special interest groups, and I am quite shocked at that sort of rhetoric from the Member for Springfield. I will say, however—

Mr. Chairperson: Excuse me, Mr. Minister. We are getting into debate and we are here to hear presentations from the public. We can debate the bill after the public presentations are finished.

* * *

Mr. Chairperson: I am going to ask Mr. Andrushko to make his presentation now. Please proceed.

Mr. Greg Andrushko (Private Citizen): My name is Greg Andrushko, and my wife actually stole most of my speech. Along with my wife, Lauren, we have raised four children, all in French immersion at École Dugald School. I am not speaking just for them but for the 200 of their classmates who, once this bill is passed, will be separated from Pierre-Elliott-Trudeau high school. Hundreds of other students who relied on Transcona for shops and other programs will also not know where they will attend classes once Springfield and Transcona are separated.

No other children in the entire province of Manitoba are being affected directly the way Springfield children are. I am tired of my son asking me why he may not be able to go to PET high school. I cannot properly explain to him why this misguided decision was made. I cannot explain to him why the Minister of Education cannot admit that he made an uneducated decision and change his mind. While he would like to believe that somehow shared services agreements could be worked out guaranteeing the right of every Springfield student now enrolled to have access in programs in Transcona, I am disheartened by the River East School Board. Just last week the board unanimously denied the request of 11 kindergarten children whose parents wanted to enrol them in the German bilingual program. Robert Fraser, a trustee, summed up the rationale for all the trustees: It is all about money. Bringing in students from other divisions costs River East, and, in order to be as fiscally responsible as possible, especially in an election year, the children must suffer an inferior education.

* (20:40)

Hopefully, this committee has the resolve and the honesty to take all the information received by you tonight and amend this bill. It is your duty to listen to each and every presentation. You must look at the facts and figures that parents who really care have taken long hours and days to work on. More effort and care and investigation has been carried out by them than by any government official, any school board trustee or administrator. The work has all been done for you. All you have to do is read it and come to the same conclusion that they have.

Nothing in this bill protects our children and their right to a quality education. You are a last hope that someone has the moral fibre to change a flawed bill, to get the Government to stand up for all students no matter what division they come from.

Thank you for taking the time to hear this.

Mr. Schuler: Greg, thank you very much for that presentation. It takes a lot of courage to get up in front of a lot of people, especially parliamentarians.

Can you just tell me what the status is of Springfield Collegiate? From what I understand, and I know the minister knows this, that Springfield Collegiate currently is over capacity, meaning that Springfield is full and then some. Is that part of the problem of not knowing where your child will go to school? If your child is denied a school in Transcona, and Springfield Collegiate is too full, what you are saying is where then will your child go. Is that what we are supposed to understand?

Mr. Andrushko: Yes. We have no idea where our kids will go if they are not allowed to go to French immersion in Transcona. If the new school board at Agassiz decides that they want to build a new program for French immersion somewhere else out in the division such as Pinawa or Beausejour, it is entirely in the wrong direction. None of us travel that way. It takes eight to ten minutes for our kids to get to school in Transcona. It would take forty, forty-five minutes to go in the opposite direction to Beausejour, if that is where they decided to have the program. They do not have the numbers of kids to have a French immersion in Beausejour anyway, and transporting a hundred kids from Dugald to Beausejour would not make any sense.

Mr. Schuler: If you decided to take your child out of French immersion and you want to just put him into regular stream, Springfield Collegiate is over capacity, so there is no room there either. Is that correct?

Mr. Andrushko: Yes. That is correct, and we could not go to PET high school in Transcona. There have already been surveys done that most

of the students at Dugald School would pull their kids out of French immersion, thereby forcing them to go to Oakbank, which is overcrowded. So, therefore, there is no school for them to go to.

Mr. Gilleshammer: Thank you for your presentation. We are near the end of June, and your children will be going to school somewhere next year, but you are not sure where.

Mr. Andrushko: Actually, my oldest is graduating from Grade 7 this year, so he has one more year in Dugald before we have to actually worry about where he is going to go to. So, hopefully, within a year, we have a shared services agreement for all kids from Springfield to maybe go to Transcona, right from K to 8, so that they can all finish off their education.

Mr. Gilleshammer: So, if I understand it, if the current Transcona-Springfield School Division can stay as an entity, you are not concerned whether you are amalgamated with River East or Agassiz or anyone else, as long as you stay together and you have the services that you have grown accustomed to?

Mr. Andrushko: That we have had for the past 40 years. In fact one of your presenters earlier, the principal/teacher that was out in the country somewhere, he was bragging about growing up in Oakbank and having all the educational opportunities that were available to him. Well, with the separation from Transcona, all that has been taken away from us. So he is living proof that he had these opportunities, and my kids will not have these opportunities.

Mr. Caldwell: Thank you for your presentation. I appreciated the comments you have.

As I mentioned, the last presenter, that a shared service agreement for current students was concluded yesterday between the divisions in question and the region to provide ongoing programming for current students. I appreciate that we are talking about students that are not in the system yet. Current students, of course, will apply under the shared service agreement. For those students who are not currently in the program, Schools of Choice is available, and most importantly, I think, in this regard, the new trustees of the two divisions are available and

are keen on creating programs of excellence in the communities of eastern Manitoba as well as ensuring that program opportunities are maintained for students who want to access them. So I just want to put that on the record.

Thank you for your remarks, because they have been a concern of mine and the Government. That is why we have been so aggressive in pursuing shared service agreements and in supporting, fiscally and with human resources, the efforts that are taking place by your locally elected officials.

Mr. Andrushko: But I just read in my letter that, with Schools of Choice, 11 kindergarten kids applied to go to school in River East and were denied access this year, so they have no school to go to for German bilingualism. Anytime a school board decides not to accept students, what are we supposed to do?

Mr. Chairperson: Thank you for your presentation. The time has expired. The next—*[interjection]* Sorry. There is leave for the minister to answer the question.

Mr. Caldwell: Well, just again, the comments about the elected officials, elected trustees, whom I have a great deal of confidence in in providing for the best educational opportunities for students.

Mr. Chairperson: The next presenter is No. 20, Reg Klassen from Garden Valley School Division. Is Mr. Reg Klassen in the room? Is there someone on his behalf?

Ms. Hilda Froese (Chair, Board of Trustees, Garden Valley School Division No. 26): I am not Reg Klassen. I registered with the Clerk under my name, Hilda Froese. I am the chair of Garden Valley School Board.

Mr. Chairperson: Please proceed. Maybe for the record we could get your name again please?

Ms. Froese: Hilda Froese.

Mr. Chairperson: Hilda Froese from Garden Valley School Division. Please proceed.

Ms. Froese: First of all, the Board of Trustees of Garden Valley School Division wants to thank you for the opportunity to present here tonight.

Garden Valley School Division believes that each school board has the elected right and the moral responsibility to govern their school division in a manner where the interests and the needs of their students are the priority. Bill 14, as it is currently being proposed, has the distinct potential to undermine this elected right and responsibility. At a complex time like this there needs to be legislation that provides leadership and structure for smooth transitions during the time of amalgamation. Garden Valley School Division affirms the minister for displaying a measure of leadership in this regard.

However, Bill 14 goes beyond what is needed for amalgamation, and, if passed, it will fundamentally and permanently alter the relationship between school boards and the provincial government at the expense of local school community and students.

It is unfortunate that the July 1 deadline drives this legislation, because Bill 14 requires more time for reflection and discussion. The consultative approach adopted by the department in some areas, for example, the minister's conference of May 11, has been appreciated, which makes it even more difficult to understand why the minister would not consult on such important matters as governance. The time taken to consult with MAST, Manitoba Association of School Trustees, and the other important stakeholders in this issue is appreciated.

Madam Vice-Chairperson in the Chair

* (20:50)

There are a number of areas in this proposed legislation that raise concerns. The first one, the proposed changes affecting the Board of Reference, section 5, will substantially inhibit the voice of local communities and school boards. The right to appeal a decision is paramount if we are to be heard. Under this proposed legislation the right to appeal would become a right to judicial review, which looks at only the processes by which a decision is reached rather than the substance of the decision itself. Most alarming is the proposed legislation will not allow for discussion through an appeal process about important community issues that have significant relevance to the decision.

Secondly, this new legislation would give even greater powers to the minister in future amalgamations. These open-ended regulatory powers with regard to future amalgamations would limit the voice of the local taxpayer and the school board. As we well know, regulations are not subject to the same public scrutiny as is new legislation. New legislation is open to debate in the Legislature and through the Law Amendments Review process. This seems to fly in the face of the democratic principles that our country was founded on.

Thirdly, section 16 would expand the role of the minister in the day-to-day operations of school boards. The minister would also have the power to withhold funds from school boards that exceed the administrative caps as set by the minister. Decisions by the minister of this nature would undermine local board autonomy and hinder the working relationship between boards and the minister.

Fourthly, this legislation under section 22 has the potential to unfairly hamper amalgamating school divisions. With this bill the minister has the authority to require revisions to the budgets of amalgamating school divisions up to three years. When acted upon, this would create an inequality between school divisions as to their right to make decisions regarding financial priorities.

In summary, we find it disappointing that a bill drafted in such haste would now also be rushed through the House. We can only reason that it is politically driven. As has been stated earlier, this proposed legislation gives the Minister of Education sweeping powers at the expense of local autonomy. Such a loss of governance, power, results in an increased difficulty for local boards to meet their mandate as elected officials to provide quality education for their school community.

In closing, Garden Valley School Division asks that you reconsider this proposed legislation, fashion it in a manner for which it was intended, to provide legislation for amalgamating school divisions as opposed to legislation that creates a significant shift in power. Thank you.

Madam Vice-Chairperson: Thank you. Before I recognize Mr. Gilleshammer, just a little

housekeeping. Unfortunately, we require leave for Ms. Froese to replace Reg Klassen. The question was asked, but we did not get leave.

Some Honourable Members: Leave.

Madam Vice-Chairperson: Thank you.

Mr. Gilleshammer: Thank you for your presentation tonight. We have heard tonight from some presenters and I think it is implied in this bill that local representation is not as important as it used to be.

In the area that you represent, are ratepayers and citizens still of the mind that they like to elect that local trustee and that the trustee has the power and the authority to govern school board matters?

Ms. Froese: That is right. I can only speak for our community and our school division, but that certainly is the case. Our community, our taxpayers, our parents put a great deal of trust in school board members, school trustees.

Mr. Gilleshammer: In your presentation, you indicate that this bill was put together in haste and is being rushed through the House and that you see it as being politically driven. Can you explain what you mean by politically driven in this case?

Ms. Froese: First of all, I must say we are not in a situation of being an amalgamating school division at this point, and we are grateful for that. The haste part seems to be, in our understanding, for the purpose and the reason of amalgamating school divisions, and that is what we see the haste of.

The problem that we have as a non-amalgamating school division right now is the other things that are attached to this bill that do not really speak to amalgamations but rather to other governance which takes away from local autonomy.

Mr. Gilleshammer: I certainly agree with you that there is a loss of power to school boards and school board members here. Why would you speculate the minister would need to attempt to

micromanage school divisions that have been handled by trustees very well in the past?

Mr. Chairperson in the Chair

Ms. Froese: That is a difficult question to answer because that is also our question.

Mr. Gilleshammer: Thank you.

Mr. Struthers: Thank you, Ms. Froese, for your presentation. All too often around this table we are given to extremes, and we are given to lofty rhetoric which I think is misleading sometimes. We just heard one from the member opposite when he stated that the minister would micro-manage. We have also heard the words "power grab." This concerns me a lot.

I gave an opportunity to a previous presenter from Birtle who had stated that even though numbers have declined in schools, teachers' numbers have declined, their administrative staff has stayed constant, and the question I posed to him was: Was that justification for the minister having a temporary role to oversee this transition? His answer was, yes, and he gave his reason.

I want to give you that opportunity too, so I think it would be fair to hear from trustees on this. Do you believe that there are some instances in Manitoba where there may be the need for a temporary oversight ability on the part of a minister because of some of the things that have been presented by some of the presenters here this evening?

Ms. Froese: Perhaps that is correct. I cannot either speak to, or veto, that. I am most familiar, or only familiar in many ways, with our own school division. We do not have a declining enrolment. In fact, we have quite the opposite. We have a very quickly or a rapidly growing enrolment in our school division, to the point where we have, this past year, had two Grade 2 classrooms running out of one old portable hut. So that is our example of enrolment. I cannot speak to the other.

Mr. Chairperson: Ms. Barrett, time for a brief question.

Ms. Barrett: Your fourth point on the first page. I am quoting this, and that is the amalgamating school divisions or the revisions to the budgets would create an inequality between school divisions. I really do not understand what that means. How is that going to create an inequality between school divisions? If you could clarify that for me please?

Ms. Froese: I believe the point we are making there is, again, something that we have heard earlier from individuals who are in a place of amalgamating school divisions and that they are dealt with differently, I guess is the way to say it, from those of us who are not being amalgamated at this point. That is where we would see the whole idea of inequality, because, when we as trustees and colleagues get together for our professional development, conferences and so on, we work together. We are a team. That is where we see the inequality between us as team members.

Mr. Chairperson: Thank you for your presentation.

Ms. Froese: Thank you.

Mr. Chairperson: I am going to give a last opportunity for people who may have driven a distance to make a presentation. If anyone would like to use that opportunity, they should come to the podium. If not, we are going to start at No. 1. Come forward please and tell us your name and where you are from.

Mr. Paul Wiebe (Private Citizen): My name is Paul Wiebe. I am No. 35 on the list. I have not come from terribly far, but I have a son graduating from high school tomorrow. I do not think I am even going to make the meeting here or will not make it on to the agenda tonight. I am not making it here tomorrow.

Mr. Chairperson: Please proceed.

* (21:00)

Mr. Wiebe: I do not have a written presentation this evening. I had one prepared. It was quite a vitriolic bombast. I decided on the way over that that was not going to do. Sometimes, we do cool down a little bit.

I am a parent in the Transcona-Springfield School Division in the Springfield area. My

children have gone through and are going through the French immersion program. As the previous speakers had said, it is not the amalgamation that is bothering us; it is the split. What happens to our children?

We are told of the three-year shared services agreement that helps some people. That helps one of my kids. It does not help the other one, my last one going through. Where is he going to be going to school? His three brothers have gone through school at a time when French immersion and French language skills are important in this country, holding this country together. We are trying to educate our kids in that language.

My oldest son is using French as part of his work. My second son will be going to the St. Boniface College next year. This is not just a whim. This is something that is definitely benefiting my kids and benefiting the country in the long run.

Bill 14 is seriously flawed. There are a lot of people who have spoken to some very positive aspects of the bill, and we can see some of that. But for Transcona-Springfield, this is seriously flawed. For the province, I think some of this is seriously flawed. The bill puts too much power into the hands of the minister and away from the locally elected representatives.

Perhaps the way we should go is to make one large provincial division where everybody is funded equally, where we do not have a St. James which has all the benefits, from what we see, and a lot of these smaller school divisions that we have heard from tonight who struggle to get programs and to get psychologists, that kind of support for their schools.

I see problems with this bill overriding The Public Schools Act, Mr. Chair. That is making Mr. Caldwell into a dictator here, where we no longer have any say in what happens to our schools. That will all go through the Minister of Education. I think the bill is insulting, regressive and totally unnecessary legislation.

From the vantage point of Transcona-Springfield, we see it, I see it, and I have heard this on a number of occasions, that we see it as a breaking up of a totally dysfunctional school

board. I do not see a problem with that aspect of it, but I would like to keep the school division together, maybe pass legislation that those trustees will not be allowed to run for school board office again, and go from there.

But I really have concerns regarding my children and other children who are in younger grades coming through, that, suddenly, they will hit Grade 8 and they cannot complete their education in French immersion, whereas once we could. We are at the whim of school boards who can say, sorry, we are full, or we are no longer offering that program and we are out of luck. Thank you.

Mr. Schuler: Paul, thank you very much for your presentation. I think it is important that we hear parents with real examples coming forward and presenting their case, why they have a problem with what is taking place.

Perhaps you can sort of explain to us the difficulty you have if your children cannot go to Transcona. The minister is living in denial. He does not want to hear the fact that River East has denied 11 children into a bilingual program, never mind an immersion program, because they have said not enough money comes with it. So Schools of Choice is not going to happen.

Are you concerned that, potentially, the only place you can go is Powerview, Manitoba, which will be in the new Sunrise School Division, potentially Beausejour or Springfield Collegiate, which is over capacity? I understand there are 200 students that then would be transferred to Springfield Collegiate and would make it so over capacity that it would not be viable to have all those students attend. Can you kind of reflect on those points?

Mr. Wiebe: Springfield Collegiate is a wonderful school, but I do not want my children going there. I want my kids to finish school in French immersion with all the intended benefits that brings them. Right now, on the bus, it is less than 20 minutes for them, and to Beausejour, to Powerview, I have no idea.

Mr. Schuler: Can I just ask to reflect on one other point? There is a story around that River East might have to bus students from the River

East School Division into Transcona because their high schools are full. So, in other words, you are 20 minutes away from Transcona but would be bused an hour up to Powerview, and they would take students from St. Clements and East St. Paul and bus them for an hour into Transcona. Does that make sense to you? Is that symmetry, as the minister likes to call it?

Mr. Wiebe: I am not sure if that is symmetry, but I feel it is highly unfair since my tax dollars have, for many years now, paid for the programs, the French immersion, the vocational education, all the other programs in the Transcona-Springfield School Division and, by population, those programs have all been set up in Transcona, fair enough. But now we feel we are being cut off from those.

Mr. Caldwell: Mr. Chair, I live in Brandon—*[interjection]* Stories from the Member for Springfield (Mr. Schuler).

Mr. Wiebe, I appreciate your comments and the passion that you bring to this issue because you are representing your children. All of the Springfield parents who have appeared previously and will appear later have that same passion for their children, and I appreciate that very profoundly.

I am interested in two things, I guess. One is the shared-service agreement that provides for current students, and I would expect that local elected trustees, in the three-year period, would develop programs or continue services in the best interests of students, because trustees, fundamentally, have the best interests of students at heart. So I do not want to go down the story hypothesis. But I am interested in your idea about equalization of resources across the province. You made allusion to St. James and sharing resources broadly in one school division. Could you elaborate on that a little bit, because I am interested in that? We are trying to get resources distributed broadly throughout the province. We have got this opportunity, and I would like to hear some more about your views on that.

Mr. Wiebe: I brought up that point as an extreme. We have a bunch of school divisions now; some are better off than others. St. James,

seemingly, has always been pointed out as the one that is the most equal of all. We know of a lot of the rural ones that do not have the resources. Maybe that is one way we should look at it, that is, provincial government funding so that we bring everybody up to a standard, so that we have equal access, and that kids who do live in Powerview are not at a disadvantage as to those who live in parts of the city where there is a broader tax base and more money.

Mr. Gilleshammer: Thank you for your presentation. The minister would have us believe this evening that the shared services agreement is the answer that is going to solve everybody's problem. I think people have every right to be skeptical about it because it is a short-term agreement. This is a minister who has fired school boards before, and I am wondering if we can enshrine in the legislation something that would guarantee access to Springfield residents for the schools that they already are using, whether that would be a solution to this problem.

Mr. Wiebe: I would like to see that solution. The three years, I believe, will be a good thing, but it is, again, only three years.

Mr. Chairperson: Thank you for your presentation, sir. Now, as Chairperson, I have been trying to be accommodating, but it is not going to work out, because I think everybody is going to have extenuating circumstances. So I think we are going to go to No. 1, because there are some people here who have been waiting a long time, and they thought they were presenting at 6:30 tonight and it is after nine o'clock.

So we will go to the person who is registered as No. 1, Gladys Hayward Williams, private citizen. Please come forward.

Ms. Gladys Hayward Williams (Private Citizen): My name is Gladys Hayward Williams. I am a parent in the Transcona-Springfield School Division, in the Springfield portion. It seems to me there are three issues and three problems here. One is Bill 14, and I had to look up the word "draconian." It is definitely regressive and oppressive.

The other issue is amalgamation, but, as bad as the worst-case scenario anyone has presented

here for amalgamation, we have a far worse problem in Springfield. That is the split in our school division. It removes children from access to their catchment schools and replaces them with the hope of a school of choice, with a school division that has turned down requests for only 11 when we have 168, with nowhere else to go.

* (21:10)

The shared services agreement that the minister announced today covers only the high school students currently enrolled in Transcona. It does not cover the currently graduating Grade 8 class in Springfield. Where do these children go this fall? It does not cover the students from Grade 7. Where do they go the fall after that? It does not cover Grade 6, Grade 5, Grade 4, Grade 3, Grade 2, Grade 1, or kindergarten or any of their little brothers and sisters. It does not cover any of the future generations. These children, present and future, lose access to programs that were paid for and established by Springfield parents and grandparents.

In the early 1900s, my grandparents were homesteaders in the true sense of the word and in the true spirit of Canadian pioneers. Both my grandparents believed in the importance of education, so much so that when their two children came of age they decided to move to an area where schooling was available. They came to settle in Manitoba in the Springfield area. This is no small commitment on the part of people who have started a homestead.

Being people with the courage of their convictions, my grandfather became a school trustee. This he did in the days when the duties of a trustee included making sure that there was a plentiful supply of wood or coal for the schoolhouse, straw for horses that brought the children to school, and possibly even providing room and board for the schoolteacher.

Parents are ultimately responsible for their children and for their education. That responsibility brings with it the authority to make decisions. Governments are not ultimately responsible for the children. Schools were built and administered by parents of the area. The decision-making power was entrusted to locally

elected trustees. Therefore, the parents and taxpayers of an area are the source of not only the education dollars, but they are also the source of the decision-making power.

Bill 14 proposes to take over that power and centralize it in the office of the Minister of Education (Mr. Caldwell). The result is that the decision-making power is too far removed from the classroom. That produces decisions that might look good in the global sense but in the local classroom are damaging. A case in point is the split in the Transcona-Springfield School Division. This is a decision by the Minister of Education.

It is not a decision that our trustees and parents support. I know this because the report submitted by the Transcona-Springfield School Division in April of 2001 did not support this amalgamation and definitely did not support a split. It has been reinforced as recently as February of this year, about four months after the proposal by the minister on November 8, with a motion that was passed unanimously by our board to stay together as a complete school division and seek a voluntary amalgamation. Unfortunately those efforts on their part were blocked by calls from the Minister of Education's office to both the office of the Transcona-Springfield School Division and the Agassiz School Division. Whereas he purports to seek voluntary amalgamations for school divisions, this effort was blocked purposely to the detriment of our 2700 students in Springfield.

As for the parents of Springfield, you have heard some of them already. Their support of the effort to stop this split has been passionate, as you have seen, generous, and consistent.

I skip you ahead to a time when my mother was also a trustee with the second public referendum that took place to decide the amalgamation of the Transcona-Springfield School Division, done voluntarily and done with public consultation, and on the results of two-not one, but two-public referendums in favour.

Since then, Transcona and Springfield have worked together to create an excellence in programming, second to none in the province. This rural-urban combination is not unique in Manitoba school divisions and produces a workable

partnership, where the majority of the educational assets, programs, and resources, this is important, are located in the high-density population areas of the urban portion. I am from the low-density population of the rural area of Springfield. If other rural-urban school divisions work the same as Transcona-Springfield School Division, then the rural subsidy to these urban-based educational assets is roughly equivalent to the reciprocal urban subsidy to transport the rural students into the city. This is an equitable arrangement and is built on trust.

In the split of the Transcona-Springfield School Division by the Minister of Education, this trust is broken, and both sides, Transcona and Springfield, lose. The most unfortunate aspect to this is that the children pay the biggest price. Undeniably, Springfield students from kindergarten to high school bear the biggest burden. Springfield taxpayers feel betrayed by a government that would callously choose a path that undeniably jeopardizes the education of their students, both present and future. Springfield feels that there exists a prejudice against our children that puts them into a minority position. Every other amalgamation puts students into a larger school division. Springfield decreases in size and goes from a school division with over 8000 students to approximately 5500 students.

As cited by the Minister of Education on his Web site, "by expanding the student and resource base," and I am quoting the minister here, "there will be more opportunities for students." That is the end of the quote. By splitting the school division and therefore decreasing the resource base for Springfield students, this Government has taken action against a group of children. He has undemocratically ignored the protests of their parents and denied their duly elected officials any respect for the input or for the representation of their power entrusted to them.

We have troops, Manitoba troops, Canadian men and women in Afghanistan right now, who are standing in harm's way against a government there whose policy reflects the actions of this current Government here.

I propose the following three amendments to Bill 14. I would rather scrap the whole thing, but we will go with amendments.

Amendment 1: Remove all boundary changes in regard to the proposed split of Transcona-Springfield School Division, reinstating the division as a whole, in order for a voluntary amalgamation in the best interests of the students to be pursued. I request this on behalf of our students, to maintain programming and support services which our students are severed from in the proposed split, and the shared services agreement does not fix that.

Amendment 2: Remove all changes regarding the Board of Reference, awards of the Board of Reference, and possible subsequent court awards, retaining the necessary option for parents, trustees, council, in the event of educational disputes. This is duh, and I do not know how they are going to translate that in Hansard, but come on. This is a vital check and balance to ensure that decisions are not made without due process and local consideration. Hello. This is a democracy.

* (21:20)

Amendment 3: A new section stating that all students in amalgamating divisions must continue to receive, at minimum, the same opportunities for programming and support service as existed prior to the amalgamation. Is that not what amalgamation is all about? The entire premise to amalgamation is that student learning opportunities will be enhanced at a cost savings targeted to the classroom. There are currently no provisions protecting students in this bill for whom the entire system exists, only provisions protecting staff and their rights and benefits.

I call on the Deputy Minister, Jean Friesen, who went on record against amalgamation in 1996 to be a woman with the courage of her convictions like both my grandmother and my mother. I understood she was going to be on this standing committee. I am disappointed that she is not here. I challenge this Government whether her role as Deputy Premier is merely as a token female, or is she able to support these amendments and her convictions that she put on record?

I call on the Minister of Justice, Gord Mackintosh. I am, again, disappointed that he is not here. I understood he also was going to be on

the standing committee. Am I correct in understanding that he is not here? I call on the Minister of Justice to undo the travesty of justice—another word I had to look up—that we witnessed in the courtroom last week. I trust that he will not tolerate this injustice to occur on his watch. Are there any questions?

Mr. Schuler: Gladys, thank you very much. It is important for us as legislators to hear from individuals who have children enrolled in the school program. I think what happens here in this building is we surround ourselves with technocrats and bureaucrats and special interest groups, and we do not hear the real voices, the real concerns.

I read in here that the children pay the biggest price—and for a mother to say that is very heart wrenching—or this Government has taken action against a group of children. I think we all really appreciate the fact that you have come forward, and really you have bared your soul to the committee, and we appreciate that.

It is important for us to hear that, to look at you while you are saying those words, and, certainly, on this side of the House, we take those to heart and we take those comments seriously.

I have a question for you. On June 20 of this year, the Premier (Mr. Doer) of our province, when speaking about apparent parental opposition, mothers and fathers who are opposed to this bill, said: Are the minority going to be the tyranny against the majority of people? In fact, what he was trying to say is that the parents are a threat to the Government.

Do you believe that is the case, or do you believe that it is actually the opposite?

Ms. Hayward Williams: I would say the actions that we see in the split of our school division are a definite threat to the education of our students in Springfield. I am very disappointed that that was the Premier's comment.

I am disappointed that the Government would put into the office of the Minister of Education someone whom we entrust with the education of our children, someone who would

take punitive and illegal action against our children and jeopardize their education. I am doubly disappointed that it would be the Premier.

We are not against amalgamation. We would have amalgamated with River East School Division. We would share our educational resources with his family so his children could go to school there, but he splits us from Transcona and now his children have access to schools and resources that we will not have access to. And, no, the shared services agreement does not fix it.

Floor Comment: Shameful. And he is not here either.

Point of Order

Mr. Chairperson: Mr. Struthers, on a point of order.

Mr. Struthers: On a point of order, I can understand people from the audience not knowing the rules around the table, but the Member for Springfield (Mr. Schuler) should know better than to mention the fact that people are here or not here.

Beauchesne's, which are the rules that we follow around this table, are very clear that you are not to invoke the name of somebody as to whether they are here or not. That is a rule that is clear, that has been ruled on, and the Member for Springfield should know better.

I do not think he needs to be trying to score cheap political points on the absence or presence of members. We all know that. It is tradition. It is the rules. I expect the member to follow the rules.

An Honourable Member: It is the same point of order, Mr. Chairman.

Mr. Chairperson: On the same point of order, Mr. Schuler.

Mr. Schuler: I know members opposite are forced to cower and defend and come up with silly arguments. However, I would point out to the member, seeing as he does not have the knowledge, that the list of all of those people who are

on the committee have been posted. It has been posted all over the building. It is posted here in the committee. In fact, if the member wants I can read to him all of those who are on the committee, which then by virtue means that anybody that is not at committee is not here. I think the public can deduct who is or is not here. I think the member should actually quote *Beauchesne's* before he makes a point of order and stop wasting time.

Mr. Chairperson: Okay. I think I have heard enough to make a ruling. There is a rule that applies to the Chamber. I am unclear about whether it applies in committee. So I am going to rule that it is a dispute over the facts and continue with the speakers' list. Next is Ms. Barrett.

* * *

Floor Comment: Excuse me. I think that took up quite a bit of my time and I would like to reply to that.

Mr. Chairperson: We did not subtract it from your time. We have a stop watch here.

Floor Comment: Well, the Premier (Mr. Doer) was not in any of our school—

Mr. Chairperson: I am sorry. You are here to answer questions, and we have Ms. Barrett next. Ms. Barrett, go ahead.

Ms. Barrett: Excuse me. I have a comment and a question for you. My comment is, in your statement about the Deputy Premier (Ms. Friesen) is merely a token female, I would say that in this Legislative Building, no matter what political party that women in this Legislative Building belong to, none of us are token females.

My question then is an earlier comment that you made which I would suggest equates the current Manitoba government with the Taliban, al Qaeda and Osama bin Laden. When you say that we have troops in Afghanistan who are standing in harm's way against a government whose policies reflect the actions of this current Manitoba government, I am asking you if that is in fact what you are saying about this Manitoba

government which has rules and has procedures to follow and has, as you said, a democracy. Am I misinterpreting what you said, ma'am?

Ms. Hayward Williams: Number one, I would like to mention that the Honourable Jean Friesen, if she has the power of her office, to use it to stand behind the convictions that she put on record in 1996.

The second point I make for you is to refer you to the comments previous to the remark that you are mentioning, and that is that by splitting the school division and therefore decreasing the resource base for Springfield, this Government has taken action against a group of children. He has undemocratically ignored the protests of parents. I think you can find that perhaps in both governments. He has denied their duly elected officials any respect for the input and their representation of the power entrusted to them.

Mr. Chairperson: I have a speakers' list. Mr. Gilleshammer is next.

Mr. Gilleshammer: I thank you for your presentation. I am interested in your comment that the Transcona-Springfield Board in essence had a solution, that they passed a resolution that they would be amalgamated as an entire entity and that this was blocked by the minister, the minister's office. So we have large groups of parents meeting and agreeing with this. We have a duly elected board providing a solution, Mr. Chair, and according to this information, this solution which would satisfy everybody, was simply blocked by the minister's office and not allowed to go forward. Did I hear that correctly?

Ms. Hayward Williams: That is absolutely correct. Absolutely no doubt there at all that that is exactly what happened. We sought a voluntary amalgamation based on the will of the parents in Springfield with the support of the parents in Transcona and the unanimously passed motion on February 19 of the Transcona-Springfield School Division.

Mr. Chairperson: Thank you for your presentation. The next presenter is Diane Duma, private citizen. Is Diane Duma here? Please come forward. Please proceed.

Ms. Diane Duma (Co-Chair, Manitoba Association of Parent Councils): Good evening. I

had put down on the list that I was representing the Manitoba Association of Parent Councils, not just a private citizen. So just for clarification.

My name is Diane Duma. I am a parent with four children. I have been involved in the public school system for the last 14 years, and I am presently the co-chair of the Manitoba Association of Parent Councils. I am here today representing the Manitoba Association of Parent Councils. For your information, the Manitoba Association of Parent Councils, hereafter referred to as MAPC, is a non-profit volunteer-based organization representing parents and parent councils in the public schools in the province of Manitoba. We are funded through membership fees and a government grant. Prior to our becoming the Manitoba Association of Parent Councils, we were called the Home and School Parent Teacher Federation of Manitoba and have existed since the 1940s.

* (21:30)

I would like to highlight the following purposes and goals from our MAPC constitution: No. 1, to support, promote and enhance meaningful parent involvement and participation in their advisory role at the school, the division and the provincial level; No. 2, to promote parental understanding and awareness of educational issues; and, No. 3, to liaise with other provincial organizations representing students, teachers, parents, school support staff, administration, principals, school trustees, the Department of Education and the broader community. It is with these purposes in mind that we take this opportunity as MAPC to speak to The Public Schools Modernization Act.

Our first area of interest is in the title and the use of the word "modernization." The impression leaves one to believe that it speaks to contemporary and forward-thinking legislation. Having been involved in discussions on legislation changes at the provincial level, we have repeatedly been told that good legislation takes time, discussion, fair input from stakeholders. These discussions have not taken place with this legislation.

Legislation that is built on the principles of democracy, equality, openness and fairness is able to stand the test of time. In regard to Public

Schools Act changes, the results should be seen as enhancing the education of students and supporting democratic principles in the public schools. The Charter of Rights and Freedoms identifies the right to equal protection and equal benefit under the law. Section 5 in the new Bill 14 is clearly a removal of democratic principles. Section 5(c), 9(8.1) and all of section 12.2 give tremendous authority to the Minister of Education, at the same time restricting the opportunity for individuals or groups to raise concerns and/or appeal decisions.

While sections 178(1) and 22(2), on the surface, may be viewed as an opportunity to create accountability for division budgets, the reality is that the 15 to 20 percent of the budget that is up for consultation with the public is a minor level of input, and should not be used as a way to create conflict between the trustees, the performance of their duties and the public. Input into many areas of education, including budgets, is an important role for parents and communities, but MAPC also believes that this input must be meaningful.

The Manitoba Association of Parent Councils is aware of the issues and concerns raised by the Springfield Schools Parent Council, herein called the SSPC. We support the rights of parent councils and parent council groups, when well informed and educated on the issues, to be allowed the opportunity to present their concerns and have a fair hearing. Sections 21(2) and 21(3) in Bill 14 appear to be specifically targeted to the SSPC. This is a sad message to committed, caring volunteers who have legitimate concerns about the future of their children's education.

MAPC would like to see sections 21(2) and (3) removed and allow for a fair and just hearing of the concerns of the SSPC. We focus a lot of our energy and time encouraging parents to be informed and involved in the public school system. This kind of involvement supports and strengthens public schools, and responsible legislation that encourages fair and democratic input is also a positive step towards strengthening public schools. Throughout our involvement in schools, we have celebrated differences, we have celebrated similarities, and with that knowledge we cannot ignore the fact that amalgamation is not going to have the same outcome

in every jurisdiction. While some may benefit, others will not, and when we have that knowledge, it would be imprudent to not consider alternatives.

Over the course of the last year and a half, the Ministry of Education has developed six priority areas. Two of those priorities are very relevant to today's legislation: No. 1, strengthening the links among schools, parents and communities; and, No. 2, linking policy and practice to research and evidence. In all areas of education, whether locally or provincially, MAPC agrees with these priorities and therefore would ask that the members of this standing committee consider whether Bill 14 can stand and be tested against those two priority areas.

We would like to see the evidence of the cost savings in the amalgamation process, and we would like to see evidence that more money will be put into the classroom. To date, we have not been made aware of any significant cost savings, nor have we seen any projected cost savings. We would also like affirmation that concerned parents, elected representatives and community have the opportunity to be fairly listened to and respectfully responded to.

I am going to go off my presentation just for some words. When MAPC works within parent councils in the province, we spend a lot of time focusing on the parent councils developing their own constitutions. When they develop their constitutions, we ask them to consider carefully matching their actions with their goals of their organizations. So, with that in mind, I wanted to look at the preamble that was in The Public Schools Act. So I have written it down in this brief, and I am going to remind people of what The Public Schools preamble says.

"WHEREAS a strong public school system is a fundamental element of a democratic society;

"AND WHEREAS the purpose of the public school system is to serve the best educational interests of students;

"AND WHEREAS the public school system should contribute to the development of students' talents and abilities;

"AND WHEREAS public schools should contribute to the development of a fair, compassionate, healthy and prosperous society;

"AND WHEREAS the public school system must take into account the diverse needs and interests of the people of the Manitoba;

"AND WHEREAS democratic local school divisions and districts play an important role in providing public education that is responsive to local needs and conditions;

"AND WHEREAS parents have a right and responsibility to be knowledgeable about and participate in the education of their children."

The rest I am going to let you continue to read. That is the part of The Public Schools Act that is then brought in by the Majesty and, with the advice and consent of the Legislative Assembly, enacted. That is presently what stands in The Public Schools Act now. Serious consideration needs to be given to the spirit of the preamble and the changes that are suggested in Bill 14. There are some definite conflicts.

In conclusion, the process of the development of Bill 14, in its apparent urgency for passage, the significant impact of the legislation, sections outlined in this brief all raise concerns for MAPC. Thank you for the opportunity for input and wish you well in your deliberations.

Mr. Schuler: Diane, thank you very much for bringing this presentation to the committee. Again, I think it is very important for us to hear from parents and those whose children are in the program. The former board member of the Princess Margaret Parent Council, I do know the work that you do, and it is an important work in the school system.

I guess my question to you is, as we know, the Springfield Schools Parent Council, the amalgamated group, the parents went out and basically emptied out all the little slush funds that they had available, hired lawyers, and challenged the Government. As you know, in the court case the judge said, well, you cannot challenge because there is no amalgamation yet and when the legislation goes through the law states that you cannot challenge the Government.

How does that make your organization feel, that really you are damned if you do and you are damned if you do not? You actually have no say on this. Is it a concern for you as an organization that you have not had input basically since the Norrie report?

* (21:40)

Ms. Duma: That is definitely what is being said in my brief, that Bill 14, if it is passed, makes it even worse than what has happened at the present time. The present Public Schools Act allows for hearings and allows for the public to have input. Unfortunately, it did not work out in the court, but at least it was allowed in the old Public Schools Act or the present Public Schools Act. The new Public Schools Act completely removes that right, very much a concern.

Mr. Gilleshammer: Thank you very much for a very well-thought-out and well-presented presentation for us here tonight. Everything you say here talks about co-operation, partnerships, inclusiveness, having the public and the parents involved in the education of their children. This bill completely flies in the face of that, that there are so many aspects of this bill which reduce rights, which just does not allow for access by parents, by ratepayers any say into the system.

I guess I really do not have a question, but I thank you for your presentation. I think it really speaks to the real shortcomings of this bill and the fact that it is going to have a devastating impact on that co-operation that we have always seen in public education in Manitoba.

Ms. Duma: He did not ask me a question. Thank you very much.

Mr. Caldwell: Thank you, Diane, as well for a very thoughtful and considered report to the committee. Many of the points that you raised in terms of specifics of the legislation were raised earlier by some of the school divisions that appeared before us from rural Manitoba. As I indicated in some of their presentations when they presented, some of the comments and some of the suggestions that were made are in my mind as the committee moves through its process. I would also like to note that the preamble that you cite for The Public Schools

Act, which I think is a very strong preamble to The Public Schools Act, did not exist until last year, when this Government amended The Public Schools Act to place a preamble at the beginning of the act to refer to the fundamental element of the public school system as being a key element of our society.

You make a lot of reference to the Springfield parent group. I wonder if you have had the opportunity to have a discussion as well with the other 53 divisions, I suppose, in the province?

Ms. Duma: We have on our board members from 300 schools in the province. We also have a 15-member board of directors from MAPC covering a large part of the province. We have members on our board from divisions that have been amalgamated or are in the process of that, Duck Mountain, Frontier, Seine River, and we have had discussions around the table brought from those divisions. The things that I have presented in my brief are very much what has been talked about at the table at MAPC, yes.

The Springfield Schools Parent Council has been significant. It has a much higher profile. It has definitely got some significant issues.

Mrs. Smith: As a provincial organization, Manitoba Association of Parent Councils—

Mr. Chairperson: Excuse me, Mrs. Smith. I am having trouble hearing you. Could you put your mike closer? Thank you.

Mrs. Smith: As the Manitoba Association of Parent Councils, a provincial organization, have you got any feedback about how parent councils feel in terms of school divisions that were not touched with the amalgamation, and therefore not touched with Bill 14, as opposed to the ones who have been forced into amalgamation and therefore will be under Bill 14? Is there any comment about the equality or the fairness of that legislation?

Ms. Duma: The comments that I have heard from individuals that have not been amalgamated is, when is their turn. That is pretty well all I have heard in regard to that.

Mr. Chairperson: Thank you for your presentation. Time is up.

The next presenter is No. 3, Karen Carey, Springfield Schools Parent Council.

Ms. Karen Carey (Springfield Schools Parent Council): Hi, everybody. My name is Karen Carey. I am here from Springfield. I have four kids in Springfield.

I am just going to vent a little bit before I start in on that, so do not bother to start reading it yet and make notes on it because I think it is time to step back and just take a look at the big picture here for a minute.

You know, we have been hearing from trustee groups; we have been hearing from teachers and from unions. You know what I hear is that the people that have been elected to represent the parents and the children do not like it. What I hear is that the teachers and the people that are working in the system like it.

So what I am asking you here is, who are we developing this bill for? Are we developing it for the staff, or are we developing it for the children in the system? I think we all know the answer to that. We know that we are developing this for the kids in the system to ensure that they are getting the best possible quality education that they can. Given that the three amendments that have been proposed by Gladys are also included in my packet, and I recommend those, I think the third one is the most important one. Let us just go back over that one for a minute.

If you flip over to page 1, 2, 3, 4, amendment No. 3, this fixes everything, you know: "A new section stating that all students in amalgamating divisions must continue to receive, at minimum, the same opportunities for programming and support services as existed prior to amalgamation. The entire premise to amalgamation is that student learning opportunities will be enhanced, at a cost savings targeted to the classroom. There are currently no provisions protecting students in this bill for whom the entire system exists, only provisions in protecting staff, and their rights and benefits."

You know, this is about my kids. This is about my four kids, my kids whose staff are leaving in droves.

I would like to draw your attention next to the second page and the last typed paragraph on

the second page: "Staff transfer requests out of Springfield and into Transcona far outweigh available positions."

What we have is a crisis in Springfield. We have staff begging to be let out of Springfield and into Transcona before the amalgamation is finalized. The reason for that is because they know that they are not going to have access to the same level of support that they had prior to amalgamation. They know that their professional development centre is in Transcona. They know that their materials resource centre is in Transcona. They know that all of their consultants are in Transcona. They know that all of the clinicians and the psychologists are in Transcona. They know that Agassiz does not have these same services.

Now would the minister, having the operational budgets under a microscope, how is Agassiz Springfield supposed to spend millions and millions and millions of dollars recreating all of these services in Agassiz Springfield? We will not be allowed to do it because it is going to cost too much money and it is going to go to overhead, not into the classroom. So we are not going to be allowed to do that. We know that already. So the staff knows that too and they are leaving.

If you look at my elementary school, Hazelridge elementary, 100% staff turnover this year, every teacher gone. My kids have to get used to a new principal and all new teachers in their classrooms, and it is your fault, Mr. Minister. I would like it if you looked up from your paper, and looked at me when I was talking, because I am looking at you while I am talking to you. I would like everybody to pay attention. This is a serious situation.

Knowles School, 18 staff transfer requests from Anola School, people that want to leave the country and get into the city before the shakedown happens July 1. We have seven requests granted at Anola, seven requests granted in Dugald, 100 percent of the requests granted in Hazelridge, and I do not even know the numbers in Oakbank. But there are huge, huge problems.

Look at my kid, Tim. My kid, Tim, is a special needs kid. He has ADD, he has

Tourette's, he has Asperger's, he has a large motor-skills delay, he has a fine motor-skills delay. He requires the services of an occupational therapist, a psychologist, a consultant in many areas, several consultants, a resource person, paraprofessional.

All of these people, every single one of them, except the para, is gone next year. He has a new resource person because of amalgamation. He has a new principal because of amalgamation. He no longer has access to the same child guidance clinic centre. He has to get used to a new psychologist and a new occupational therapist.

* (21:50)

These particular kids, these special needs kids, are the kids that need these services in a consistent manner the most, the most of anybody and has anybody even looked at the special needs kids in Springfield and said: What is happening here? These poor kids. They are going to be set back a year or two years because of this.

Nobody has looked at that. Shared services is a Band-Aid. It covers the kids that are in high school now. Sure, they get to keep going. But what happens to all of these other kids that do not fit under that tiny little Band-Aid? They are lost. They are gone.

And you know what? By the time that we have the money and the will to recreate all these systems five or six years down the road, all those kids have fallen through the cracks and they are gone. I tell you right now, if my kid, Tim, cannot go to a vocational program in Transcona to complete his education, he is not going to make it. He is not going to make it at SCI. It is an academic program. A kid like him cannot succeed there.

We do not have vocational programming in Springfield. We do not have it in Agassiz. They send their kids to Transcona. Agassiz sends their French kids to Transcona. Everybody sends their kids to Transcona because it is so great. You know why? Because that is what we have built for our kids, because this is what our kids need. Now it is gone.

How can you do this? It is time to step back, and look at this and say, you know, how many lawsuits do I have to have slapped on me before I realize that I had made a mistake? And it is not hard to say, I made a mistake, and I am going to fix this little piece.

Amalgamation is good. You know there are tons of good things happening everywhere. I look at Fort Garry, I see all these positive things happening in different places and I say, you know, amalgamation can do wonderful things, but it is not doing it in Springfield. You need to fix this, Mr. Minister, before it is too late.

And if you pass this—

Mr. Chairperson: Excuse me, I would like to remind people that there is a rule of the Legislature that prohibits people from participating in the debate. So let us listen respectfully to the presenter.

Ms. Carey: If this decision gets passed by July 1, what it tells me is that all of the information that you have received here tonight has not been given due consideration. Due consideration has been the problem right from the beginning. We had a forum with 900 people. You know what? The announcement was made before any caucus meeting in River East a couple of days later that, sorry, the decision stands.

So we had a meeting with 900 people, but there was no discussion among the Government with regard to that 900-person meeting prior to a decision being made to still go ahead with the amalgamation as it stood. We had a lawsuit launched by the municipality to say, you know what? We want our tax dollars back, but we want you to give our people input. Well, the Government gave back the money, but still did not give the people the input. That part still got left out.

You know what our input was? We got called into Mr. Minister's office and sat down and told the way it was going to be. That was our input. Springfield Schools Parent Council, every parent council in Springfield, had to sit there and spend the first 10 minutes being told what was going to happen, and then when we tried to show the minister what the savings were going to be, you know what? They were tossed aside as if they did not mean anything.

Months and months and months of research that we have done, and you have got them all in front of you too. If you have a look at page 1, 2, 3, 4, 5, 6 and 7, they have all of the costs for amalgamation. Let us have a look at page 7, and just look at the highlighted information there. Total costs. This is what it is going to cost River East and Agassiz to amalgamate. These are the amalgamation costs. Now everybody has been saying that there are going to be savings. You tell me where we are going to pull this out of. You know, total costs, one time, \$1.84 million. Total costs per year, \$8.78 million.

A large portion of that is due to the salary harmonization that is required. You know, I am told that it is all up to our trustees. But you know what? I do not think it is, because it says right in The Public Schools Act, in the new Bill 14, that all of the rights and things that the staff were entitled to before, they are still entitled to. So I do not know how we are going to be able to ask the trustees to negotiate with these guys when they are not allowed to.

It says in the Public Schools Modernization Act, section 12.3(9):

"No change in conditions for employees

An employee who is transferred to a new division under this section and who is not represented by a bargaining agent at the time of the transfer or after is deemed to be employed by, and his or her employment contract assigned to, the new division without any loss of the rights, privileges and obligations conferred upon or enjoyed by the employee before he or she was transferred."

If we had that one line in there about students, I would not be up here today. That is all I have to say.

Mr. Schuler: Karen, thank you very much for your presentation. Certainly, on behalf of my colleagues on this side, your courage is to be commended. You have fought a hard battle, and yet you do not stop. For that we commend you.

I just read out of one of the amendments, amendment 3: "There are currently no provisions protecting students in this bill for whom the entire system exists."

Karen, I have read, several times, a quote from our Premier (Mr. Doer) and what he had to say about the Springfield Schools Parents Council and those who dared have the courage to challenge him, in which he said: Are the minority going to be the tyranny against the majority of people? What do you have to say to our Premier after all the hard work, all the effort and the courage that you and the other parents have put in, both from Springfield and from Transcona? What do you have to say to our Premier?

Ms. Carey: Maybe he has got a little bit of a gas slush fund he can lend me, because his kids are going to be getting bused over to Murdoch MacKay if they want to go there for school, and my kids are going to have to get driven every day, because they are not part of any darned shared services agreement.

Mr. Gilleshammer: Thank you for your presentation. Earlier, the minister talked a bit about the shared services. I am convinced, from listening to previous speakers, that the shared services agreement is a Band-Aid that might fix a few problems but it is not there to have the majority of these problems fixed. Clearly, in the whole amalgamation piece, the most affected students and parents are those in Springfield. I wonder if we can ask the minister to give us some signal tonight that he is prepared to fix this, because it is fixable. It can be fixed by rethinking this and I would just hope that, maybe, the minister could give us a signal that he is open to fixing it.

Ms. Carey: I would like that too. And you know what? I would like to volunteer the services of Springfield Schools Parent Council to come and help to amend the act. We have done a lot of research into it and I think we could do a great job.

Mr. Struthers: Ms. Carey, thank you for your presentation. There are two things. First, I want to take care of a little bit of misleading information that has been put on the table. When our Premier talked about the tyranny of the minority, he was not talking about you; he was not talking about people in Springfield. He was talking about the minority which is the elected minority within the House. I would refer anybody to

Hansard, which is the copies of what we say in that House. I was there that day and I remember that. So be careful about being led astray on that point.

I also want to say that I used to be a school principal in Duck Mountain School Division, a little school called Rorketon, 155 students. We could not offer our students vocational education, power mechanics, those sorts of things. It was just not in our capability of doing that, and we had a lot of students that suffered because they could not get it. So what we had was an arrangement with the Dauphin-Ochre School Area, and one particular student, who probably would have left school, as you pointed out, was able to go to Dauphin-Ochre. The school division paid that transfer, that tuition fee, because we could not offer it in our school.

I do not know exactly what your situation is, but is that still available to your son? I do not want to create a situation where he would be left out. Is that still open to you?

Ms. Carey: Let me go back to the first issue, first. You know, whether the Premier (Mr. Doer) is talking about our elected representative or us, he is talking about the same thing, right, because Mr. Schuler is trying to represent us in Parliament, and he is in a minority position, but I do not think the fact that we are being mistreated should be given any less credibility because we are being represented by a minority government, than if we were being represented by the majority. I think that has been part of the problem all along.

* (22:00)

You know, River East board members, River East officials, can receive visits from the Premier (Mr. Doer) prior to an amalgamation announcement in which they discuss who they are going to be amalgamated with. We did not get that. So I think that there are things happening here because we are in a minority that would not be happening otherwise, so I am hoping I am correcting you here.

Now, second of all, the second situation: Is my kid going to be able to go to Murdoch? Well, all I can do is show you what is happening right

now. There are kids right now that do not have access to programs in their own division, that are going to River East and saying, can we please come to your schools. River East is saying, no, I am sorry, it costs too much money. So, do I have the faith that my kid is going to have that? No. Can I go begging every year and ask? Sure I can, but is my kid automatically entitled to it? No, I have to go and ask permission. Why should my kid have to go and ask permission for a school that our tax dollars have funded since 1958, since Transcona-Springfield amalgamated successfully and has built a successful program?

Why do we not build on that? Why do we not throw Agassiz into the mix? They are already using Transcona as it is, you know. Why do we not add them in there so that they have access to the consultants, so they have access to the clinicians, so they have access to the professional development, all the things that they do not have right now? Springfield is a lame duck being sent over there. We are going to be nothing but a stone around their neck that they have to support in order to get our students back up to the level they were at before.

If we went as an amalgamated whole with Agassiz, we would be providing Agassiz with so many benefits immediately, at such a reduced cost than having to recreate them. It makes absolutely no sense. We are going to vacate seats in Transcona schools, and we are going to build a new school out there? Let us be fiscally responsible. What is PSFB going say?

Mr. Chairperson: Ms. Carey, I am sorry, but your time has more than expired.

Ms. Carey: Okay.

Mr. Gerrard: I would ask for leave to ask one question.

Mr. Chairperson: Is there leave for Mr. Gerrard to ask a question?

Some Honourable Members: Leave.

Some Honourable Members: No.

Mr. Chairperson: No, leave has been denied.

The next speaker is Peter Williams, private citizen.

Mr. Williams, please proceed.

Mr. Peter Williams (Private Citizen): I am pleased to be here to speak to Bill 14. I believe that this legislation is correcting a distraction in public governance that has been growing increasingly.

This legislation strikes at the heart of an issue that bedevils governments in every part of the world, and for many centuries. That issue is a public voice. Allowing the public to be acknowledged, or worse, to have a vehicle to speak to government issues or policy or legislation, only leads to problems, as we have seen here tonight. This bill, as its name suggests, is thoroughly modern. Mr. Chair, transparency in government is a modern catch phrase, a concept that many governments pay lip service to.

Madam Vice-Chairperson in the Chair

This bill allows the Government to make decisions regarding educational issues in an open manner with no fear of interference from the public, because it amends The Public Schools Act to limit access to the only significant avenue of address, the Board of Reference. This effectively isolates the Government from any kind of interference from pesky parents, from councillors or from trustees.

The bill is timely. A public meeting in the R.M. of Springfield attended by the minister gave him an indication of the opposition that his amalgamation plans would face. Nine hundred ratepayers requested—this is a pesky minority, too—that he give some reason or rationalization for the decision that he made. The answer was: I am here to learn from you. Previous and subsequent requests were given the same type of answer.

Some of the ignorant masses leapt to the conclusion that the minister did not have a reason for the decisions made. Whether that was true or not, it is an example of the problems progressive legislators, such as Minister Caldwell, face. This bill, with its provisions to block any legal challenge to amalgamation decisions, allows Minister Caldwell to carry through with his plans unchallenged, very crafty.

It is ironic that this bill is addressing education. Overly educated citizens are the issue

that is the crux, the root, the core of today's government's ills. How is Minister Caldwell to enact progressive legislation when he allows the public to scrutinize his decision, to obfuscate the issues with facts and data on how his decision will not meet his stated goals? Why should parents who believe that they should be part of the decision-making process for their children be allowed to interfere?

By the way, the minister is modest in his assertion that this bill is designed to bring the current legislation into symmetry with other acts, but if the Minister of Intergovernmental Affairs (Ms. Friesen), were here, I am sure she would hold Bill 14 up as a shining example. The next logical step for Intergovernmental Affairs would be to limit access of the public to challenge local governments through the Municipal Board.

This bill is progressive. This bill is creative. I am sure you will have many others such as myself, with no personal agenda, to support this bill. Thank you very much.

Mr. Schuler: Peter, thank you very much for coming in front of this committee. I know, as a father, you do have quite a bit at stake. You have children in the system. We certainly appreciate your presentation, well thought out.

If I can just ask you, the Premier (Mr. Doer), in a speech, when dealing with the kind of protest that the Government has faced, in particular from parents and from others, he said: Are the minority going to be the tyranny against the majority of people to speak out? Is that also part of the new modernization trend that is sweeping politics in general?

Mr. Williams: I have taken an interest in what governments are attempting to do, and we see the problems at the federal level. We see problems at the local level, and issues such as honesty and openness in government are issues that I am trying to come to terms with and to grasp.

I would say that the minority that is starting to take an interest in these issues, into legislation and especially into issues that are affecting them

in a very personal and emotional way, such as education, is not a minority. I think there is an education issue in that the impact of this bill is not really realized by most parents. If they do realize it, and unfortunately if it does pass unaltered, they will see the implications coming to the fore, there will be a majority of people that are going to be the tyranny.

Mr. Caldwell: Mr. Williams, I appreciate your remarks, and I also appreciate the hints of Jonathan Swift in them. I think you made your case quite well in terms of the way you chose to present to the committee.

It certainly has I think a salutary impact on us. I just want to comment that the references that you had made to the Board of Reference are consistent with other boards such as the Municipal Board. You made reference to the Minister of Intergovernmental Affairs (Ms. Friesen) and the decisions of the Municipal Board.

The decisions of the Municipal Board, the decisions of the Public Utilities Board and other boards around government will be consistent with the Board of Reference post this bill passing. Currently it is the Board of Reference that stands outside of the norm in terms of judicial boards.

Having said that, I also appreciate that it is a change. I appreciate that that is a concern that you and others have had with this bill. Again, I wanted to comment, as I have with others earlier tonight, that my education continues. On this issue there have been a number of changes over the course of the months, a number in Springfield themselves. We had last night the three boards signing a shared service agreement. The tax base of the municipality was restored a number of months ago. So I think the evolution of this continues.

* (22:10)

Mr. Williams: I am somewhat disappointed. I realize the reason that the Board of Reference access may be limited, but I am somewhat disappointed at the timing of everything that has been falling into place. Madam Chair, am I somewhat naive in believing that it was just put into place at certain intervals to stop this what I

consider to be a legitimate concern in Springfield, Mr. Minister?

Mr. Caldwell: That was not my thinking on this issue.

Madam Vice-Chairperson: Mr. Gilleshammer, very briefly, please.

Mr. Gilleshammer: There have been unbelievable problems with this piece of legislation. Governments work best when they have a clear process. In this case there has been no process. Decisions are accepted when there are stated criteria. If you look at the map that has been crafted craftily by the minister, there do not appear to be any criteria, because small school divisions were left untouched, a school division with 700 students. A large school division like Transcona-Springfield is being split. It is sort of like a half-baked pie.

Again, through you, I would ask the minister, can the minister signal us that he is going to make some changes which would leave Transcona-Springfield as one entity?

Mr. Williams: Pardon me, the minister is gone.

Madam Vice-Chairperson: Excuse me. We are over time. If you could make a very brief response, Mr. Williams.

Mr. Williams: I believe you are quite right, Mr. Gilleshammer, in that there has not been any rationale for fact-based decisions in the amalgamation and splitting issues. In particular, most of you are aware of what happened in the original split of the Transcona-Springfield School Division where it was based on the floodway. It was pointed out to the minister that there was a concern with a loss of a tax base to the rural people. I am not sure if you people are aware that the real reason that the split line was moved to the city of Winnipeg boundary, and it was not because of any rational argument that was placed before the minister, it was because he was threatened with legal action, which seems to be the only thing he responds to.

Madam Vice-Chairperson: Thank you for your presentation.

Is Maja Kathan here, please?

Point of Order

Mr. Schuler: Seeing as the minister has vacated the chair and there is no replacement minister, should we take a five-minute break? I mean, if the committee needs a break. My suggestion is, and it is reasonable, if the minister needs a break, as we all will at some point in time, that is fine. Okay. Thank you.

Madam Vice-Chairperson: On your point of order, there is no point of order.

* * *

Madam Vice-Chairperson: Is it Maja Kathan?

Ms. Maja Kathan (Chair, Parent Council, École Dugald School): I am passing out these papers, and I would prefer if you would just look at the top paper and, specifically, the two maps that are on the right-hand side of that page.

I realize, as politicians, that you do this every day, but, for myself, I found this very gut wrenching. It has taken up a big chunk of my life. I just wanted to let you know that I am the chair of the parent council at École Dugald School in the R.M. of Springfield, and I am trying my hardest to represent those parents and their concerns that they have raised.

This fall, I will have all four of my children attending École Dugald School in the French immersion program. This is a dual-track, K-to-8 school with approximately 400 students. The French immersion program has been thriving, and there is a very high retention rate in the program and with the teaching staff. When my first child was entering kindergarten eight years ago, I carefully researched the French immersion program and considered the implications of this choice on my child's education. During this process, I felt confident that there was a strong French immersion program continuous to Grade 12, and this influenced my decision.

I am dismayed that the parents in Springfield have had their confidence shaken by the November 8 announcement. Our children have lost the right to go to their catchment area high school which is Collège Pierre-Elliott-Trudeau in Transcona. This school is the cream of the

crop because it is only one of three single-track French immersion high schools in Manitoba. There are 400 students, which means that a wide variety of courses are taught by teachers who are specialized in those areas. This is what our children had access to because we were in the same school division.

With the passing of Bill 14, we will be out of division and dependent on shared services agreements. The minister thinks that this should keep us happy and that the sky is not falling. As you are aware, there is not another school division in Manitoba that has been affected by school division amalgamations in this way. There was a line that was drawn through our school division that has very serious implications for the future of French immersion education in Springfield. I would like to quote from a letter that the Canadian Parents for French wrote to Minister Caldwell on February 14.

It says: On February 7—and that was in regard to their meeting with the minister—you stated that your department would be monitoring the process of amalgamation in all divisions to assure parents that there would be no negative effects on the French immersion programs in those divisions.

Well, we are already facing these realities. Firstly, the number of students presently enrolled for kindergarten in the fall of 2002 is 40 percent less than for the 2001-2002 school year. Most likely this decrease is amongst those parents who have their first child entering the school system, and are making the same decision that I made eight years ago. The only chance for these children to enrol in the French immersion program is in kindergarten and Grade 1, because it is early entry only at École Dugald School. Once this window of opportunity is passed, it is lost forever in the Springfield area, as École Dugald School is the only French immersion school in Springfield. I am alarmed to hear that some parents will be removing their children from the French immersion program, and others are considering moving or private schools. Tell me, how is this going to keep the French immersion program thriving as it was?

* (22:20)

Secondly, we are experiencing a high turnover of staff at École Dugald School. Teachers are looking to other school divisions that offer more opportunities rather than fewer. Amalgamating with Agassiz will mean that if a French immersion teacher wants to transfer within the new division, they will be able to choose from an elementary and high school in Beausejour or a K-12 school in Powerview. Is this amalgamation accomplishing what the Minister of Education promised that it would? Maybe for the Agassiz teachers, but definitely not for the Springfield teachers. French immersion teachers are already in short supply, and now it will be even harder to attract them. Currently the French immersion program in Agassiz is in two locations—Powerview, and you can see where it is on your map. It is not realistic to expect our students to go there. It offers a diploma program, but Edward Schreyer high school does not. In fact, due to poor retention and low numbers of students, Edward Schreyer high school is not able to offer Grades 9 and 10 French immersion next year.

Some of these students have applied through Schools of Choice to Collège Pierre-Elliott-Trudeau. I feel for those students who have to make the long trek every day. Once they get to Beausejour, they have to travel another 65 kilometres to Transcona. If there had been any serious thought and consideration put into the school division amalgamations, or if there had been current public consultation, the Minister of Education would have discovered that the French immersion program would become stronger if Transcona-Springfield School Division, as a whole, was amalgamated with the Agassiz School Division. TSSD has built up a successful program which could be a valuable resource along with the French languages consultant. I would love to see the French immersion program grow in the Beausejour area with this support. But this will all be cut off. What a waste, and what a difference a line makes when your children are out of division.

I also have another letter here that I will read a little excerpt. This is written by the Canadian Parents of French to the Springfield Schools Parent Council. It says, as you may be aware, there are parents actively working for the betterment of French immersion programs in the

Agassiz area. They are optimistic that joining with a division that already has achieved excellence in French immersion programming will lead to an improvement in services offered for their children. While they understand the reluctance of parents in Springfield to see children removed from excellent programs, and bused to a program that may include courses or services in French, they are determined to work with parents in Springfield for the improvement of programming for all children in the area.

On December 4, 2001, I was here at the Legislature voicing the parents' concerns about the loss of Springfield students' access to the French immersion high school in Transcona. I was told by the Minister of Education that there would be a shared services agreement with transportation included. As we know, this only includes the students who are currently enrolled in Transcona schools.

The writing is on the wall. The Agassiz School Division needs more students at Edward Schreyer high school to revive their French immersion program. However, results from a survey of the French immersion parents from École Dugald School that I conducted on January 17, 2002, indicates that only 18 percent would keep their children in the program if this was where French immersion high school was available in the new Springfield-Agassiz Division. Sixty-six percent would apply for Schools of Choice at Collège Pierre-Elliott-Trudeau even if transportation was not provided. If this option was not available, 54 percent would enrol their child in the English program at Springfield Collegiate Institute, and 19 percent would consider other options. This is very problematic, as Springfield Collegiate is over capacity. Furthermore, 65 percent of parents responded that they would not have enrolled their child in French immersion into kindergarten if they had known that their child would have to go to Beausejour for Grades 9 to 12.

I do not want to be slamming the Agassiz School Division. It is the distance that is the problem. There are children in Springfield who are closer to Beausejour, but the majority are not. In fact, Collège Pierre-Elliott-Trudeau is only 13 kilometres from Dugald. It is equally 30 kilometres from Anola to Collège Pierre-Elliott-Trudeau and from Anola to Beausejour.

You may wonder why I have made predictions about the future. It is very clear that the shared services agreement is only a temporary solution and that there will not be any money flowing into Springfield for new schools.

In closing, I want to tell you that I have the impression, and you can correct me, that the Department of Education does not care about the French immersion program. This is a program that we value. Is it not ironic that it was Andy Ansett, the NDP minister who fought bitterly for the extension of French language rights in Manitoba and now the NDP are killing the French immersion program in our community? Thank you.

Mr. Schuler: Maja, thank you very much for your comments, and the irony does not pass us. It is ironic.

Maja, we certainly appreciate the fact that you have taken time away from your family, and I understand you have four children?

Ms. Kathan: That is correct.

Mr. Schuler: Taking time away from your kids means somebody else is at home, your husband or someone else if he is out working. We certainly appreciate the fact that you are here because that is a perspective we want to hear.

Maja, could you give us a little bit of a personal reflection where your four children are? I am under the assumption the Government is going to ram the bill through because that has been the intent from day one. That is basically what they have done right from the introduction. So, assuming they are going to ram the bill through, which we assume they are going to do, how does that affect you and your children? Could you just give us a personal reflection on where your children are and what that means to them?

Ms. Kathan: Next year my youngest will be in kindergarten; then I have another child, who will be going into Grade 2, a child in Grade 6 and one in Grade 8. I guess for them, as well as for the Andrushko children, we do not know what the future is; and, especially for the children who are in Grade 8 right now at Dugald going into

Grade 9, we do not know what the future is. I am very concerned about the impact on the French immersion program and the French immersion parents in our school, the school as a whole, but there is a very strong community spirit there. I feel that is being eroded.

Mr. Gilleshammer: There are areas of the province where I guess a barebones education is what schools have historically provided. There are areas of the province that do not have French immersion, that do not have music programs, that do not have industrial arts and home ec programs. This is not one of them, and certainly French immersion and music programming are part of a quality-of-life issue that people enjoy currently in Transcona-Springfield. I am wondering what options do you see if this bill is rammed through. What option do you see for your children in pursuing French immersion and music and some of the other interests that they have?

Ms. Kathan: I am of the same mind as many parents that I have talked to, and people are talking about moving. So I guess that is affecting our community, the value of our community. People are looking into private schools, looking into other Schools of Choice, home schooling, charter schools, you name it, everybody is talking. There is a feeling that we do not know what is happening. We have to look into this and just that insecurity.

Mr. Gilleshammer: Thank you. This is terribly, terribly disruptive when you have dreams for your children. You have goals for your children, and the system has been there to provide for them. Now you are faced with scrambling. We are at the end of June. School will be starting again in September. It must be terribly unsettling to not know where your children are going to be and to have to struggle through home schooling, private schooling, perhaps, selling your home and moving.

Again, I point out to the minister through you, that there is a solution to this, and I do not think it is too late. I would urge the minister to respect the feelings and the ideas that you have shared with us here tonight and go for that solution so that people will be able to continue in their programming.

Madam Vice-Chairperson: Did you wish to respond?

Mr. Caldwell: I do acknowledge that there are obvious challenges that have to be undertaken and addressed with regard to the issue of amalgamation throughout the province as a whole. The Member for Springfield (Mr. Schuler) called it ironic in response to the presenter's remarks that Andy Ansett was the NDP minister that extended French language rights throughout the province. I believe it was members opposite, when they were in power, that brought the government down on that particular issue. So there is an irony there that is not lost on me either, the expansion of those French language rights which your party was vehemently opposed to.

I do not know if you had an opportunity to see the shared services agreement at this stage that was concluded last night or not. I hope that when you do have an opportunity to review it, which I expect you will relatively quickly, that that will provide some assurances to you for the future of your children.

I also hope and trust that you will engage the local elected trustees in the period leading up to 2005, in terms of building capacity, locally and/or, if need be, continuing the protocols that have been established under the shared service agreement.

Madam Vice-Chairperson: Thank you for your presentation.

Yes, Ms. Kathan.

Ms. Kathan: I would just like to say that I believe that the Springfield Agassiz school board, if this bill is passed and that division is created, that they would want to provide the best education that they could for the children. However, the will may be there, but the money may not. I am very concerned about that and, so, I would like to see something on paper that shows me that there is going to be a guarantee for new facilities in Springfield.

You take a look at the size of that school division. For our kids to be going into Agassiz, all of our kids to be going into Agassiz, it is not

realistic. It is not viable. The French immersion is going to be affected.

Madam Vice-Chairperson: Thank you for your presentation.

In keeping with the out-of-towners first, we will have Robin Glowacki, private citizen. Mr. Glowacki, please begin.

* (22:30)

Mr. Robin Glowacki (Private Citizen): Yes. I am a resident of Springfield. My son is six years old and he is in Grade 1 this year. He is in a small school in Hazelridge. We have agreements with the Transcona board which states that if the enrolment is 35 and up, that school will not be closed.

Now, you have a moratorium for three years and those small schools will be closed, but our agreements with Transcona has an enrolment of 35 or up will not be closed. When we go to Agassiz, or, I should say, Sunrise, as it exists, or will be in another two weeks, when we go there, what happens to these agreements that we made with the Transcona board? That is just one example.

There are other agreements and policies that we have with the Transcona board that we do not have, as parents, access. They are not even letting us know what is going on with this stuff. I want to hear from you, if there is a guarantee on these, that we thought, not necessarily me, but 20 years ago people then that fought for these agreements. Are those going to be grandfathered over into the new division, or do we have to start all over again and go with the four trustees from here, the five from here, and try to get them all together to vote these policies through?

When you announced these from the beginning and when I heard this announcement back in November, when you announced the amalgamation, and as using the Norrie Commission to amalgamate and to go through this process, I thought that was great. I mean, I followed the Norrie Commission back in '94, me being an employee in the River East School Division. It stated that Springfield-Transcona would be together with River East. That I understood in that commission.

Now you stood up in the House one day, and I am sure that some of the other members were there, and you had stated you were modifying the Norrie Commission. If you are going to modify the Norrie Commission, there is no need for consultation. There has been eight years of it and that has come right from a quote from you. There has been eight years of consultation on the Norrie Commission. There is no need for more. But in the meantime, you are modifying it by splitting the division in that commission under the Transcona-Springfield and yet you did not ask for any more consultation in there and that right there should have said to you maybe you should sit down and consult a little bit more when you split a division. I did not see that and I did not hear it.

Back to the Springfield parent council because, at least, they were an avenue to get to you and get some of these answers from you. When you showed up in January, I believe it was the 7th in Oakbank, I had a hope there, too. I had a hope that you would listen to the concerns like you said you did. You would listen to the concerns, you were writing, doing a lot of writing. You were saying you were going to go back to your colleagues. This was the Thursday night on that meeting. Now me as an employee of River East, come Monday morning, Monday afternoon there was already a meeting by you and some of the administration in River East that the plans were going ahead with the splitting of the division. I did not know if you went from Friday night and on the weekend you had a barbecue and you met your colleagues and discussed to the caucus or that is what you had mentioned at the meeting that night in January during that weekend, if you had discussed it with your colleagues and came out with that decision Monday morning when you had met with the River East administration. I do not know. But, of course, I mean, I do not know if you will give me that answer. I really did not ask for it. It is just I thought, me as an employee in there, that was a pretty fast decision and how you could decide that in three days after talking to 900 people in Oakbank and telling them that you are going to take this into consideration with your colleagues on our concerns.

Now you came back, and you are telling us now with the shared service agreement, that has

actually, it has taken care of our concerns. We do not see it has because it is only a three-year agreement as you have stated in there. What is going to happen after that is you are saying we have to go to our trustees to provide back the programs we had. Well, then, our trustees are going to say, well, the budget that is coming from you, that you have overseen for the last couple of years, there is not enough in it to keep providing the programs that we are asking for. So I am wondering where is all this money being saved? Is the money being saved going to go ahead and help us with these programs when we go on into the new Sunrise Division? This is what I am wondering. I mean I did not bring a written presentation because I am actually trying to speak from my heart right now, and I cannot put my heart on a piece of paper, and especially 20 pieces.

Another concern of mine was the Grade 8s coming out of École Dugald. Where are they going for their immersion next year?

Mr. Caldwell: I appreciate you speaking from the heart, and I appreciate the comments that I have heard from others, other parents in the Springfield division that are speaking likewise from their heart tonight in the best interests of representing their children. You asked a question just before the last one about funding support from the Government. In the 1990s the provincial government withdrew \$130-million worth of operating support to the public school system in the province. In the last 30 months this Government has put over 200 million new dollars into the public school system, and made a commitment to tie funding support to economic growth which will provide growing resources to the school divisions in the province year after year after year.

We have also in the last three years provided over \$120 million in capital support for infrastructure throughout the province, capital infrastructure that was left unmaintained throughout the 1990s. There has not been a government in the province's history that has invested in the public school system to the levels that this provincial government has invested in. It will take a number of years, of course. We have only been in office 30 months, and it will take a number of years to begin to fill the hole left by

the provincial withdrawal from the public school system over the 1990s. It was the most dramatic withdrawal of provincial funding support to the public school system in the province's history. That level of funding support will continue. It has to continue because of that hole that was left in the public school system.

In terms of the Springfield representations that have been made to me and to the Government over the course of the last number of months, and, I daresay, the last year, this process began in the fall of 1999, when all school divisions were requested to provide analysis and consultations at the local level with ratepayers and consultations with their neighbouring school divisions to discuss the issue of school division modernization in the province. In terms of Springfield, as this issue evolved and the initial announcement was made, I did attend the meeting on January 7 at Springfield Collegiate. I did see a chair with my name on it at the front, so I thought I was participating. I did participate as best as I could. I did participate as well as I could.

Out of that meeting a number of changes were made, including a redrawing of the boundary in Springfield to accommodate the industrial tax base. That was something that was repeatedly a point made to me at that committee. So that was a significant change that was worth millions of dollars.

Another decision was made that a shared service agreement would accommodate the concerns of parents who had children in the existing programs in Transcona and the schools of Transcona. There were a number of changes made as a consequence—

Madam Vice-Chairperson: Order, please. Talking is allowed at the table, but not if it disrupts the proceedings.

Mr. Caldwell: I will try to finish up here, and I will wrap up right now.

The shared service agreement was concluded last night between the three divisions—River East, Transcona-Springfield School Division and the Agassiz School Division—to extend continued access to Springfield students for

French immersion and vocational programs, as well as transportation services.

My full expectation is that the locally elected officials, trustees, who will be managing the new Sunrise School Division and the new Transcona-River East School Division, will work to continue that shared service agreement in the absence of program development, and, more properly, develop programs in eastern Manitoba that will accommodate the community interest. I will stop there.

* (22:40)

Mr. Glowacki: You just mentioned that the trustees will have to implement all this new, but it is still going to be under your direction, is it not? You have said the next three years you are overseeing the budgets of all the new amalgamated school divisions. So, by not making decisions on those budgets, if it constrains them, they possibly cannot make that decision to keep those programs going by your overseeing of those budgets.

Mr. Caldwell: The oversight of the budgets is related to direct costs for amalgamation and it expires at a three-year period as well. It is for the transition period that is in place for amalgamated school divisions. The experience of Manitoba school divisions, indeed, the experience of school divisions in the other eight provinces in Canada that undertook this exercise during the last decade, is such that the three-year time horizon is generally accepted as the notional amount of time required for the settling of program and settling harmonization issues, and so forth.

Madam Vice-Chairperson: I am sorry your time is well over. Thank you for your presentation. Is there leave? There is leave for Mr. Glowacki. Would you like to finish?

Mr. Glowacki: Could I?

Madam Vice-Chairperson: Yes.

Mr. Glowacki: But that would be with no answer, though, just a statement coming from me, well, me, as a parent, and it would not matter if it is Springfield, or it would not matter in another division. When I tried to ask for

information, that information was, well, it is not really a division yet. We have to wait until set protocol and all of the steps that are taken before we can really give the information on the new division.

Well, I had a hard time trying to, and we tried to go to a court of law for maybe another bit of hope, to get some answers. We are still in a grey area now. After the three years, that is going to be a grey area then, because then we might not necessarily have the money to keep our programs going. So now you are telling me that I will have to go to my trustees and ask for these programs.

Madam Vice-Chairperson: In all fairness, we have several out-of-town people still to speak, and the hour being as late, I thank you for your presentation.

Mr. Glowacki: Will they get their answers too?

Point of Order

Mr. Schuler: On a point of order, Madam Vice-Chair.

Madam Vice-Chairperson: On a point of order, Mr. Schuler?

Mr. Schuler: Unfortunately the minister consumed all the time, and there are many other speakers, but the Opposition is also going to, at least, pose one question. It seems all the time has been eaten up. It is unfortunate that I cannot say to Robin: Thank you very much for representing your family and for representing and speaking from the heart and we appreciate that very much, even though we have been stifled on this side of the House.

Floor Comment: I have learned that from Mr. Gerrard. Thank you.

Madam Vice-Chairperson: On your point of order, there was no point of order.

* * *

Madam Vice-Chairperson: Next speaker is Christopher Saunders, Springfield Parent Council. Christopher Saunders is not here?

Layna Penner, private citizen, please proceed.

Ms. Layna Penner (Private Citizen): Good evening. Thank you very much for giving me the opportunity to speak to your committee this evening. My name is Layna Penner, and I am the mother of three children. I am very concerned about the passage of Bill 14, and in particular, I strongly object to the splitting of Transcona-Springfield School Division as part of this bill.

Two of my children are French immersion students in Transcona-Springfield School Division, attending École Dugald School, and my third child will enter school in kindergarten this fall. What I would like to do is tell you just a little bit about my story, and how this proposed amalgamation has already affected our family and our school.

My husband and I are professionals, and we worked in Ontario for five years, prior to returning home to Manitoba, where our roots are. We returned two years ago to Manitoba, in part because of our concerns about education in northwestern Ontario, where we were living, and what we perceived to be the higher quality of education here in Manitoba. We had a very high quality French immersion school at École Dugald. We kind of toured around the school, and as part of our decision about moving back, we looked at houses, looked at jobs and looked at schools. We just thought this was the most wonderful school.

What we found when we moved here is that it was an excellent, high-quality school and we found that our daughters were thriving in the school system. The teachers were enthusiastic and committed, and the very content parents are very involved in volunteering at the school. I think we talked, kind of, about looking at outcomes from education. I think, by any measure of outcome, this was an excellent program. Academic standards were high, the quality of the French was very high, a low rate of behavioural problems and parents were very involved in volunteering. In fact, it should have served as a model, I think, for many other schools.

What has happened since amalgamation has been presented and the split of Transcona School

Division has been proposed? Well, on a very personal note, my eight-year-old daughter has come home crying twice this year, already. Once, when her very special principal, Monsieur Perrin, days after the amalgamation was announced, decided to leave our school and transfer to an urban school division. The second time was recently, when her teacher for the past two years made the same decision, leaving our school to transfer to an urban school division, again.

In fact, 25 percent of the teachers at École Dugald are leaving this year. This is an unprecedented number. They have never had this number of teachers leave before. How can you put a, kind of, a value on an experienced teacher that is known to the community and known to the families leaving? I do not think there is any money value that you can place on that. It is a very significant loss for our school and for my children.

As well, we have already heard that the numbers for the French immersion kindergarten this coming year in Dugald are down by 40 percent. The last several years, there have been over 30 students registered in the French immersion kindergarten, and this year there are only 19. I believe that is because of the uncertainty and the way this process was handled, that parents are confused and they are not sure that the French immersion program is going to continue at this point.

I think, for the teachers, it is pretty clear that they have fewer options for career and professional development in the proposed new school division. They have limited opportunities for transfer within the new division and I think they are already kind of sensing a decline in morale and a decline in opportunities in our school.

The school division that we are supposed to join does not have a high school French immersion program at this point that is very functional or that is accessible to us. The shared services agreement is going to expire before my kids get to high school, so that is not enough for me. I think that, if we talk about the three-year shared service agreement, well, what I think of it as a parent—what if, as a parent, I said, well, you

know, I think I am going to be able to look after my kids for the next three years. I have enough money. I have enough food and I have enough clothing, but I am not sure what is going to happen after that.

That is not good planning. It is not good parenting and it is not the right way to look after our children. We need more guarantees. We have to know what is going to happen in three years, for our children's sake. With the split of our school division, we are seeing the end of a great opportunity for our kids and we are feeling a lot of loss and a lot of sadness right now in the family.

I would also like to point out that there was something wrong with this whole process. Our voices were not really heard. At no time were we consulted in any way. Nobody asked us what type of problems we anticipated would happen for our children. When the amalgamation was announced, a public meeting of 900 people took place in Oakbank, that has already been referred to, and, unanimously, the community rejected this whole proposal.

I know Mr. Caldwell feels that, perhaps, he made some changes. But those were very small concessions and we have huge concerns about this issue. I am not sure why the minister could not listen to our concerns at any point during this process. I am not sure why this had to be rushed through at such a fast pace. I am not sure why we could not consider other options. I suspect that, somewhere out there, there is a win-win situation.

We have had reference to some ideas that people have, and there probably is a way for us to resolve this so that we in Springfield feel somewhat satisfied and it meets the goals of amalgamation, as you have proposed. But we did not have time to kind of develop that option and it did not seem to us that anyone was listening to us. I cannot believe that this was done maliciously to hurt our community or our children. I do not believe that, but my feeling is that this was a quick political or financially driven decision, and consideration just was not given to the implications of this on our children, our school and our community. These are immense implications for us.

This seems to me to be a regressive legislation and that things are going backwards. It is not acceptable in 2002 for 2700 children in any area of the province to have fewer educational options than what they have had for the last 10 or 15 years. As well, it is no longer acceptable in 2002 for there to be less parental and public input into the education process. This is going backwards. We are moving forwards. Our province is growing, becoming stronger and the educational system for all students in the province should be becoming stronger as well.

* (22:50)

Mr. Chairperson in the Chair

I myself have always been a strong believer in the public school system and I very much hoped that my children would be able to attend public school. However, with the loss of this wonderful educational option in the public school system, we may very well end up transferring to private schools and the public system will leave our support as involved and enthusiastic parents.

Amalgamation was presented as something that would improve children's education in this province, but, in fact, this bill is going to erode my children's education. In fact, it leaves me wondering if Ontario was not a better place to raise my kids. Thanks.

Mr. Schuler: Thank you very much for your presentation. I am sorry I missed part of it. I did have to step out for a moment.

You did mention the option of private school. Can you sort of reflect for us? Your child or your children, where are they and how they will be impacted? I think it is important, certainly, for all of us on this committee and in particular, for the minister, to have real live examples that he can focus on. I think it is good for all of us to have that. Can you just reflect on that?

Ms. Penner: Yes. I have three children. My youngest is going to be entering kindergarten this fall at École Dugald School, and then I have got one going into Grade 3 and one going into Grade 6, all at École Dugald School.

Yes, you know, I just feel so much uncertainty at the present time. This was rushed through so fast. There does not seem to be much in place to reassure me that my kids are going to have access to a quality French immersion school. I just do not see that the public school system at this point is able to offer that, which is I think a real loss, and I was very committed to public school education.

Mr. Gilleshammer: I appreciate your contribution here tonight. I think you are quite typical of parents. I know family and friends relocating to Manitoba, and their biggest decision in finding a home was: Where was the school, what was the school like, what did the school have to offer? This is a real letdown for people who have made those decisions to transfer back to Manitoba to a community, obviously, where everything is working for you.

I was interested in your comments when you said your children have come home crying because of the loss of a principal and the loss of a teacher. Is this generally the feeling in the community, that it is affecting families and children across the community?

Ms. Penner: Yes, I think so. Now, do not tell my eight-year-old daughter that I announced that she was crying because she will not appreciate that. But, yes, she was. She came home crying, as I said, twice this year. Yes, I think when teachers lose that many teachers in one year, it is emotionally very upsetting for them. That is something, as I said, you cannot put a price on how attached they were to those teachers, especially in the younger ages. In fact, unfortunately, we are losing both of our Grade 2 teachers this year, so it is really quite a huge loss at the primary school level and I think these teachers are talking with their feet, so to speak.

Mr. Gilleshammer: I think, in listening to the minister's comments as he has spoken to this in the House and in committee earlier, that he is of the mind that we will just push this through. Kids will adjust. But you are saying that people also have choices and they can vote with their feet, and you would seriously consider relocating, Ms. Penner?

Ms. Penner: I cannot really commit one way or the other. I would say that at this point it is a

thought that has crossed our minds. I do not think we are probably really going to move back to Ontario. We have heavy family roots here. In fact, I grew up in the Springfield area, and I, through my whole life, had access to all these great programs in Transcona that we are talking about. So it seems kind of funny that my children, usually you think of your children having more opportunities, well, in fact, my children have less opportunities than I did in Springfield.

Mr. Struthers: Thank you very much for your presentation. I found it interesting. What I need is a sense of how many students at École Dugald are involved in French immersion in the present division. What is the size we are looking at?

Ms. Penner: In the French program at École Dugald? You know what? I do not have those numbers, but I know—

Floor Comment: It is two-thirds French.

Ms. Penner: It is two-thirds French, and somebody said there are 400 students. So you could figure that out, but only 19 entering French immersion kindergarten this year. So, if you do the math, that is quite a bit down.

Mr. Caldwell: I appreciate your remarks, and I particularly appreciate the personal story about both the children and about your return to Manitoba. I am also concerned about that many teachers leaving. I know it has happened in other jurisdictions before for other reasons, but I think we can draw correlations to what you suggest.

The member from Minnedosa spoke of some school divisions being content with barebones and other divisions wanting to have excellence. Our Government is committed to developing excellence across the province. That is fundamentally why we restored funding and began to address the withdrawal from the 1990s.

I recognize over the course of this discussion tonight that there continue to be significant concerns in Springfield, and that is going to have an impact on my thinking, both through this bill and also as we move forward through the next period of time with this process, because it will

not end obviously with either this committee hearing or with the passage of whatever bill emerges from this process. So thank you for that.

Ms. Penner: In the interest of being a good parent and liking to know, kind of, what is coming ahead for my children. What do you mean by that? You know, what sort of options are you talking about?

Mr. Chairperson: Time has expired. Thank you for your presentation.

Does the minister have leave to answer a question? *[Agreed]*

Mr. Caldwell: Well, the Member for Fort Whyte (Mr. Loewen) talks about unreal, and I will tell you, yes.

The three-year period that has been the notional length of time, not only in Manitoba where divisions have amalgamated but in the other eight provinces in Canada where this process took place a decade ago, has been recognized as the notional period through which passage of time that programs are developed, programs are enhanced, programs that did not exist are brought into place. And in the case of a situation where we have a shared service agreement that has been concluded between three divisions and will extend into the new constellation of divisions in the province, my expectation would be that there would be no disruption in programming for students in the eastern part of the province, Springfield in particular, as we are addressing here right now.

That would be my expectation. Certainly that is I know what trustees believe in, in terms of providing services to students and certainly what this Government believes in as well.

Ms. Penner: But there has already been a disruption. That is, kind of, what I was saying. So, you know, it has already been disrupted. That does not work for me. Thank you, very much.

Mr. Chairperson: Thank you, for your presentation.

The next presenter is Doraine Wachniak, private citizen.

Ms. Doraine Wachniak (Private Citizen): Sorry, I have only one copy, and I will make sure that I get a copy to you when I leave.

Mr. Chairperson: We will get your copy afterwards and make copies for the committee. Please proceed.

Ms. Wachniak: Thank you. My name is Doraine Wachniak, and I thank you for the opportunity to speak to you tonight.

I have to say that the Manitoba Association of Parent Councils tells us that after two hours we have lost everyone if we have a parent council meeting that goes beyond two hours. So we are looking at about four and a half, so I hope you are all with me still.

* (23:00)

I guess what I am here to do tonight, what I am here to state is my opposition to sections of the proposed amendments to The Public Schools Act.

When I think of the term modernization as it relates to governing legislation, I immediately think of an increased role for citizens who ultimately will be affected by the legislation that our governments make. Governance of citizens and legislation of laws should, at the very least, be founded on the principles of natural justice.

That would be the right to be heard and present evidence. A person should not be adversely affected by a decision maker without being able to put a case that is relevant to his or her own concerns; secondly, the right to know the facts upon which the decision maker based the decision; thirdly, a decision maker should not be biased, and a person should therefore have a right to have a matter determined by an unbiased adjudicator.

Under the proposed legislation, specifically the proposed changes to Section 5, this current Government will have effectively eliminated, in my opinion, the right to be heard by limiting who the secretary of the Board of Reference will accept requests from. This will then allow the decision maker to have no obligation to share with citizens or municipalities, et cetera, the

right to know the facts upon which the decision maker based the decision, and it then is impossible for the said group to have the right to have a matter determined by an unbiased adjudicator. This goes for anyone of any political stripe whenever any power, whether it be an NDP, Liberal or PC government is in place.

This I do not consider to be modernization of our Public Schools Act but a centralization of power for the Department of Education and Youth for this current Government. In the most recent annual report put out by Barry Tuckett, the Ombudsman of Manitoba, he states, and I quote: Many Manitobans are looking for someone to turn to when they dispute the actions or decisions of educational bodies. They want an independent review process. Should you, the elected representatives of your constituencies, pass this legislation, you have verified to me just how much of a reality Mr. Tuckett's words are. It is these very types of actions that have made citizens turn to examine alternative ways of delivering publicly funded education.

I would like to say that I am not opposed to amalgamation. I am, however, very opposed to the lack of respect that I believe the citizens of Springfield have been shown. It is very likely that, under these same circumstances, each and every one of you as parents would take no different stance than any of us that are here before you today as parents. I urge you to rethink this Bill 14 and take the time to really think about the statement it makes to our country with democracy. Thank you.

Mr. Schuler: Thank you very much for coming to the committee and for spending as much time as you have waiting to get your opportunity to speak. You bring up a lot of very important issues, issues dealing with respect and democracy and the right of citizens to challenge their government, which this bill basically strips from we the people.

Could you also just sort of reflect for us how does this impacts you personally? How does this impact your children, your family in the future, how you see education in Springfield? Could you just reflect on that for us?

Ms. Wachniak: Personally, my child will be fine. He will get on the bus, and he will go to

SCI. Likely, they will not turf him out because we live so close to the high school. On another level, I guess it is akin to saying that my husband and I have lived 21 years in Springfield, and we have paid an awful lot of money to build programs around within our division. I think we have possession; it belongs to us. There is a portion of that that we own, and we feel like this invisible line has been drawn to merely not allow us to access those types of programs if we ever were to want to. If my son, who is going into Grade 9, had decided to go to Murdoch and have programs there, of course, we have the limitations. So, for me, personally, I think the biggest issue here is that this bill does not allow for the provision of people to bring forth their issues with decisions that are made by the government of the day, whatever stripe they are. I think that is a really sad state of democracy when we have come to that point.

Mr. Chair, I cannot help but go back to your third presenter, Mr. James Durston, who commented from Dauphin, Ochre River and Duck Mountain, that changes happened as a result of pressures that were put on by the MLAs of their area. That really concerns me because that is an immediate inequity. There is something that I feel cheated about. I do not think any one of you could honestly tell me you would not feel the same way if you had heard and you were me. I just think it is not right, anyway.

Mr. Gilleshammer: Thank you for drawing to our attention the words of the Ombudsman, that government is getting more secretive, that the voice of the public is being ignored or muted, and that public input by this Government is not welcomed.

You also used the "respect" word. I think that is the first time we have heard it, but I think it very aptly characterizes the attitude that has been shown to hundreds of people who gathered in Springfield, others who met with the minister, and those who have brought to his attention the inequities of this legislation and the damaging effect it is going to have on the education of young students.

I am wondering if there is anything more that we can do to assist this minister to make the right decision. Again, I suggest through you that

this can be fixed, that just as the Dauphin, Duck Mountain situation was mediated by our friend at committee here, the Member for Dauphin (Mr. Struthers), and his colleague the Minister of Agriculture (Ms. Wowchuk). They made a strong case. They took the minister up there to meet with people and to look at things. They responded because there were political implications there. Here I can assure you the case has been made by the public, by the Member for Springfield (Mr. Schuler), by many of us in the House to no avail. So I would ask you to keep up the pressure, to bring more people to committee tomorrow night. I think it does have an effect, and I urge you to continue the fight.

Ms. Wachniak: I do not speak to Drew only. I mean, you all are going to have a vote, am I not right, or has democracy changed in Parliament too? I would say that each and every one of you has and needs to have the conscience to ask the questions of the minister who is making the decisions. How much of the information, what factual information do you have to make an educated decision? I wholeheartedly respect individuals who can take the facts as they are presented here tonight. Probably the thing that had the most impact on me was looking at the presentation of the parents, the overhead transparencies, the PowerPoint presentation which talked about the facts of the impact of what you are doing to our division.

At that time, if Mr. Caldwell had come out on January 10 and had a PowerPoint presentation that presented facts to us as residents of Springfield, that identified clearly and factually how this would improve, you would not have us here today. But that was not done, and that is the information. When I say in here that natural justice is to understand why decisions are being made, nobody wants to litigate, nobody wants to have angry people, believe me, the Government nor the community. But the bottom line is that on January 10 we were given nothing. That is what we questioned. Many citizens there were not there and would have, I think really, if there were rational reasoning for what was being done, walked away and said this is a good decision. But that is not what happened. There is not one of you around this table that would not be exactly where I am, if you had the information, if you had children that are being

affected by this move. There is not one of you that would not be here. I know it.

* (23:10)

Mr. Chairperson: Thank you for your presentation cousin Doraine. She might say, by marriage.

Next presenter is Dale Kallusky, private citizen. Is Dale Kallusky here?

Moving on, Judy Edmond or Brian Ardem. I stand corrected. We are doing out-of-towners. I am advised that the next out-of-town presenter is No. 32, Diana Risbey, private citizen. Is Diana Risbey here? Please come forward. Please proceed.

Ms. Diana Risbey (Private Citizen): My name is Diana Risbey, and I am a Transcona-Springfield School Division taxpayer. I would not normally do this, but I am speaking on behalf of my three children who are currently attending École Dugald School where they are enrolled in the French immersion program.

In the 2002-2003 school year, they will be entering Grades 3, 5 and 8. I am particularly concerned about Grade 8 at this point. With the proposed boundary changes to Transcona-Springfield, it appears the French immersion students entering Grades 9 to 12 are left without a school offering the full French immersion curriculum. We want this programming and support services continued for the Springfield students without having to deal with Schools of Choice applications, transportation issues, et cetera.

Minister Caldwell says students will not lose anything as a result of the proposed amalgamation changes. We disagree. Not only do we lose the French immersion programs for Grades 9 to 12 students, we also lose access to industrial arts for Grades 6 to 8 students, teacher resource material, vocational programs and teachers.

Teachers are protecting themselves from the school division split by choosing to seek employment elsewhere. Many of the Springfield teachers are doing that. There were three that left they gave going-away presents to, today at the assemblies in Dugald.

Students do not have the same option as the teachers. They cannot leave. What they have is Minister Caldwell saying the amalgamation of the school division will be seamless for the students. I disagree. We are asking that Transcona and Springfield School Division be left intact and amalgamated with Agassiz or River East School Division for the following reasons: there is no French immersion programming available in Springfield or Agassiz beyond Grade 8; the Oakbank schools are overcrowded and, therefore, cannot share their industrial arts facilities with the Springfield students, and Agassiz has limited facilities; students seeking vocational or special needs cannot have these needs met in either Springfield or Agassiz.

The suggestion of Bill 14 to remove the Board of Reference and declaring any subsequent court awards invalid is ridiculous, ludicrous, whatever. Consider this: The students impacted by these changes are future electoral voters, some in less than a year. Additionally, we would like to see Bill 14 guarantee that all students in amalgamating divisions will continue to receive, at minimum, the same opportunities for programming and support services as existed prior to the amalgamation.

Amalgamation is supposed to enhance the student learning, not take away from it. We need something in this bill to ensure the students' rights are protected too, not just teacher and support staff.

I appreciate your listening to my concerns, or our concerns, and ask you to consider them when making your subsequent standing committee recommendations.

Mr. Schuler: Diana, thank you very much for having the courage to come this evening, especially because you have waited this long in a very hot and mosquito-infested room. We appreciate that very much. Of course, as per your presentation, you have three children in the program.

You mention in here one of the things you would like to have is, at minimum, the same opportunities for programming and support services as existed prior to amalgamation. I take it you are probably a realist, and from what you

have seen tonight I doubt there is much hope there will be a lot of change. The Government is intent on ramming this bill through. They will nod patiently and wait for this, too, to pass, and then they will ram this through as they have the majority.

I know Doraine would like everybody to look deep in their heart, but it is 32 versus 24. What are you going to do? You are the mother of three children and you care for them deeply. You have a vested interest in all this. The bill is going to go through. How is this going to impact you? Can you reflect for us? What are you going to do in the years proceeding?

We know the schools are full. We know Oakbank Elementary School is full. We know the junior high is full. We know the senior high is full. What are you going to do?

Ms. Risbey: We are actually considering moving so that we are in the catchment that would allow us to do the Schools of Choice, to PET, because otherwise we are caught in another situation of where we are situated, where we are actually closer to another municipality and actually in another municipality, and could be forced and turned down for Schools of Choice just on that basis.

Our daughter in Grade 8, at this point she is going through a very rocky period in her life as it is with all the teenage changes and everything that go on. She is constantly asking: Where do I go to school next year? Where am I going to Grade 9? Can I still go to a French university? Can I do this? Why cannot you give me the answers?

Nobody can give us an answer. Where are they going to go to school? She will go to Grade 8 next year in Dugald. Where will she go after that for Grade 9 and get the same education she would get if she were allowed to go PET? Minister Caldwell, can you answer that?

Mr. Gilleshammer: I would defer to the minister if he wants to answer the question.

Children really need and relish consistency in their lives. I would find it rather alarming that so many teachers are leaving the schools in

Springfield. Have you any idea of the numbers of teachers who are leaving?

Ms. Risbey: Other than the numbers that were mentioned earlier, I do not really know concrete numbers. I do know at Dugald every day my kids come home, there is another teacher they have found out is leaving. The Grade 2 teacher is leaving that my son has had for the last two years. We do not know who the Grade 8 teacher will be for next year.

There are just a lot of question marks. I really question. My daughter in Grade 8 is an excellent student, and I am very concerned, because of this inconsistency at the schools in Springfield, because of this proposed amalgamation, that she is going to be lost. Not only will she be lost but the others will follow along. There are a lot of kids who are going to lose the good road they were on because of this.

Mr. Caldwell: I did not want to interrupt the speakers' list when challenged by members opposite.

I think it is important to put on the record, given comments from the members for Minnedosa and Springfield that in no way does this begin to approach the travesty of the sale of the Manitoba Telephone System in terms of democratic rights.

* (23:20)

We are listening, I think, as a committee to the representations that are being made. Certainly, the Springfield representations are very strong in their impact because they come from parents and you are speaking from the heart on these issues.

The question was about your child or your child will attend school and so forth in the future. The shared service agreement that has been concluded by the three divisions establishes security for those who are attending schools currently, as well as Grades 7s and 8s moving into schools.

Ms. Risbey: Is that an addendum?

Mr. Caldwell: No, that is part of the agreement. I have got it right here before me. Grade 7 or 8—

Ms. Risbey: It would be nice if we could see that.

Mr. Caldwell: —will commence in Grade 7 or 8 practical arts in vocational. I expect that it will be the groundwork for the good work that will take place between the trustees of the Sunrise School Division and the River East-Transcona School Division who share our concern, your concern, my concern, I assume, concern of members of this committee, to provide programs of excellence wherever students go to school in the province of Manitoba. Having divisions with bare-bones satisfaction may be acceptable to the members opposite. It is not acceptable to this Government.

Ms. Risbey: Then, why have you proposed this change of splitting Transcona-Springfield? It is not acceptable.

Mr. Chairperson: Thank you, Ms. Risbey.

Point of Order

Mr. Schuler: On a point of order, Mr. Chairperson, the minister keeps referring to a document. Perhaps he would like to table it for the committee.

Mr. Chairperson: The minister is tabling a document titled *Inter-divisional Agreement Ensuring Student Access to Programming*.

* * *

Mr. Chairperson: The next presenter is Mr. Mike Kukelko, private citizen. Is Mr. Kukelko in the audience? Moving on, the next presenter is Norah Bailey, President, Agassiz Teachers' Association.

Ms. Norah Bailey (President, Agassiz Teachers' Association): Good evening. I am Norah Bailey. I am the president of the Agassiz Teachers' Association, at least till the end of the month when we will be Sunrise. Listening to some other speakers, I would say that I represent a special interest group, namely, the teachers, but I think we are a very important group because the teachers deliver the programs to the students, and from Agassiz's point of view, we wonder how Bill 14 will affect the Agassiz School Division.

You probably are familiar with it now with the maps that have been given out, but Agassiz

goes from the Winnipeg River up at Powerview, nearly where it joins into Lake Winnipeg, it goes right along the Winnipeg River till it turns off at Pinawa. Then it goes east to Prawda on the Trans-Canada Highway. It goes west to Tyndall, and it also takes in Beausejour. Most of the schools in Agassiz are relatively small schools. There are two large schools, Edward Schreyer School in Beausejour and the elementary school in Beausejour. The other schools are small. We have Hutterian schools, and we have three adult education centres.

We have minimal co-ordinator support. I would say that this type of support, that is from a co-ordinator, is most needed in small schools where the teacher is alone. For example, the Hutterian schools are particularly going to need this sort of support because, for the first time, in talking to the principals in our Hutterian schools, they say their students are staying in the school to go through to Senior 4, and some of them are moving on to university, too, because the Hutterians are fairly progressive as far as them keeping up with the times. As they say, it will be helpful to them. In fact, we have an Hutterian teacher who has just graduated from the University of Manitoba going back to teach in one of our schools. The possibility of a larger division giving the support to teachers, as is needed, I think, is crucial to us. We think the reduction in the number of trustees, we will be going down from 11, may lead to less parochialism. In fact, the trustees perhaps, as they will not represent such a narrow area, will represent the whole division interest rather than those of their sort of home base. This can only be positive.

Now the Sunrise School Division will be approximately, slightly less than twice the size of the Agassiz School Division, doubling its size, and it will improve the tax base and the Agassiz tax base is not a bad tax base. The way it is will not double the administrative costs, and it should lead to savings which can be put into the programs, and I would hope that amalgamation will lead to better fiscal management. Agassiz has in the past had financial problems and the students have paid the price, so we hope that a new start will perhaps make things different.

The Agassiz Teachers' Association is positive about the amalgamation of Agassiz and

Springfield. We certainly understand the concerns of Springfield parents vis-à-vis French immersion, and we feel the service agreements which are in place for three years, which we would hope would lead for time to decide what the direction is going to be. Certainly, parents can rest assured that the teachers' associations of both Springfield, well, it will be the new Sunrise Teachers' Association, will certainly support the move to maintain the quality of the immersion programs for the students.

We hope that a larger division will likely lead to teachers' support, the co-ordinators improved PD opportunities, and I am meaning in-house PD opportunities where we will have get-togethers. I think one of the teachers from it was, I think it is Birdtail River, in their presentation mentioned how, or perhaps it was Prairie Rose, that you have very few people to talk to, very little chance of talking to another teacher who is in your field, and a larger division leads to interdivision professionalism. No longer will it have to operate in a vacuum.

The legislation proposing an open meeting to discuss budget I think is excellent. In the past, it has been after the fact, and it is just too late for input. When suggestions are made, it is always, well, the money is not there. It is not in the budget line.

Now I think one of the advantages that Agassiz will definitely bring to Springfield is our technology. The technology system—we have been talking to our technology technician and he said we are years ahead in regard to support we have given to technology, to our computer access, to the type of Internet access and what ease the students have of access to the computers in our schools. In fact, as a teacher in Agassiz, I am slightly concerned that all the money will funnel in the Springfield direction for a while, while their technology is brought up to par.

There has been all this talk about teachers leaving, but it may be partly to do with demographics of age. There are a lot of teachers who left Agassiz this year and it is nothing to do with amalgamation. This larger division, I think the division, once people understand what it is, will be attractive to new teachers. I think they will come, and they will want to stay. New blood

is always good and stability is always good, and I think we will get both out of this.

The original amalgamation suggested it was going to be Agassiz, Springfield, Pine Falls and Whiteshell. Now, there is a little bit of a problem around Pine Falls and Whiteshell, because they are school districts. They have private arrangements, Pine Falls with the mill, and Whiteshell with the federal government. It is a problem. They are sort of two areas within the new division, and I hope they will come on board as soon as it can be done.

I attended the Springfield January 10 meeting as an observer, and in some ways it was like the coliseum, with Agassiz being thrown to the lions. There was an awful lot of rhetoric and very little factual information, and, certainly, a tremendous amount of misinformation was put out about Agassiz.

We certainly support our special needs students well. We have the psychologists, the speech therapists, et cetera, and I have not found difficulty in getting access to them. So I would like to set that part straight. Our middle-year students have access to industrial arts in the high schools in their areas.

I would just like to finish by quoting Macbeth, and maybe on this I will change the first line after I quote it: If 'twere done, whence we are done, then it were well that it were done quickly. There is no point in keeping drawing things out. Some of the uncertainty is harming all the divisions involved. So I would like to leave the "if 'twere done," and just start with whence we are done. Let us do it. Thank you.

* (23:30)

Mr. Schuler: Norah, thank you very much for your presentation. We certainly did appreciate it. Insofar as being referred to as special interest groups, there is nothing wrong with being special interest groups. I mean, there are a lot of different organizations that come in front of a committee, and we certainly do appreciate that you came and brought different information and new information in front of the committee.

Norah, you also mentioned that there are going to be savings, and I take it you have had a

chance to look at the kinds of savings that you see. Do you feel that the savings will cover the cost of replacing the programs that will be lost to the River East-Transcona School Division?

I think what we are hearing from the parents from Springfield is they are not adverse to amalgamation. Their fear is that a lot of the programs that are lost in the urban area, what used to be Transcona-Springfield, will be lost and then will have to be recreated, and the feeling is that is a heavy cost to recreate a lot of those programs. Do you think the savings will cover the replacement costs?

Ms. Bailey: I think we will have short-term pain for longer-term gain. We are certainly not going to get instantaneous savings, but I would think in the long run we will be operating one division office instead of two, and over the long term, there has to be savings.

I think the Springfield-Agassiz division has a very good tax base. Springfield brings in the industrial bit. The rural part of Agassiz, it has quite good property values for the rate to go on, although I would like to add that I feel that this is a move towards slightly more equity in the province. But the provincial government has the responsibility for education, and I think it should be just based on general revenue province-wide.

Ms. Barrett: While the Member for Springfield (Mr. Schuler) did say there was nothing wrong with being a special interest group, I think that stating that teachers are a special interest group as opposed to others is a bit unfair.

But I would just like to ask you, as a member of that, quote, "special interest group", I think you probably do interact with other groups in the community, and I am being slightly sarcastic here. In your role as a teacher, I am sure you interfere, intervene—"interact" is the word I am really trying to use, thank you. You interact with students. You also interact with their parents. You interact with members of the community.

Can you give us an idea of how the community as a whole and the parents maybe in particular are viewing this process and the ultimate outcome? Are they sharing the views

that you have expressed tonight on behalf of your special interest group?

Ms. Bailey: I am my school's representative on our parent advisory group. So I attend parent advisory meetings in Lac du Bonnet on a monthly basis. It has nothing to do with my position as president of the teachers' association. The parents have asked, you know, updating amalgamation. I have given all the information I can about it.

I talk about the teachers' associations and what our point of view has been, setting constitutions for new associations and the amount of time we have spent and how we have set up budgets and everything else for ourselves as teachers. We say we believe there is a parallel process taking place with the trustees. Certainly, there is a trustee steering committee that meets regularly and is planning for the advent of Sunrise on July 1. The interim board is, I believe, to take place until there will be new elections in August. I told the parents how new boundaries have been drawn, the decision has been made that, for example, Lac du Bonnet has two trustees, and now it is going down to one. For the larger division, fewer trustees. All these decisions were made, and none of the parents seemed concerned about it. They feel that the students, if they choose, may have access to different things.

But the fact of life in Agassiz is unless people take a school like Lac du Bonnet, we are so far apart from each other. I think it is about a half-hour drive between each high school. The centre of the division right now is Lac du Bonnet. We worked out that the centre of the division is going to be somewhere between Milner Ridge and Seddons Corner. But I do not think a division office will be set up there. Unless there is a very, very, very pressing need for something, they committed most students remain within their community. The parents, at least certainly the ones that I have dealt with, do not seem concerned.

Talking to the chairman of our board, Eleanor Zieske, she has told me she has heard very little in the way of concern. Certainly, as president of the teachers' association, people have been more interested in the mechanics of the amalgamation than anything else.

I will say that our dealings with Transcona-Springfield Teachers' Association have been very productive. We are all set to go. In fact, we are bringing the Transcona-Springfield president, right now is going to be president of Sunrise, as of next week.

Mr. Chairperson: Thank you for your presentation. Next presenter is Mr. John Friesen, private citizen. Please proceed.

Mr. John Friesen (Private Citizen): Hi. My name is John Friesen. I have lived on my father's farm all my 40-plus years.

Here is a picture of my father, who turned 90 in April. He has lived for 70-plus years on this same farm. I bring this up to ask you why. Why would you feel it necessary to take away his only legal recourse? Why would a government need protection from judicial scrutiny? Why would a government need to silence the right of my father to challenge them in court? Why did Gary Doer assure school trustees that there would be no forced amalgamations, that is not the Manitoba way? Why did, when in opposition, Education critic Jean Friesen state that there was no evidence that the Government's proposed boundary revisions would save money? What guarantees do we have that this will save money? Who will be held responsible if all this ends up costing us more money? What makes you think that having fewer trustees will save money? Would having four instead of six trustees in the Morris-Macdonald School Division make a difference? Have the regional health authorities saved us money?

Someone still has to do the work. If you hire someone to replace a trustee, will he work for a trustee's pay? I think not. What positive learning environment are you creating for our students by your actions? What positive teaching environment are our teachers working under?

I ask you why are you asking a man who has lived all his life in this division and was a school trustee in the past to shoulder a burden that was not his in the making. I have grave concerns about a government that takes away rights. I wonder what rights will be taken next. I hope that we will not repeat last century's darkest day.

* (23:40)

Mr. Gilleshammer: Thank you very much, Mr. Friesen, for your contribution. You ask a lot of very interesting and penetrating questions that we have been asking as well and really have not received many answers for.

The whole premise of the school board amalgamation is that government is going to save \$10 million, as school division after school division comes forward and tells us that they are not going to save money, it is going to cost money. Some of the figures that come to mind: River East has indicated a cost in excess of \$2 million. I believe St. Boniface and St. Vital are talking about over a million dollars to amalgamate those school divisions. So your questions are right on, that there has not been any evidence brought forward, no evidence at all brought forward that there is any money to be saved here.

Thank you for raising these questions. I would ask you if you feel that local trustees have been doing a good job in the past and whether this erosion of their authority is going to make it more difficult for people to come forward to serve as trustees in the future.

Mr. Friesen: Yes, I agree with you. What is the point? If we do go out in the direction that is not norm but do this and see how it works, and it does not work out, we get slapped. Who is going to want to do any work? Who is going to want to take the initiatives to do something that might work? If our initiative is just stepped on, what is the use?

Mr. Schuler: John, thank you very much for coming to this committee and particularly to present, not just yourself, but your father who, I take it, could not be here today. With great interest from what I have heard from you, he was also a school trustee. School issues were probably discussed at your kitchen table over the years. You have obviously got a great love for the school division, and from what you have seen and from what you have heard from the community and from your own family, is it that you are opposed to any amalgamation, or is it that you are opposed to the fact that Transcona-Springfield are being separated and that Springfield is basically losing all the programming that was established in Transcona?

Mr. Friesen: I have to say I am remiss. I have not followed the Transcona-Springfield Division closely, so I cannot really comment on it, but from what I have heard today, I agree with what they are saying.

Mrs. Smith: Thank you very much, John. I really appreciated your presentation. You asked some very insightful questions. Taken from some of the questions you asked yourself, I would like to ask you, you asked the question: Why would a government need protection from judicial scrutiny? I am going to ask you, John, why do you think this Government needs protection from judicial scrutiny. Why do you think that would be put in Bill 14?

Mr. Friesen: I hesitate to speak my mind, because I might get into trouble.

Mrs. Smith: This is still a democracy.

Mr. Friesen: When a person says he is not lying, I tend to believe he is. For somebody to put something in there, my first question is, why do they put it in. If there is no need for it, why would we have it in there?

Mr. Chairperson: Thank you for your presentation. The next presenter is Mr. Bert Kornelson, private citizen. Is Mr. Bert Kornelson here? The next presenter is Barrie Stevenson, private citizen. Mr. Stevenson? The next presenter is Maria Kantyluk, private citizen. Is Maria Kantyluk here? Proceed.

Ms. Maria Kantyluk (Private Citizen): Good evening. My name is Maria Kantyluk, and I am a parent from Springfield.

Back in January, over 900 parents of Springfield met with the Minister of Education, Drew Caldwell, a community of parents with concerns. This I thought would be the beginning of public consultation. Unfortunately, it did not go further than this. What I thought would be democracy at its best in fact showed democracy at its worst. Concerns from parents and students were never addressed.

I grew up believing that the voice of many would always be heard, but in fact the voices of parents were not. We are now being further

silenced by Bill 14. Bill 14 is taking away the rights of parents and the future of our students. The democratic process is slowly deteriorating. Democracy is being decided by a handful of judges, lawyers, and politicians. The many and not the few should decide democracy.

So I ask you, do you have a good understanding of Bill 14? Are you truly representing the people who elect you? Mr. Caldwell, are you fully aware of the consequences of Bill 14 in regard to the splitting of Transcona-Springfield division? Is the Government protecting the democratic process by voting for this bill? Look deep inside and be true to yourselves and our democratic process.

Democracy came to us at a high price. It was given to us at the expense of our veterans. If Bill 14 is passed, it might one day come back and bite you where it hurts. You may one day be in our shoes. You will not have the right to be heard. Your children's future is no longer in your hands but in the hands of a bill that overlooks the democratic process.

I am a proud Canadian. This is what democracy means to me: D, demonstration; E, equality; M, majority; O, obligation; C, change; R, rights; A, appreciation; C, consultation; Y, yell, you have the right to be heard.

If Bill 14 passes, my outlook on democracy also changes: D, dictatorship; E, evil; M, murder; O, obstruction; C, crucify; R, restrictive; A, apparition; C, constrict; Y, yahoo, the few get what they want.

Please reconsider Bill 14. It affects our most valuable resources, our children, who in turn one day will affect your future. I also would like to add a few things, please. We the parents of Springfield would like all the members of the Legislature, not just the standing committee, to be aware of the facts and numbers of the negative impact of the split in the TSSD. I offer you the opportunity of a presentation to inform all MLAs. If you are going to make the right decision, then it is your responsibility to have all of the facts.

For example, the truth is the educational tax dollars from the Springfield industrial park were

returned to the Springfield students because of an out-of-town court settlement when the municipality of Springfield brought legal action against the Minister of Education (Mr. Caldwell) under his own Public Schools Act. Despite what the minister says, this concession was not made as a result of public consultation with Springfield on June 10.

Would you like to take the opportunity to become informed on this issue before you vote? Yes or no? Thank you.

* (23:50)

Mr. Schuler: Maria, thank you very much for your presentation and for having the patience to sit here through all the other presentations, it now being almost 10 to midnight. We appreciate that very much. I take it you have children in the school program.

Ms. Kantyluk: Yes, I do.

Mr. Schuler: Could you just reflect on us, if you would, please, how this is going to affect your children? Again, as I have said to other presenters, I think it is very important for the minister to hear real cases so we are not just talking about theoretically what will happen to students. I think it is important to hear real examples for the committee. If you would do that for us, that would be appreciated.

Ms. Kantyluk: My son right now is in Grade 6 and is going to be in Grade 7, and I would like him to have all the opportunities in the Springfield Middle School. I would like to have him have all the opportunities that have always been there. I would like to see that.

Mr. Gilleshammer: I would be interested in exploring your offer to make a presentation to members of the Legislature. This is a Power-Point presentation. How long would it take?

Ms. Kantyluk: It is not very lengthy, but it is an excellent presentation. It clarifies a lot of points. It was put together by the Springfield Parent Council. I commend them on the excellent job they have done.

I am here tonight because they informed me of how important it was. I am not a politician; I

am not a speaker. If you asked me two months ago would I ever do this, I would say no, but I feel the rights of these children are very, very important. I plead to all of you, please, consider their future. It is very, very important. I am not against amalgamation, but do not split us up.

Mr. Gilleshammer: I can tell you I would be interested in working with your MLA, Mr. Schuler, to see if we can find space here to have that PowerPoint presentation in the next day or so.

Mr. Chairperson: Thank you for your presentation. The next presenter is Joyce Penner, private citizen. Is Joyce Penner here? Next presenter is Bob Hooper, private citizen. Mr. Bob Hooper. Next is Otto Mehl, private citizen. Is Mr. Mehl here?

I believe we have gone through all the out-of-town presenters' names at least once, so we will go to the top of the list for city of Winnipeg residents. The first one would be Linda Archer, president, Manitoba Association of School Trustees.

Ms. Linda Archer (President, Manitoba Association of School Trustees): Good evening. Thank you very much, Mr. Chair.

With respect to the lateness of the hour, the increasing temperature and the arrival of many mosquitoes, I will not read the presentation word for word, knowing also that you have a copy. I would like to acknowledge the fact that some of the administrative staff members from MAST are here, who will act in a supportive capacity. Thank you very much for allowing me to come before you this evening.

On behalf of the Manitoba Association of School Trustees, I welcome this opportunity to present MAST's views on Bill 14, The Public Schools Modernization Act, to the Law Amendments Review Committee.

The purpose of this legislation is to give force to the school board amalgamations announced by the Minister of Education, Training and Youth (Mr. Caldwell) in November 2001. However, Bill 14 will do much more than that. It will fundamentally alter the balance of power in

our educational system, increasing the decision-making authority of the central ministry and reducing that of local school boards and the communities they represent. We are calling upon the Government to withdraw or at the very least amend substantially this legislation.

The Manitoba Association of School Trustees believes that to the extent that Bill 14 is intended to give force to the school division and district amalgamations announced in November 2001, it is unnecessary legislation.

Section 7(1) of The Public Schools Act gives the minister the authority, by regulation, to amalgamate any two or more divisions or school districts, providing that a public consultation precedes any such amalgamation. On June 7, 2002, a Manitoba court ruled that the boundaries review conducted by the commission headed by Bill Norrie in the early 1990s constitutes the required public review for the purposes of the ongoing amalgamations. MAST believes that, given this ruling, the provincial government has all the needed authority under existing legislation to conclude the current round of amalgamations and would urge that it do so.

The current section 9(7.2) of The Public Schools Act specifies what is to be included in a regulation made under 7(1). These are, in fact, the same matters that are covered in the proposed Regulations 61/2002, namely the fact of the establishment, the name and the number, the boundaries or area, the number of wards and the number of trustees of a newly formed division.

Current legislation does give the minister the authority to reinstate the Board of Reference which could then deal with these and other outstanding matters in an expedient fashion. The Board of Reference was the mechanism used to realize the successful St. Boniface-Norwood and Tiger Hills-Pembina Valley amalgamation in 1998.

We are recommending that the Government proceed with amalgamations under existing legislation because this appears to be the most straightforward and efficient way to give effect to the inevitable establishment of new school divisions, a process that to date has been fraught with ambiguity and confusion.

Therefore, the Manitoba Association of School Trustees recommends that the Government of Manitoba withdraw Bill 14 and that the Board of Reference be reinstated to decide any matters relating to amalgamation that are not otherwise covered by ministerial regulatory authority under the existing provisions of The Public Schools Act.

Should the Government choose to disregard our recommendations to withdraw Bill 14, MAST would like to make a number of further recommendations. section 7(5): To eliminate the right to appeal the substance of an award made by the Board of Reference to the Court of Queen's Bench. The existing right to appeal would be replaced by the right to apply for a judicial review which deals with processes by which an award is made rather than the substance of that award.

We recommend that Bill 14 be amended by striking section 7(5) to retain citizens' right of appeal concerning Board of Reference awards as provided in the current section 9(7). The current right to appeal has rarely been used, but that is all the more reason to retain that right in revised legislation.

Next, section 10, adding a new section 12(2): To give the minister the authority to make regulations in a number of areas relating to school board operations subsequent to altering school division boundaries through regulation made under section 7.

MAST recommends that proposed sections 12.2(b), (c) and (d) be stricken. The first subsection relates to interim school boards. The minister would have the authority to establish, by regulation, an interim board for a new school division. The minister would have the authority to establish the eligibility and residency qualifications applicable to trustees serving on the interim board. We firmly believe it is the amalgamating school boards that should have the authority to determine the make-up of any interim board.

Section 12.2(c) and (d) would give the minister authority to make regulations concerning transitional matters, including regulations designed to prevent disruption in the education

of pupils and respecting any other matter that the minister considers necessary or advisable in connection with the formation, continuation, amalgamation or dissolution of school divisions.

* (00:00)

These provisions are, in our view, too broad and open-ended. For example, there is no time-delineated definition of transitional creating the spectre of ongoing ministerial involvement in what should be local educational decisions long after the effective date of amalgamation.

Another concern underlying our objections to section 12.2 is the authority it confers upon the minister is regulatory authority. The making of regulation is not subject to the same public scrutiny and political debate as is the making of legislation.

The next section, section 174(1), the effect to give the minister regulatory authority to prescribe administrative costs, establish reporting requirements related to administrative costs and set limits on administrative costs, MAST recommends that section 16 of Bill 14 be amended to ensure a greater degree of stability in both the definition of and limits on administrative costs and that a requirement be included, that the definition and limits be established or changed only after significant consultation with educational partners. Our rationale, and I will summarize here, we are concerned about regulatory authority without any requirement for consultation. We have had discussions with the minister a number of times as well as other educational partners, but we feel it is very, very important and imperative that there be an opportunity to hear from those involved.

Our next concern under 174(1) relates to the limits that the minister will be able to set on administrative costs. We appreciate that the Government's intent with this section is to ensure that the maximum number of dollars be directed toward the classroom. School boards and MAST share this goal. However, while the primary responsibility of school boards is to ensure a quality education for their students, this responsibility cannot be viewed in isolation.

They are also responsible for school buildings and, in some cases, for transporting those students to the schools. They are responsible and accountable to the communities and ratepayers who they represent. Many of these responsibilities cannot be met without incurring costs, and some of these costs may fall under the board definition of administrative costs.

We are concerned that, in order to meet government restrictions in the area of administrative costs, school boards may be forced to make cuts in some crucial areas. For example, boards are required by law to have annual audits of their books. This is rightly defined as an administrative cost.

In their most recent past, MAST and its partner organizations, MASS and MASBO, approached the provincial auditor for his view on how future problems in this area could be avoided. One recommendation emerging from that discussion was the establishment of minimum audit standards for school divisions. Some divisions may already meet such standards, but others may not. They may seek savings in areas such as audit, legal and other professional services instead of ensuring accountability. Expenditures may have the effect of eroding the quality of professional services accessed by school boards and undermine their accountability obligations to the public.

Section 22. To require that in the fiscal year of amalgamation and in each of the next two fiscal years boards of newly amalgamated divisions submit their budgets to the minister for review and revise their budgets in accordance with ministerial direction, MAST recommends that section 22 of Bill 14 be stricken. We are opposed to this provision on two grounds.

Firstly, it undermines the authority of school boards as a legitimate tax levying level of government. Through their local levy, school boards raised a substantial portion of divisional revenues. They are accountable to their communities for how those funds are used.

It is difficult to see how decisions taken by this additional layer of bureaucracy that is further removed from communities and their schools and likely unfamiliar with local priorities could reasonably and adequately serve the

interests of communities and students at the local level.

Secondly, the provision outlined in 22(1) would create a two-tiered system under which some school boards would be subject to a greater degree of provincial involvement in their day-to-day operations than are others. All school boards are elected by their communities to fulfill the same mandate. All school boards are currently required to submit their budgets to the minister.

We would also like to note that this system of budgetary approval was not deemed to be a required component of the 1998 school board amalgamations. We see no reason to implement it in 2002.

Next, recommendation that the current section 7(2) of The Public Schools Act be amended to include a limitation on the time that may pass between the receipt of a boundaries commission report and the implementation of ministerial regulation altering school division boundaries under section 7(1).

Bill 14 leaves the current Public Schools Act section 7(2) untouched. This section requires that prior to altering school division boundaries the minister strike a review committee to conduct public hearings into the matter. This review meets the legal requirement contained in The Public Schools Act section 7(2) and that no further review is needed to act on school division boundaries. The courts have upheld this view.

We would argue, although the letter of the law may have been observed, the spirit was not. Moreover, the courts recent interpretation of section 7(2) provides no assurance for school boards and their communities that they will be consulted in the future should government pursue further school division or district amalgamations in the province. Therefore, we urge the Government to amend section 7(2) of The Public Schools Act to include a time limit on the applicability of any review so as to ensure needed transparency and the opportunity for timely public input.

In conclusion, I would like to reiterate the view of the Manitoba Association of School

Trustees that Bill 14 is unnecessary legislation. If the Government's intent is to give effect to the school division amalgamations announced by the minister in November of 2001, the necessary authority to follow through on that announcement already rests with the minister under current provisions of The Public Schools Act. Therefore, MAST urges the Government to withdraw this legislation, to reinstate the Board of Reference, and to allow school boards to proceed with these amalgamations using the same mechanisms that have been proven to be effective for past voluntary amalgamations.

Failing government action on our primary recommendation to withdraw Bill 14, MAST strongly urges the Government to give serious consideration to the detailed recommendations contained within our presentation by legislating an expanded role for the Minister of Education, Training and Youth in overseeing and directing local decision making. Bill 14 without amendment will undermine the authority of democratically elected school boards and thus the local control of education that is a foundation of Canadian society.

We ask that the Government listen to our concerns and amend this legislation in order that it better meets the needs of students, local communities and the school boards duly elected by the citizens of Manitoba. Thank you.

Mr. Caldwell: Thank you, Linda, for a very thoughtful brief. I know that we touched upon some of these points when we met this afternoon and this document certainly fleshes them out for me very clearly. I think that it will provide useful guidance as we continue our deliberations here this evening and tomorrow.

Just with regard to a couple of points made. I just want to touch on a couple of points around administrative cost caps in the issue of mandating cost caps system wide. The degree of local control that is present in Manitoba today would be present in Manitoba post-administrative cost caps. An indication, and you would have a better understanding, perhaps, than me about the degree of local control in Manitoba versus the degree of local control in other jurisdictions, Ontario and Alberta, for example. Alberta, I know, has cost caps mandated. I am

not sure what the situation is in Ontario. Do you have any idea of the structures in those jurisdictions?

Ms. Archer: I would ask, please, Carolyn, to respond to that. I am afraid I am not well versed in the other jurisdictions.

* (00:10)

Ms. Carolyn Duhamel (Executive Director, Manitoba Association of School Trustees): I do not know per se, Mr. Minister, what the structure is in Ontario. I do know that, in this province, the administrative costs in divisions vary from division to division and that is related often to geography and demographics, to a large extent. In the 1999-2000 FRAME report, the cost for divisional administration was coming in at under 4 percent in this province. We do not think 4 percent is excessive. In the interim, the definition of administration has been revised to include more things and, yet, divisions are expected to spend less money. So it is a little bit of a contradiction.

Mr. Chairperson: Before the minister replies, I need to say for Hansard that this was Carolyn Duhamel speaking.

Mr. Caldwell: Just further, if I could get Carolyn back up again, soon.

Just further in terms to the brief. I think the brief provides a lot of guidance and a lot of fleshing out to some of the conversation that we had earlier today. There have been adjustments made to that administrative cost caps as initially announced on the advice of MAST. Could you share that with the rest of the committee, if you would?

Ms. Duhamel: Indeed. When the Government first announced the changes to the definition of administration, the traditional definition of administration in this province has been the superintendent's office, the secretary-treasurer's office and the board of trustees.

What was proposed was to add to that definition of the administration, the administrative component of transportation systems, the administrative component of operations and

maintenance and the administrative component of curriculum consulting and development.

What has happened since in terms of discussions of the FRAME committee is that the administrative component of curriculum consulting and development has been pulled out of there, but transportation administration and ops and maintenance is still in there. So, in fact, the definition is still broader than it used to be and we still have caps insisting that divisions somehow spend less. So we are pleased that on the curriculum consulting and development side, the Government heeded our counsel, but we would argue that transportation and operations in terms of facilities and buildings also constitute direct service to students.

Mr. Gilleshammer: I thank you for your presentation. The Government was out early on this issue saying that there would be \$10 million worth of savings by proceeding with the amalgamation of these school divisions. Has the Manitoba Association of School Trustees looked at the costs associated with running school divisions, and can you give an opinion of whether in fact there is a \$10-million saving to be had here?

Ms. Archer: Thank you for the question.

Mr. Chairperson: Ms. Archer.

Ms. Archer: A second time. I promise it will not happen a third, if there is a third opportunity.

The Government has repeatedly said that we would save 10 million over three years, but there has been nothing specific acknowledged. There has been no public acknowledgement of costs which would be incurred, such as harmonization of collective agreements, the extension, expansion of programs and services to students.

Mr. Chairperson: A brief question, Mr. Gilleshammer.

Mr. Gilleshammer: Thank you. So, if I follow your answer, rather than a \$10-million saving, there probably is going to be additional cost of some millions of dollars, perhaps upwards of

\$10 million in costs, including the harmonization of contracts? Is that correct?

Ms. Archer: I would not be able to respond to the 10 million amount in savings, but I could suggest to you that, with a recent amalgamation with St. Boniface and Norwood, it is apparent that there was some \$1-million cost in the amalgamating process for a much lesser saving of well under a hundred thousand a year.

Mr. Chairperson: Thank you for your presentation. We have now reached an order of the day, namely, at or about midnight. What is the will of the committee?

Mr. Struthers: Mr. Chairman, I would suggest that we decided we were going to reassess at midnight, which is what we have come to now. I see that there are still some people here on our list who have not presented tonight, who are here waiting to present. I would suggest that we hear anyone who wishes to speak tonight. I do not want to be cutting people off who want to have their views heard here this evening. So I would suggest that we canvass the audience, see who wants to be speaking and then accommodate the people who want to speak tonight.

Mr. Gilleshammer: I would be agreeable to having those people who wish to speak to proceed this evening on the basis that we do not drop anybody or consider them called once if they are currently here. Agreed?

Mr. Chairperson: It is agreed then that we will hear from anyone who wants to present tonight, but we will not call any names for a second time, and the committee will meet tonight, actually, at 6:30, as well. It is agreed? On a new point, Mr. Schuler?

Mr. Schuler: Just so that the audience has it clear, I think we all understand first calling, second calling, just for the audience, can you make it very clear, Mr. Chairman, that those people who wish to leave tonight and go home, will be up tomorrow at 6:30, the committee will sit again, and they do not lose their place or anything like that? Maybe the calling thing, they do not understand. That is our lingo. Just to be very clear that, if somebody does not want to stay for another two hours, they will be on for tomorrow.

Mr. Chairperson: You have got that correct, 6:30 tonight. If you have not been called yet, you will be called tonight at 6:30, but if anyone wishes to present, they can proceed to the podium.

So we will get one person to the podium, and the Clerk will get the names of the other people who want to present tonight. I am being advised to go by the list on the understanding that I cannot call people a second time. So we will get the Clerk to organize the list. I am going to recess for one minute while the Clerk gets some names. Please see the Clerk at the back of the room.

The next names on the list are actually Terry Egan and Sandra Oakley, CUPE Manitoba. If they are ready, we will hear from them. The Clerk will get the rest of the names.

We will call the committee to order. We will ask the Clerk to start keeping time, and we will hear from the next presenter. Could you start with your name and the organization, please.

Ms. Sandra Oakley (CUPE Manitoba): My name is Sandra Oakley. I am an employee with the Canadian Union of Public Employees as a national representative. I am here speaking today on behalf of CUPE Manitoba and its 3800 members of school board employees. We welcome the opportunity to submit a formal brief on Bill 14, The Public Schools Modernization Act.

CUPE represents about 24 000 workers in Manitoba. As I indicated, 3800 of those workers are public school sector employees.

Nationally we represent more than 100 000 school board employees and more than half a million workers across this country. Our members work as administrative assistants, audio-visual technicians, bus drivers, computer technicians, clerks, custodians, cleaners, educational assistants, food service workers, library technicians, paraprofessionals, secretaries, and trades and maintenance workers.

As an aside, I would like to state that although CUPE may perhaps be described as a special interest group, the majority of our

members are actually employed and work in school divisions because they are parents who have children attending the schools in which they are employed.

Secondly, we also pay taxes. No one has passed a law yet saying that public sector employees do not have to pay taxes. CUPE members provide many valuable services integral to the provision of quality education. CUPE and its members believe that our children deserve to receive a high quality of education in an environment that is conducive to learning.

* (00:20)

It is with these thoughts in mind that we would like to present the concerns of our members on the following issues: the recognition and protection of collective agreement and employment rights, CUPE involvement in the process, pension issues, and training for teaching assistants.

It is important that no employee suffer a reduction in wages, benefits, or pensions as a result of school board amalgamations. Collective agreement provisions will not be waived in the process of negotiating any transfer agreements. Seniority dates of all union members will be respected. Service rights of all transferring employees will be recognized. Unionized employees from other bargaining units should have priority over nonunionized employees in the filling of vacancies.

Dovetailing is the term used for the integration of the seniority of unionized employees who have transferred to a new unit. End-tailing is the term used for putting the seniority list of one set of transferring employees at the bottom of the current seniority list. Seniority lists of union members should be dovetailed and not end-tailed. Union members transferred to new positions as a result of school board amalgamations should carry their seniority date with them. Service for all transferring employees should also be recognized as service affects wage and vacation grids and pension and benefit entitlement, regardless of union status. Service for many CUPE members may in fact predate seniority in the recognition of their bargaining units and their current and existing school divisions.

Clause 12.3(9), no change in conditions for employees, which states that amalgamations will occur without any loss of the rights, privileges and obligations conferred upon or enjoyed by the employee before he or she was transferred, must allow for the dovetailing of seniority and the transferring of service rights.

That same clause should also mean that no employee will be laid off because of school amalgamations. In fact, school board amalgamations should mean more jobs for education workers since less of the budget, we are told, will be spent on administration costs. A stronger worded clause which refers to no layoffs would be preferable here.

In addition, there is no guarantee in this section that there will be no layoffs as a result of the contracting out of a service that is currently performed by employees in one division, where that division is being merged with a division where similar services are currently contracted out. I draw your attention to the Fort Garry school board, where CUPE proudly provides busing services for the students of Fort Garry. That division is being merged with Assiniboine South, where those services are contracted out.

Clause 12.3(2) addresses the issue wherein parts of the territory of a former division are transferred to and form part of two or more divisions. That clause requires that the new divisions must make every reasonable effort to reach an agreement regarding the fair and equitable allocation between them of the rights and property, debts, obligations and liabilities, and employees of the former division, and allows for arbitration to take place if the two divisions cannot come to an agreement.

But the provision is restricted to new divisions and does not allow employees or their bargaining agents to appeal the placement of employees within the new divisions. We believe that affected employees whose former division is being transferred to two or more divisions should have an appeal process. To this I speak specifically for the employees that we represent at Transcona-Springfield School Division. Unlike teachers, they do not have an avenue for transfer, and when we asked the division if they could, we were told that our members, the non-

teaching employees, were like the furniture. Unfortunately, this is just a repetition of what happened in 1995, when the Division scolaire franco-manitobaine was created, and at that time our non-teaching members in divisions that were seeding divisions were told that they, too, were furniture. We beg to differ.

Bill 14 does outline that employees will be retrained instead of laid off. However, re-deployment training does have a cost attached to it. The reference for no compensation due to transfer could be a potential problem in this instance.

It is also important for CUPE that unionized employees from other bargaining units have priority over non-unionized employees in the filling of vacancies. We recognize that in some instances in these mergers, we will be dealing with other unions who represent employees, and we recognize the rights of those individuals and that they should be given recognition before non-union employees.

CUPE is glad to see the proposals for community involvement in the school budget process, and we are glad to see an appeals process. However, as we have also indicated, we would like to see that appeal extended to other than just the divisions. We believe that employees should have the right to appeal their placement in those instances where their division is being split.

Across the country CUPE has been involved with school board amalgamations. One of the recurring problems that we face is the delaying of normal employer-employee negotiations while the amalgamation process is ongoing. Negotiating collective agreements in a timely fashion is very important to our members. It is our expectation that any collective agreement that expires during the upcoming months will be dealt with in a timely fashion and that the new division will recognize the legitimate interests of our members and not delay negotiations. We hope that the Manitoba school board amalgamations will provide the rest of the country with an example of how regular negotiations can be ongoing throughout a restructuring process.

Again, one of the stated reasons for amalgamations is to improve the quality of education and the provision of services relating

to education. Improving staffing, wages and working conditions will go a long way to improving the quality of education in Manitoba. Fair and appropriate pensions and benefits are greatly needed. A province-wide jointly trustee defined benefit pension plan and a jointly trustee benefits plan would greatly help our members and the work that they do.

The final report and recommendations of the Manitoba School Divisions/Districts Boundaries Review Commission, otherwise known as the Norrie Commission and report, dated November 1994 stated at point No. 27, page 131, "The commission recommends that the pension benefits of non-teaching employees not be adversely affected as a result of any change to division boundaries and that consideration be given by all new divisions to the establishment of a single defined benefit pension plan for all non-teaching employees."

This issue was of vital importance to our members. We wish to note that this would not necessarily require the establishment of a separate, jointly trustee, defined benefit plan for all non-teaching employees, as the current municipal employees pension plan is jointly trustee and there are provisions in that plan that would allow for the inclusion of non-teaching employees of Manitoba's school divisions.

We would like to think that the non-teaching employees in the province of Manitoba will soon be joining their brothers and sisters in the provinces of Ontario, Saskatchewan, and Alberta and have a jointly trustee, fully funded, defined benefit plan.

In addition to pensions and benefits, wages need to be fair and appropriate if they are going to attract and retain qualified workers. Having the same wage rate throughout the province will at some point help to stop the migration of rural workers to the higher wage paying urban divisions. It is imperative, however, that any wage disparities that may exist in the newly amalgamated divisions be dealt with in a timely fashion without penalizing the higher paid unionized workers in the process.

* (00:30)

Sometimes education positions are eliminated when members are not replaced, when they retire, or through other avenues of attrition. With the savings from amalgamated administration systems, we hope that attrition can be ended and that additional new workers and classroom resources can be put into place.

Contracting out, commercialism, and corporatization all serve to diminish the quality of our children's education. Corporation bottom lines are profits. The bottom line of education should be to serve students and their families and to help create the future of Manitoba and us as fellow Manitobans. We also know that contracting out education services has many quality and cost problems. Our research shows that quality diminishes while costs escalate. In the nearby province of Alberta, school cleaning was contracted out in some schools. However, now, due to quality and cost concerns, this school cleaning work is being brought back in-house and will soon again be done by CUPE members. We encourage Manitoba never to follow the contracting-out path.

Some of the increased revenue in school amalgamations can and should be spent on increased training for teaching and educational assistants and paraprofessionals, especially those who work with special education students. Increasingly, as a result of mainstreaming, these education workers are expected to care for and help assist and teach students with more severe difficulties and challenges.

The implementation of Bill 14 must mean that collective agreement and employment rights are recognized and protected. It must mean the dovetailing of seniority and service, job security, redeployment training, job postings, and our involvement in the process. Only if that happens will we be able to improve the delivery of education, see a normal pace for collective agreement negotiations, see staffing, wages, and working conditions, including pensions and benefits, and see the quality of education and eliminate corporate presence, commercialism, prevent the contracting out, and increase the training for teaching assistants.

Mr. Chairperson: Any questions?

Ms. Barrett: Just a comment, that was a very thorough analysis of the situation from a perspective that we have not heard from before tonight and this morning. Thank you very much.

Clearly, there has been a lot of work and effort that has gone into this presentation. I know that everyone will be working toward the same goals that you are stating in this presentation because we are all interested in quality education for our students, and that means, in addition to teachers and families and parents and administrators, the workers that are represented by CUPE and other groups that provide very vital services for schools. So thank you for making the presentation and bringing that perspective forward to us this morning.

Mr. Caldwell: I would echo the member's comments. I would also like to ask a question regarding, I suppose, the labour relations environment that CUPE works in in Manitoba and elsewhere in the country to get a perspective of your experience elsewhere and, I suppose, historically, in Manitoba.

Ms. Oakley: I happen to have just come back from being seconded to work in our national law office in Ottawa for two years. I would suggest that there are probably better ways to do things than the Ontario government did, but I would suggest that this whole process does need consultation. Clearly, there are some labour relations' challenges facing all of these new divisions in that under this legislation, the current school divisions are required to do their budgets for the 2002-2003 school year as though these mergers will not happen. So that ultimately means that any potential votes to determine who may represent similar groups of employees will not take place until 2003, perhaps later than that. That means that some of these new divisions will have to bargain with two separate bargaining agents representing exactly the same types of employees.

In some instances, CUPE has collective agreements that will be coming up for negotiations in December of this year, the new Louis Riel School Division being one. My understanding is that the paraprofessional association's collective agreement does not expire at the same time. But it is our expectation that, in light of the

provisions of The Labour Relations Act, when we serve notice to bargain on behalf of our CUPE members in the paraprofessional group who are currently employed at St. Vital, that those negotiations will proceed and will proceed in a timely fashion, and that the issues and concerns of those members, particularly potential wage disparities, will be addressed.

Mr. Loewen: Just a quick question, Mr. Chair. So you are suggesting that a non-union employee who has 30 years of service would be behind a union employee who has one year of service?

Ms. Oakley: I cannot speak on behalf of non-unionized employees, since I do not represent them and would have no opportunity to represent them. Did I say something humorous? My obligation is to the individuals that I represent. The Labour Relations Act prevents me from representing people who are not in a bargaining unit. Those people will have their service seniority, but we do not act on their behalf. We do not represent their positions.

Mr. Chairperson: Thank you.

Ms. Oakley: Thank you.

Mr. Chairperson: The next is No. 12, Karen Velthuys, Chair; Craig Stahlke, Secretary-Treasurer; and Jean Beaumont, Superintendent, Fort Garry School Division.

Please proceed. I think, since there are three of you, you are going to have to introduce yourselves.

Mr. Craig Stahlke (Secretary-Treasurer, Fort Garry School Division): Good morning, my name is Craig Stahlke. I am secretary-treasurer of Fort Garry School Division. On my left is Karen Velthuys, who is the chair of the Board of Trustees, and, on my right, is Jean Beaumont, who is the superintendent of schools.

The board has asked me to make the presentation on behalf of the division. In addressing the proposed legislation, the Fort Garry School Division is expressing its desire to maintain good practices for local government where the important decisions are made closest

to the users of the services and to foster sound and sensible administrative processes which are as practical as possible and contribute to the best possible decisions being made by local school boards.

Bill 14 provides some material changes to the latitude of decision making for school boards in Manitoba. Some of the more significant changes move certain important decision-making power from the school boards to the Minister of Education, Training and Youth. These changes remove decisions from the locally elected authority, which is most familiar with the circumstances and reasons for the decisions, to a more removed and centralized authority at the provincial government. As a matter of general principle, the Fort Garry School Division believes that school boards ordinarily exercise good judgment when making these decisions. Since these decisions require a high degree of local knowledge, local divisions are better able to make a properly balanced decision than is the minister or other officials of the provincial government.

The more dramatic changes to the act provided in Bill 14 are, in order of significance, as follows:

1. Requirement for amalgamating divisions to submit budgets for 2003-04, 2004-05, 2005-06 fiscal years to the minister before final approval and to make such changes as may be directed by the minister.
2. Establishment of limits on administrative costs.
3. Issuing of subsequent regulations addressing effective date of amalgamation interim board altering a fiscal year.
4. Changes to procedures relating to the Board of Reference.

* (00:40)

With respect to the submission of the budgets, there are two components of concern to this section. The first concern relates to the accountability and equity issues, while the second concern being the administrative and

logistical implications of this proposed legislative change. As to accountability and equity, the proposed legislation requires that each amalgamated division must submit its annual budget prior to final approval to the minister who may direct the divisions to make any changes at the minister's discretion. This applies for a three-year period. Failure to include such ministerially directed changes may result in the withholding of provincial support for the division.

The minister, in this proposed legislation, has a totally unfettered right to impose any change whatsoever. It could be minor, moderate, or utterly change the essence of what the division is attempting to achieve in its plan for the forthcoming year. The minister has no obligation to explain the changes nor even has to have any rationale or educational reason for any change, nor does the minister have to base any change on the actual facts or circumstances facing the school division at the time. There may well be no opportunity afforded to the school divisions to provide any explanation to the minister as to why the budget was struck by the division in the manner that it was.

Madam Vice-Chairperson in the Chair

Any ministerial changes could have an impact on the division's special levy, either increasing or decreasing that levy. The special levy is the property tax raised by the local division for educational purposes. If the minister wishes to more restrictively guide the use of provincial grants, that is well within the minister's purview. To use this legislation to direct the level of the special levy or to impact upon it in any way is inappropriate and should remain the exclusive authority of each division.

Under this legislation the minister is not accountable to anyone with respect to changes which may be directed. In fact, it may be the local school division which will be accountable to the taxpayers for the minister's directions as the minister's changes will be absorbed within the overall division budget.

There is no limitation, direction, focus nor guidance in the legislation with respect to areas where the minister may demand changes to the

budget nor any requirement that the changes be reasonable. Our administration has been informed by departmental officials that the minister is interested only in reviewing the amalgamation costs, which would be included in each division's budgets. If such were the case, the legislation would be drafted in a way so as to limit the minister's arbitrary budget-changing authority to costs incurred as a result of amalgamation. The proposed legislation contemplates no such restrictions. Further, the local divisions are much better placed than the minister to assess, understand and estimate the costs of amalgamation.

School divisions will not deliberately overstate nor understate the financial impact of amalgamation, which would warrant the minister to make arbitrary budget changes for local divisions. The additional amalgamation support offered by the provincial government is not required to be justified through actual costs of amalgamation. In fact, the actual cost of amalgamation is expected to significantly exceed the provincial support. In other words, even if the minister's discretion to require changes to local school division budgets was restricted to amalgamation cost matters, there is absolutely no genuine need for the minister to have that authority.

With respect to administration and logistics, currently, without this proposed legislation, there exists a period of four to seven weeks for boards of trustees to consider their budgets between the time that the provincial funding is announced and the time that approval must be given to the municipality. The provincial funding announcement is not made prior to January 15 and frequently is delayed by one or two weeks. On occasion, the announcement has even been delayed until February. School divisions must notify the municipalities by March 15 as to the amount of the special levy to be raised. Boards of trustees frequently make such approvals during the first week of March.

Between the announcement of the funding and finalization of the special levy, divisions must consult with parent advisory councils, as Fort Garry has done for years, and the general public, allowing them sufficient time to meaningfully consider the information presented and prepare responses to the trustees.

Presumably, the minister will require some period of time to consider the budgets submitted and whether or not any ministerial direction will be given. During that period of ministerial review, the division cannot amend its draft budget, as any amendment would not have been submitted to the minister as required for review. Assuming that the minister would require the budgets to be submitted, say, by February 15 for his review, and assuming that the funding announcement is made after January 15, which is normally the case, this would provide the amalgamating school divisions only three to four weeks to consult with the public and the parent advisory councils regarding the budget, receive their responses, and consider the impact on the local taxpayers. This is a time frame that is so limited that the parent advisory councils will have precious little opportunity to consider the budget information provided and submit a response before the budget is required by the minister. As well, there is a totally inadequate period of time for the board to conduct its own budget meetings and consider its options with respect to the striking of the budget. The time lines of this legislative requirement could create a logistical nightmare for amalgamating boards.

Establishment of limits on administrative costs, no board of trustees willingly incurs administrative costs beyond its requirements. The increasing needs for information from the Province, the public, boards of trustees, the growing complexity of the school division operations, places even greater demands on boards and management to ensure that there are appropriate levels and systems of control in place. Administrative costs are not simply the number of superintendents or other senior managers employed by the divisions, but include the costs of new technologies and systems and their resources to provide the information and controls required.

This legislation would permit the minister absolute discretion to set such limits, whether or not they necessarily reflect the reasonable levels of administrative support required at the divisional level. Local divisions are quite capable of determining their own needs with respect to the level of administrative support. If, however, the minister chooses to arbitrarily determine maximum limits, these limits should

be reasonable and set objectively in consultation with school divisions.

Subsequent regulations. Subsequent regulations are scheduled to be issued, most likely in June, well, maybe not June now, but addressing the issues raised above. It is the view of the board of trustees that the interim board ought to be the two existing boards combined, less any trustees who choose not to serve. Although this legislation would permit the minister to have the authority to appoint the interim board as he sees fit, it would not be in the best interest of the amalgamating school divisions to disenfranchise duly elected trustees.

It is our understanding that the effective date of the amalgamation may not be July 1, 2002, although that would be the most practical date as the fiscal year terminates on June 30. In the event that the actual date is later than July 1, this division would encourage the minister to alter this fiscal year accordingly, rather than require multiple audits. An early notification to divisions regarding this matter and the effective date of the amalgamation would be of significant assistance to the divisional administration as they begin preparing financial statements.

Board of Reference: The proposed legislation would deny to local school divisions the right to make application for boundary changes, save and except for the purpose of amalgamating divisions. Where school divisions have the need to make adjustments to their divisional boundaries, they must, under the proposed legislation, apply to the minister, and the minister would decide whether or not the request has merit, and may or may not submit this request for consideration to the Board of Reference rather than allow the Board of Reference to consider the merits on its own of any application. Groups of residents would also be denied this right.

I might add that Fort Garry in the last, oh, more than 20 years, has gone through a number of these Board of Reference hearings, some in conjunction with other school divisions, some in disagreement with other school divisions, for genuine needs to straighten out various school division boundaries that have become obsolete in the light of development that has actually been—where residences and condominiums have been built literally on the boundary line.

In summary, Bill 14 proposes concentrating increased decision-making power in the hands of the minister when those decisions would be best made at the local division level. The role of local boards is to understand their communities and views of the local residents and have a more complete grasp of the circumstances relating to the decisions which are made.

In view of the fact that the local taxpayer is funding these decisions, and in Fort Garry it is over 50 percent, to a large degree through the special levy, the Minister of Education through this proposed legislation should not be removing from local boards this decision-making authority, Madam Chair.

* (00:50)

Mr. Caldwell: Thank you, Craig, Karen and Jean, and, Craig, particularly, thank you for reading it. I missed the Rush Limbaugh ties—

Floor Comment: I knew it was going to be a long night.

Mr. Caldwell: I always admire those ties, so I miss them tonight.

I appreciate the comments that you raised. Some of them parallel the MAST presentation that we heard earlier this evening. I particularly appreciate the point at the bottom of page 7 in terms of the July 1 being an important date in terms of school budget years and fiscal years. I think that that has been on all of our minds on the government side of the House over the course of the last couple of months. I am glad that you highlighted it here today. You are one of the few divisions that have.

In terms of the Board of Reference procedures, we had a number of concerns expressed, or I have had a number of concerns expressed, over my time as minister, where we had residents seeking to transfer property that was not owned by them, transfer out property of other individuals. Essentially, somebody would make a request to transfer the property of other individuals, and that was of concern. I do not know if you have any views on the appropriateness of Citizen A requesting the transfer of Citizen B's property. I just throw that out to you.

Mr. Stahlke: Did you want me to respond to that?

Mr. Caldwell: You can reflect on it.

Madam Vice-Chairperson: Mr. Stahlke.

Mr. Stahlke: Thank you. I was just waiting for the word. The experience in Fort Garry has been, as I mentioned, in at least three instances where two divisions have looked to transfer the boundary or disagreed over it. The most common instance in Fort Garry, where we have had cases of single individual properties approaching the Board of Reference through a petition to the minister, has come in the Parker Avenue area. You are familiar with Parker Avenue. It is south of the CN tracks, but the boundary line between the Winnipeg School Division and the Fort Garry School Division runs along the property line on the south side of the properties, on the south side of Parker Avenue. What has happened over the years is that families with children who attend Fort Garry schools which are the closer schools have wanted to be part of the Fort Garry School Division rather than part of the Winnipeg School Division. We have assisted them and in fact supported them before the Board of Reference which was to transfer their properties. The board has in every single case approved that.

In cases where applications have been made for the Board of Reference for these transfers to be made, not for educational reasons but because the taxes are lower in Fort Garry than they are in Winnipeg, those have been denied by the Board of Reference. Our view is that the Board of Reference has exercised good judgment in this regard. They do not always agree with us, but they have exercised good and careful judgment, and I think have served the province well. In all the years that we have dealt with them, it has been a real valuable asset. We see this change as diminishing that role.

Mrs. Smith: Thank you very much for coming tonight. It is very, very late, and I think the minister can attest to the fact that in the House on several occasions I have talked about the offloading of the property tax and the increase in taxes or the offloading of the property tax from the University of Manitoba, something which we are not against but the fact that there has been no grant going to the school division and the burden of the tax on local taxpayers in Fort Garry has been a real consideration.

Mr. Chairperson in the Chair

The other thing was the slicing and dicing of the boundaries at the civic level through Inter-governmental Affairs, which I know that is not your area, but that is the other aspect, and Bill 14 is something that we have brought up on a consistent basis in the House. I guess while everyone is here, the minister is here, I heard you say tonight that you sympathized and you enjoyed hearing everybody. Could I ask is there any serious possibility of having the recommendations from this very insightful and scholarly presentation adopted so Fort Garry will not again get another hit? Could the minister answer that?

Mr. Chairperson: As Chairperson, I would like to point out that the time for questions has expired, and there is ample opportunity for members to ask the minister a question, either before clause by clause, or during clause by clause. The time has expired for questions. Thank you.

Mr. Loewen: Given that this is one of the last presenters of this evening and the minister ran on rather at length with his first response that made up most of the five minutes, do we have time for a couple of quick questions? I guess I should ask leave of the committee.

Mr. Chairperson: Is there leave for Mr. Loewen to ask a question? Leave for one question? Is that what I heard?

An Honourable Member: But I believe Mr. Gilleshammer was on the list.

Mr. Chairperson: Oh, and Mr. Gilleshammer was on the list.

Mr. Loewen: Thank you. I appreciate the understanding of the committee.

Mr. Chairperson: Leave is granted.

Mr. Loewen: I again appreciate the work that has gone into the presentation. Very well thought out. I would ask whether, prior to the minister's announcement of the forced amalgamation of Fort Garry and Assiniboine South School Division, there was any consultation with

the school divisions, and, subsequent to that, have the school divisions been able to determine whether there will in fact be savings or whether there will be, in your view, extra costs.

Mr. Stahlke: We do not anticipate savings. This is going to come in a number of stages. In the budgets we have for 2002-03, the amalgamation costs that Fort Garry and Assiniboine South have budgeted together is about \$1.3 million. Some of these relate to one-time costs, which will not be repeated, dealing with integration of systems, computer systems, renovations. Other components of this will be ongoing costs as we look to harmonizing our risk exposure in the harmonization of the collective agreements. This is going to be substantial, and it will carry on.

There will be some administrative cost reductions after the first year. One of the reasons that you will find a lot of these divisions have retained the same level of administration in the first year is because there is a great deal of work for amalgamation that has to be done in this next year, and it cannot be done up to this point. It is not that divisions and boards have wanted to be profligate in keeping administration, it is that there is a genuine need to have them. There will be some reductions in administration costs, with or without the 4% cap, following the end of June of next year. In my estimation, those cost reductions will not offset the increased cost of harmonization and other related expenditures.

Mr. Loewen: Thank you.

Mr. Chairperson: Thank you. The next presenters are Dennis Wishanski, Jan Paseska, Sandra Paterson-Greene, school trustees, Bruce Alexander, chairperson, Elizabeth Kozak, assistant superintendent, from St. James-Assiniboia School Division. Please identify the speaker.

* (1:00)

Mr. Dennis Wishanski (Trustee, St. James-Assiniboia School Division): Hi. Thank you very much. Dennis Wishanski, school trustee, and Elizabeth Kozak, assistant superintendent. The other members have long since fallen asleep. I would like to thank the committee for staying up well beyond their normal bedtime to hear us speak. It is most appreciated.

Before I get into my presentation, I would like to make a couple of brief suggestions, one of them being that, if more fans could be brought in, that would keep the presenters cooler, and, since mosquitoes do not do well in moving air, that would solve the mosquito problem. For the benefit of the presenters who will be coming tomorrow, if you can do that, I know they would appreciate it, and, if my suggestions are listened to, I know I would appreciate it. So thank you for listening to that.

After sitting here all night listening to a number of presentations, I notice that there are, certainly, a number of common themes. Our presentation was developed by ourselves. I am sure all these other ones were presented and developed by themselves, but yet we have many common recurring themes. I think that should send a powerful message to the committee. We are all coming up independently with similar logical deductions, and, to me, that is important.

Our board is interested in promotion of good local government as it relates to the accountability, efficiency, and effectiveness of school boards in Manitoba. Significant changes presented in this bill will transfer authority and with it accountability from local school boards to the Minister of Education, Training and Youth involve centralization of authority with the minister and provincial officials, who are remote from local residents and unaware of the responses that they may require from the school boards they elect.

The record of school boards in Manitoba is one of prudence, responsibility, and accountability. This record calls into question the direction of government to reduce their authority, accountability, and responsiveness. Local school boards are better able to make properly balanced decisions as opposed to provincial officials who are removed from the full knowledge and culture of local communities.

Further, and most importantly, this proposed legislation usurps the local autonomy and major decision-making powers of the board of trustees while, at the same time, leaves local authorities most vulnerable in the area of accountability as centralized decisions are imposed by the minister, Mr. Chair.

The proposed changes in Bill 14 that are of great concern to our board and in order of importance are referenced below: (1) Board of Reference procedural changes, section 9(7); (2) provision of authority to the minister to make subsequent regulations 12.2 (a), (b), (c) and, in particular, (d), and reads, in part, respecting any other matter that the minister considers necessary or advisable in connection with the formation, continuation, amalgamation or dissolution of one or more new or former divisions; (3) centralized budget requirements pertaining to establishment of limits on administrative costs and also requirement for amalgamating divisions to submit budgets for three fiscal years to the minister before final approval and to make such changes as may be directed by the minister.

Our recommendations:

1. Board of Reference procedural change to Bill 14, section 9(7). Under the proposed legislation, awards made by the Board of Reference would be final with no right of appeal. If allowed to stand, the right of appeal that currently exists would become a right to judicial review, which looks only at the process by which your decision is reached rather than the substance of the decision itself. This is totally unacceptable, as it substantially reduces the power of local residents to impact decision making and, at the same time, deems Board of Reference award determination as infallible. With reference to Bill 14, section 9(7), the board of trustees recommends that there is no need for the proposed procedural changes to the current powers of the Board of Reference.

2. Issuing of subsequent regulations. In the past four years, there are examples of school divisions that have successfully amalgamated under current legislation. This proposed legislation appears to impose far more powers by the minister than is necessary or required. These proposed policies, in fact, are causing more undue pressure in an already stressful environment. This proposed legislation will give the minister very broad and open-ended regulatory powers in regard to school division amalgamations. Regulations are not subject to the same public scrutiny as is new legislation open to debate in the Legislature and through the Law Amendments Review process. This action, once again, unnecessarily reduces the voice of

communities and school boards regarding education matters that are clearly within the board's purview.

So, with reference to Bill 14, section 12.2, the board of trustees recommends that legislation be passed to give necessary authority and powers to interim boards of amalgamating divisions to act on behalf of their communities.

3. Centralized budget requirements. There are two main areas of concern relating to budget requirements. The first issue relates to the expanded role of the minister in specific budget areas and the second focusses on accountability and equity issues.

(a) Administrative cost limits. This legislation expands the role of the minister and encourages micromanagement in the day-to-day operations of school boards. The legislation, by definition, gives the minister the authority to impose limits on administrative costs, to define what cannot be included in administrative costs and, ultimately, withhold funds from school boards exceeding the defined limits. The board of trustees of St. James-Assiniboia is very fiscally aware, responsible and responsive to local needs with regard to the level of administrative costs. They are in touch with local requirements with respect to the level of administrative support that is necessary on an annual basis. The board objects to this precedent of the minister's ability to set limits in one area of budget. This sets a dangerous practice for targetting of other areas within budgets in the future.

With respect to Bill 14, section 16, the board recommends that a budget with regard to funding administrative costs remain fully within the authority of the local board of trustees.

(b) Budget submissions for a three-year period. This section of the legislation would give the minister authority to require revisions to the budgets of amalgamating school boards, in accordance with his directives, for a total of three years following amalgamation. This automatically creates a two-tiered system of school governance, whereby some legally constituted school boards would be subject to more control than would others. This budget submission process is most unfair. The minister has not clearly

spelled out criteria by which judgements regarding budget submissions will be made. This information, of course, must be readily available to trustees prior to imposition of budget changes by the minister.

Under this legislation, the minister has no obligation to explain to anyone changes that may be directed to amalgamating districts. The minister has total authority to impose any change without justification. This legislation without limitation is draconian in nature, as it is the local school division which ultimately has to maintain accountability to the local taxpayers—not centralized authorities that impose the regulations.

With respect to Bill 14, section 22, the board recommends that the current decision-making authority with regard to budgets, program and service delivery be maintained at the local level.

In conclusion, our board believes that the passage of Bill 14, as currently proposed, will impact negatively on public education in our province. It is difficult to envision how centralized authority at the provincial government level will make sound decisions more effectively than locally elected authorities, who are most familiar, and much more informed, with regard to circumstances and reasons for appropriate decisions. Such proposed ministerial incursions into the local decision-making process of current boards of trustees will erode and undermine the necessary level of local decision-making power for individual communities. Legislative changes, as proposed in Bill 14, go well beyond the requirements for current amalgamations. They are intrusive and ill-defined, which, indeed, has created undue stress at the local level as opposed to the necessary assistance and support required by divisional administrators and trustees who are coping with amalgamations. This proposed legislation grants unilateral authority to the minister that allows for decision-making to be implemented in a blunt, insensitive and guillotine-like manner. Are current, collaborative, local processes to be usurped in order to try to realize promised cost savings of up to 10 million dollars due to amalgamations?

* (1:10)

Local residents, via their school board trustees, must have input into the decision-

making process at the local level. Ongoing micro-management by centralized government authorities will only lead to alienation, as opposed to proactive involvement of the stakeholders at the community level. How can this proposed legislation support our ultimate mission: the achievement of strong, healthful, resilient, interactive communities in the province of Manitoba?

So, in conclusion, with respect to proposed changes to Bill 14, the board of trustees recommends that the Province of Manitoba withdraw Bill 14 and proceed with amalgamation under the existing provisions of The Public Schools Act.

Mrs. Smith: I just have one question. It was a very strong presentation, and I thank you for that presentation. I would like to ask if you have run this by your local MLA, and is your local MLA supporting you in what you are saying in this document? Your local MLA is St. James-Assiniboia MLA.

Mr. Wishanski: Yes, thank you for the question. We did present this brief to all three of our local MLAs. One is definitely supporting us; the other two thanked us for the submission, and were going to take it back for further review.

Mrs. Smith: Then I would expect, the day that this comes to vote, that those MLAs who support you—

Mr. Chairperson: Excuse me, Mrs. Smith. Can you move closer to your microphone. I cannot hear you and I am afraid Hansard might not.

Mrs. Smith: My question is, and I would expect, if you have the apparent understanding that they are supporting the presentation, I would assume that the day the vote comes, that they will be voting against this particular bill. Have they assured you in that regard?

It is very important to ask that, because we are going into a vote in about a day.

Mr. Wishanski: As I mentioned, I have received one commitment. The other two were taking it under advisement. They will render their decision, I hope, favourably, but they were non-committal.

Mr. Loewen: I certainly appreciate you staying to this late hour and sharing your well-thought-out presentation with us. It certainly echoes a number of presentations we have heard tonight from school divisions all across the province, some that are being amalgamated, some that are not, and it echoes what we have heard from MAST.

Given that the minister has received this information certainly as early as May in a report that was sent to him by the Fort Garry School Division and has had lots of time to consider these issues, we know for certain that he will not do as you request and withdraw the bill because we have put two amendments forward in the House asking that, and both have been voted down by the government side, and two of your members voted with the Government on that.

So I am just wondering if the minister has indicated to you or to your knowledge if he has indicated to MAST that he is willing to seriously consider bringing forward amendments to his own bill which will reflect the position that your board has taken and certainly a number of other boards have taken.

Mr. Wishanski: I am sorry, that was such a long question that I fell asleep in the middle. Maybe you can summarize it. I will try and stay awake for that. *[interjection]* I think Ms. Kozak was fully awake and she whispered in my ear that, no, the minister has made no such recommendation. I still do not hear one, so I assume there is not one forthcoming.

Ms. Bonnie Korzeniowski (St. James): I just cannot resist—

Mr. Chairperson: Ms. Korzeniowski, I cannot hear you and possibly Hansard cannot either. Can you pull the microphone up? *[interjection]* Bonnie? I cannot hear you and Hansard might not either. Please use the microphone.

Ms. Korzeniowski: I just want to make a couple of comments, that, yes, this is a very familiar document, and we did clarify our position, our understanding.

We did not get into any debate on the bill, but I think we made our position fairly clear and quite appreciated the comments in here, and, as

promised, we did bring them back to our minister.

What I wanted to comment on is that I just find surprising—I have to say this—your comment about the local school boards are better able to make properly balanced decisions as opposed to provincial officials who are removed from the full knowledge and culture of local communities.

I think, given our sometimes maybe even unwanted involvement, that your local provincial officials have established a fairly good and frequent relationship with you, and I think maybe the full knowledge and culture of local communities are very beneficial. I think, as you know, both Jim and I have taken a tremendous interest and think we have a pretty full knowledge and understanding of the culture of the local community.

So I guess I just take a little exception to that because I thought that we have done a pretty good job of keeping in touch and trying to help as much as we can. I know that it has been appreciated. I know that it has been verbalized that it has been appreciated. Sometimes I guess we have been a bit of a thorn, but I do not think you can say that we do not have a knowledge of the culture and the local community.

Mr. Chairperson: I think that was a statement. I do not think I heard a question.

Mr. Wishanski: I think Ms. Kozak would like to reply.

Ms. Elizabeth Kozak (Assistant Superintendent, St. James-Assiniboia School Division): Yes, we certainly acknowledge that our local MLAs are indeed involved in local matters and are very active in our community. That is so.

What we were referencing in the document at this point was that we were looking at individuals of government directly associated with the minister's department who may not have full knowledge of all of the individual local communities, but certainly not our own MLAs. We acknowledge that involvement.

Mr. Chairperson: Thank you. The time has more than expired.

The hour being after 1:10 a.m., what is the will of the committee?

An Honourable Member: Committee rise.

Mr. Chairperson: Just a reminder that an additional meeting of this committee has been called for this evening, Wednesday, July 26, at 6:30 p.m., again in this committee room. Committee rise.

COMMITTEE ROSE AT: 1:15 a.m.

**WRITTEN SUBMISSIONS PRESENTED
BUT NOT READ**

Re: Bill 14

I propose the following 3 amendments to Bill 14.

Amendment #1:

Remove all boundary changes in regard to the proposed split of Transcona-Springfield School Division, reinstating the division as a whole, in order for a voluntary amalgamation in the best interests of the students to be pursued. I request this on behalf of our students to maintain programming and support services, which our students are severed from in the proposed split.

Amendment #2:

Remove all changes regarding the Board of Reference, awards of the Board of Reference, and possible subsequent court awards, retaining this necessary option for parents, trustees and council in the event of educational disputes. This is a vital check and balance to ensure that dictatorial decisions are not made without due process.

Amendment #3:

A new section stating that all students in amalgamating divisions must continue to receive, at minimum, the same opportunities for programming and support services as existed prior to amalgamation. The entire premise to amalgamation is that student learning opportunities will be enhanced, at a cost savings targeted to the classroom. There are currently no provisions protecting students in this bill for whom the entire system exists, only provisions protecting staff, and their rights and benefits.

Please carefully consider these concerns and your subsequent Standing Committee recommendations.

Kathy Andersson

Concerned Transcona-Springfield Taxpayer

* * *

I felt it was important to submit this brief written submission on Bill 14--The Public Schools Modernization Act--to the Standing Committee on Law Amendments in order to support the Minister of Education in his goal to enable the smooth amalgamation of school divisions in Manitoba. Amalgamations are something educational stakeholders in Manitoba have been debating for years (since the last amalgamations over 40 years ago), and now that the Minister has taken a strong step toward viable operating scales by joining smaller school divisions into larger ones, it is imperative that the Minister create a game plan to ensure the success of the new divisions; in my mind, this is exactly what Bill 14 does.

With respect to the recent amalgamations (reducing the number of school divisions in Manitoba from 54 to 36), I am satisfied that the Government of Manitoba, empowered by the British North America Act (1867) and the Constitution Act (1982), has acted appropriately by displaying responsibility for the public school system in Manitoba. The current system, which is inequitable, and, largely, inadequate, must be changed. Hopefully, this will be the first step in a series of improvements in the organization of public school divisions to benefit students attending public schools in Manitoba. The Minister has made these changes with the goal of improving the delivery of programs and services to the children of Manitoba, and that is what any change should do.

The current system, of 54 school divisions with student populations varying between 35,000 and 800 students, simply does not allow students equal access to the programs and services they require. As the Manitoba Teachers' Society has been saying for years, "Every Manitoba child deserves a fair chance," with equal educational opportunity regardless of location, socio-economic status and learning needs.

Isn't that the point of a public school system? Shouldn't a democratic government endeavour to entrench the rights of all individuals to have equal access to a public education, leading to a decent lifestyle, culture and career for everyone? Small school divisions and districts have a difficult time offering more than the most basic of programs. So, since our system favours areas with larger operating scales, why not endeavour to equalize that operating scale for all divisions? In most cases, increasing the size of school divisions will increase access to provincial and local funding, and will lower the "per-pupil" costs for the delivery of programs currently in place, freeing up the "savings" to improve programs drastically in need of funding. This is an important point to remember as we enter the first year of school under the amalgamations—although there will be a savings on programs currently in place—any money saved should remain in the public school system to improve programs. We must remember that fairness with respect to programs and services for our children does not mean that all students are learning the same thing at the same cost per pupil. It means that all children should have fair access to programs and services, regardless of where they live in the province.

However, the term "equity" is not only applicable to students. It also has an important meaning to taxpayers. When one considers the relative strength of the financial contribution made by one taxpayer in a small school division with a small assessment base to a similar contribution made by one taxpayer in a large school division with a large tax base—the comparison is very illuminating. In the former, the taxpayer's dollar simply does not go as far. Because of a system that matches provincial dollars with locally-raised tax dollars (via the special levy), the taxpayer in the small division with the small tax base is not part of a "team" generating enough local money to access all the provincial funds that might be available. Any move towards harmonizing the sizes and tax bases of our school divisions not only generates equity of program access for students, it generates equity of "tax clout" for each taxpayer of Manitoba. Without a doubt, those who have accepted the old adage about death and taxes (being the only two things certain in life) would agree, in both cases that fairness and equity are all that can be

asked for—and those who do not accept the adage are just kidding themselves, or in a position to take care of themselves above and beyond the expectations of the average Manitoban. Compounding this inequity are the redundancies and different fiscal policies of the various school boards. For example, currently, almost all of the 54 divisions run their own busing systems, with different administrations, contracts, servicing arrangements and maintenance sites. Surely a reduction of this duplication would save money that could be used in the classroom!

A common misconception, which occurs when people talk about amalgamation, is that the entire concept is about getting larger—for example, closing smaller school and busing students to far-away places. Nothing could be further from the truth. Larger, more solvent school divisions will be better equipped to support small schools than small, financially-strapped school divisions. It must not be forgotten that the Minister has taken a leadership role in supporting small schools via this Bill, prohibiting the closure of schools for three years.

What Bill 14 does is lay out a road map for the success of the current round of amalgamations. It deals with administrative issues such as reducing the number of school trustees in Manitoba, forcing school boards to have between five and nine trustees (with some exceptions). This moves our public school system toward equal representation for students, parents, voters and taxpayers. Currently, Winnipeg School Division #1 has nine trustees for 35,000 students, while the rest of the province has more than 400 trustees for 160,000 students. The difference amounts to a (roughly) 4,000:1 ratio in Winnipeg #1, versus a 400:1 ration for the rest of Manitoba. This imbalance needs to be corrected, and Bill 14 begins that process. Bill 14 establishes criteria for the transfer of assets, liabilities and employees from former school divisions to new ones. Bill 14 restructures the process for the transfer of land between school divisions. Bill 14 empowers the minister to set limits on prescribed administrative costs of school boards. Bill 14 provides for the gradual phasing-in of a common mill rate for amalgamating divisions over three years, and Bill 14 requires a local consultation process of annual school board budgets.

All of these aspects of Bill 14 allow our public school system to respond to more than 40 years of change, including: the variances in student population and demographics, the evolution of program costs, the changes to our property tax base structure, the technological revolution, and the improvements (in most cases) in our transportation infrastructure. Our current boundaries reflect a more than 40-year-old reality—the new amalgamations and Bill 14 reflect today's reality.

Another useful thread of debate can be followed in the area of teachers' salaries and working conditions. The current situation, with 54 employers employing the 14,000 teachers in Manitoba, is conducive to a wide variety of salaries and working conditions for teachers. Bill 14 allows Manitoba to work towards a goal of equal work for equal pay, and our next step will be the blending of our collective agreements in a fair manner. Any move toward a provincial model of collective bargaining with teachers is worthy of applause. For teachers, learning and working environments throughout the province should enable them to deliver quality educational services with the resources and supports they need to meet what is expected by Manitobans—regardless of where they teach. Moving towards a provincial bargaining system with teachers is a step towards ensuring equitable delivery of programs and services across all of Manitoba.

As you can see by the task ahead, it is important to remember that Bill 14 is only a step towards making access to Manitoba's public schools more equitable. Years of damage brought on by the previous government, which attempted to destroy our public schools in order to promote the "privatization" of education in Manitoba, cannot be reversed in one Bill, one session, even one mandate. If we are to continue to sort out the mess left behind by the Filmon government, we must support the Minister in his efforts to change the system. This will require constant review of our status, and constant monitoring of our movement towards our goals. With respect to boundaries and operating scale, I would certainly hope that this means that we initiate reviews more often. Waiting 40 years before another review would prevent us from continuing down the path on which we have started this past year. Even with the amal-

gamations of 2002, tiny school divisions still exist in Manitoba, as Turtle River (1,200 students) and Turtle Mountain (800 students) still suffer operating scale challenges. Bill 14 will enable the public school system to administer the amalgamations, and open the door to planning for future operating scale and boundary revision.

John Ehinger
Teacher, Agassiz Adult Education Centre
Provincial Executive, Manitoba Teachers' Society

* * *

I would like to begin by saying how disappointed and concerned I am for a government that forces its citizens to go to such great lengths and expense just to have a democratic voice.

It's unfortunate that this government treats democracy so lightly. The issue of school amalgamations and Bill 14 point directly at political interference, which in the case of Springfield, was more or less verified by Transcona MLA's reported comments. Not only was our school division split, but Springfield's industrial tax base was initially taken as well. It has not gone unnoticed that divisions experiencing the most problems from boundary changes are represented by Tory MLAs. It is unacceptable to use children as political pawns.

There was no public consultation to provide factual information on how more funding will be available in the classroom except the obvious solution of increased taxation. There has been no disclosure on the criteria used to implement the new school division boundaries. The only repeated answer that Education Minister Drew Caldwell gave to numerous pointed questions asked by the media on May 9th was that the issue was about symmetry. Children should not be treated as symmetrical legislation. This government has utilized the Norrie Report as sufficient public consultation, but 7 years later there is a different group of parents representing their children. Even if the Norrie Report was accepted as fair public consultation, the report's recommendations are not being followed by this government, which should make it nil and void.

When in opposition, a couple of the present day ministers were vehemently against school

board amalgamations, but to date they have not validated their change of heart with any criteria.

Unicity has proven that bigger is not necessarily better and certainly not cost effective. However, Springfield residents are not opposing amalgamations but are adamantly against the confiscation of our 40-year educational investment that perhaps was naively placed outside our municipal borders in Transcona. School board amalgamations have taken place across the country, but, to my knowledge, the split in Transcona-Springfield S.D. is precedent setting.

I strongly believe in the democratic process and therefore I'm strongly opposed to the current government's actions. A province that is working diligently to attract people and jobs is doing the opposite with Bill 14. A government that silences dissenting voices is not a welcome voice. Families are or should be top priority. When children are treated so shabbily by government, Manitoba is not viewed as a province conducive to raising a family.

I request that Springfield residents, on behalf of their children, be given the opportunity to state their case against the split of their school division.

Sincerely,
Karen Lalonde

* * *

I wish to protest Bill 14, The Public Schools Modernization Act, that the government has

introduced. The Bill will, in effect, cancel out any decisions made by a Board of Reference such as the one that the Springfield Schools Parent Councils are seeking. Should Bill 14 pass, it will retroactively remove the power of any previous decision-making board.

This takes away our right to challenge the government. No matter what citizens do, we lose. It is perhaps not surprising that the government felt it necessary to introduce this Bill, since there is strong opposition in the community to their plans for our division. We are not against the proposal to amalgamate with Agassiz; however, our attempts to discuss legitimate concerns about splitting TSSD have fallen on deaf ears in the government and in particular, Education Minister Drew Caldwell. It seems now that the plan was "etched in stone" from the beginning. Mr. Caldwell was only interested in a one-way dialogue that would "sell" us on his plan with no regard for our input as both parents and taxpayers.

At this point, we may not have many options left. It's extremely frustrating to fight a government that's using our (taxpayers') money to fight us and it's hard to see how we can win when it's not a level playing field.

I look forward to the next provincial election.

Monica Ptak
Resident of Transcona-Springfield School
Division No. 12