

LEGISLATIVE ASSEMBLY OF MANITOBA
Thursday, 26 June, 1980.

Time — 8:00 p.m.

BILL NO. 31

THE PUBLIC SCHOOLS ACT

MR. SPEAKER, Hon. Harry E. Graham (Birtle-Russell): Bill No. 31, standing in the name of the Honourable Member for Fort Rouge.

The Honourable Member for Fort Rouge.

MRS. JUNE WESTBURY: Thank you, Mr. Speaker. I must say I'm very happy that at last I'm going to be speaking on Bill 31.

Mr. Speaker, I was very nearly ready this afternoon at 20 past 4 to speak. The reason that I asked for it to be stood over in my name was that I had a few other minor points to check. But really, as perhaps has been noticed, I, having been trained at City Hall, do not usually give very long speeches. At City Hall you get five minutes to make a point and then that's it. You may get a three or four-minute extension and you sit down. When I came in here I found that the speeches seemed incredibly long after City Hall, but I'm learning, Mr. Speaker, and hopefully I'll be able to drag them out the same as the other members seem to do.

Mr. Speaker, the very first meeting I went to after my election in this building was in connection with the bills that were presented last year, Bills 22 and 23, when they were considered by the Standing Committee on Privileges and Elections, and being anxious to get on with the job, I had been trying to find out when there would be a committee meeting that I could attend as a spectator. This was the first one that came up that I was aware of, so I went to that meeting and I really was enthusiastic. I had read some of the briefs that had been sent to me, and I had read a great deal in the newspapers about the briefs that had been presented at the committee, and some of them obviously were very impressive.

Well, going to the committee meeting was a real downer, Mr. Speaker. I was very concerned. I was very concerned because I went to that meeting, and they hadn't apparently had a meeting from the time that they had heard the last brief, the last of 55 or so briefs that they received in that committee, and the report at that committee was less than one-and-a-half pages from the Minister's office, that had been put together by the Minister's office. So, okay, I thought well, undoubtedly we'll sit here and we'll talk about all these numerous and large wordy briefs and all the concerns that these really quite wonderful people had brought to the committee, but no, Mr. Speaker, they didn't look at the briefs at all. I couldn't believe that this was the way things worked out. Here I thought this was a more efficient place than City Hall, but I went home very disillusioned that day.

The briefs were all condensed into a major area of interest which was brought to the attention of your committee, was the provision of educational services for children with special needs and little more. Opinions varied amongst various organizations and

individuals as to the statutory delineation of the rights of pupils, parents and school authorities. Your committee recognizes several briefs; your committee notes; somebody in somebody's office had condensed 55 briefs into one-and-a-third pages, that's the second page, about a third of a page.

So then okay, some of the members of the committee started reiterating the concerns that had come to them in the many briefs and asked for changes. They wanted to go line by line or sentence by sentence through this report, and any change was very much resented, Mr. Speaker. That was the impression I had, that changes and thoughts and opinions were not welcomed in that little group. You were supposed to take this one-and-a-third pages and accept it and you were supposed to send that on and that was the report of the committee.

Well, Mr. Speaker, I was very concerned. I think that's an extraordinary way for a group of Legislators to react to these very important educational concerns and to the fears and worries that have been expressed to them by the 55 or so organizations who had appeared before them. Perhaps sometime someone can explain to me that this is a better way to do it. I think the best way to do it would have been for that committee to have gone through the briefs, brought out the concerns and said, this organization believes we should be doing this for the children with special needs; this organization disagrees, they think it could be done in a better way, and have a round table discussion on this whole — on all of the recommendations that were made. The recommendations by themselves, individually, were not considered at all, in the report.

You know, it sounds foolish to say that couldn't have happened at City Hall, but it really couldn't. The committees there would have gone into the briefs and discussed them, I believe more capably and more thoroughly and more sensitively.

Mr. Speaker, I try when I speak — and I hope I can continue to do this — I try when I speak, not just to be negative. I try when I'm looking at a bill or looking at a proposal, or somebody else's resolution, or at estimates, to suggest some positive things that I think would, or my party thinks would improve the legislation as it's presented or as it exists and I'm going to do that as well tonight, Mr. Speaker. I'm going to try to present some positive thoughts on ways in which the Liberal party believes that this bill could be improved. This is not a thorough analysis and undoubtedly will come back with some further thoughts when it reaches the committee stage.

As has been the case with a number of the speakers, one of the primary concerns with this legislation has to be with children with special problems and the right of those children to receive an education to the best of their ability and the right of the families of those children to have them educated within the structure, freely, at the same level, or to the best level of which they are capable within the system. We, the Liberal party, believe that the right to education is a fundamental right of democracy and must be most carefully enshrined in our laws, Mr. Speaker. On the same level as the right

of free speech, the right of free association and the right of free elections. In short, it is a God-given right to obtain an education.

Mr. Speaker, we propose that with regard to the education of children with special needs, the bill should specify an appeals board which is required to hear representations from parents of the child concerned, the school board, persons qualified in the treatment of and the education of children possessing particular handicaps when reasonable and possible, the child himself or herself, and when reasonable, someone else possessing that particular handicap. For instance, so that I can clearly express what I am trying to say, we would suggest that when you're talking about the care, the education of a child confined to a wheelchair, this Appeals Board would benefit from knowing the experiences of a person who went through the education system in a wheelchair, because I honestly don't think any of us can place ourselves in the other person's shoes until we've walked in those shoes.

I had the experience a few years ago of injuring my heel and I spent about three months on crutches, and at home I was in a wheelchair, and I honestly had no idea how very very difficult it is, having been a walking person, to survive just day-to-day ordinary living in a wheelchair within my own home, Mr. Speaker. I found I couldn't even make myself a cup of tea in the kitchen and carry it into the living room, for instance; that becomes an almost insurmountable obstacle.

We're suggesting that when you're considering a case of a child confined to a wheelchair, put yourself in that wheelchair, or at least obtain the experience and the thoughts of someone who had to be educated sitting in a wheelchair.

Now in this Appeal Board that we're talking about, there should be two other particular requirements. One, that it's the onus of the school board to show why a method of education with which it disagrees is not appropriate. The second, that the Board should consider a case only on its educational aspects, not on the other aspects that would be involved and maybe brought into the picture.

We would also hope that an addition could be made to this bill which states that all handicapped children should be educated in their least restrictive environment, in other words, as much as possible in a normal classroom in a normal school. This has been asked for by many groups, Mr. Speaker. I want to quote from two of the submissions made to the Standing Committee on Privileges and Elections, from the Society of Crippled Children and Adults, page 168, 23rd of October, 1979: "All handicapped children should have access to public education and should be placed as close to the educational mainstream as the individual child's special needs permits."

The Social Planning Council on the 24th of October, page 190, said, "To the maximum extent, practicable handicapped children shall be educated along with children who do not have handicaps and shall attend regular classes. Physical and mental impediments to normal functioning or handicapped children in the regular school environment, shall be overcome by the provision of special aids and services rather than by separate schooling for the handicapped. Special classes, separate schooling, or

other removal of handicapped children from the regular educational environment shall occur only when and to the extent that the nature or severity of the handicapped is such that education in regular classes, even with the use of supplementary aids and services, cannot be accomplished satisfactorily."

Another proposal is that the bill contain a requirement that all children be screened for handicapping disabilities at a very early age, preferably in Grade 1 or earlier. The benefits of this early identification have been described; they are overwhelming to the well-being of the child but they are also overwhelming when you consider the cost of rectifying the damage done by late diagnosis or the cost to society of a person so damaged that the damage cannot be rectified, Mr. Speaker.

Studies indicate that many school dropouts suffer, or have suffered from learning disabilities. Early diagnosis is so important, in the opinion of my party, Mr. Speaker, that screening should be done before the child enters school. Unfortunately that cannot be done through changes to this bill, but that would be our ultimate hope, that this screening could be done at an earlier age than Grade 1.

In addition to the requirement for screening, all teachers should be trained to recognize the indications of learning disabilities, and I think all of us have known of instances when disabilities have been located, where they might have been identified much earlier, with even minimal training of the teachers in the particular areas of concern. An aware teacher is an enormous benefit in identifying children with disabilities. Learning disabilities are widespread, the average class in Manitoba will contain two children with learning disabilities.

Mr. Speaker, it is not enough to provide appropriate education, we must also ensure that the handicapped child can get to the education. We're referring to transportation. To quote the Manitoba League of the Physically Handicapped on the 22nd of October: "That statement becomes meaningless." This is in reference to a reference in the bill, to the effect that a child should have transportation if they have more than one mile to walk to school. The League of the Physically Handicapped said "that statement becomes meaningless, because in the winter, going ten steps outside of your house in the snow in a wheelchair, is just as difficult as to travel half a mile." We would propose that the bill include a section requiring portal-to-portal transportation for those children whose physical handicaps make walking difficult.

Again quoting the Manitoba League of the Physically Handicapped on the same page, they recommended: "(1) clauses pertaining to transportation be amended to provide for portal-to-portal transportation for those students requiring it with standards that meet the needs of the physically disabled children. Secondly, it is essential that school buses be made accessible to physically handicapped children. Thirdly, that bus drivers be trained to aid the physically disabled students onto the vehicle of transportation. Fourthly, it is the responsibility of the school division to transport students to and from the place of education. Fifthly, we feel that the children should not be on these buses more than one hour a day." For people who are physically disabled, especially if they have an accompanying health

problem, that is a major issue. All right, supposing we accept our responsibility of getting the children to the school, once they get to school, their problems still are not over. This bill requires the school board to provide adequate school accommodation. However, the interests of the physically handicapped, Mr. Speaker, require that that phrase be strengthened in order that it would include a commitment to barrier-free designs. It must refer to the Manitoba building code, Section 327, which is intended to make buildings accessible and usable by the physically handicapped without assistance.

And finally, we believe that there should be included in this bill a definition, well, I should say, it should be included in this bill, requiring any class that is necessary to the handicapped students' educational participation as "part of the regular public school program" so that tuition fees are not required for the extras that are required by the handicap of the student. An example of that would be a typing class for a student who is unable to write. Sometimes it's easier for such a student to operate a typewriter and our belief is that that should be included as if it were a regular class in that particular case for that particular handicap, Mr. Speaker.

We believe that anything less than an equal opportunity for the handicapped child is not good enough, and the only acceptable bill for us is one that provides an absolute equality of educational opportunity for the handicapped child, Mr. Speaker.

I wanted to ask a question just before I sit down. I see I still haven't managed to speak for the full time that I am allowed to speak and for that I'll accept applause, I guess. I wanted to ask a question. Perhaps the Minister has already answered it. If he has, I missed his answer and it's about agreements with private schools. I have glanced over it and become rather boggled down by the language of the Act. Can the Minister explain to me in effect, under the grants to private schools, in effect, how the proposed legislation changes from what is practised now, no mind what is in the previous Act, from what is practised, because it has been suggested to me that the new legislation is merely legalizing what has been practised, and I would like to have that confirmed by the Minister please, Mr. Speaker.

MR. SPEAKER: Are you ready for the question? The Honourable Member for Churchill.

MR. JAY COWAN: Thank you, Mr. Speaker. I had hoped that I would have had the opportunity before speaking to have heard from members opposite other than the Liberal in the House as to their feelings on this particular bill, as to their analysis of what it does and does not do, as to how they perceive the need and how they perceive this bill to fit that need. But obviously, the whip is either on or they are so embarrassed at this bill that they find it impossible to stand in their place and defend what bill we have before us, Mr. Speaker.

And what is that bill? That of course is Bill No. 31, if I'm speaking to the right bill, which I hope in fact I am, The Public Schools Act. And it's the same old story with this piece of legislation. It's the same old story that we've come to expect from the members opposite, from the Progressive Conservative

Government, and that is, this piece of legislation is a total and abject failure, and they're shaking their heads no in the back benches now. They're saying that's not the case. Well then, let them stand, let them rise to their feet, let them talk about this bill, let them defend this bill, and I tell you they don't because they can't and they won't. —(Interjection)— They will have their opportunity.

The Member for Minnedosa said there is nothing about chemicals in this bill and that is supposed to be a stinging onslaught, smarting onslaught on myself. Well, Mr. Speaker, I am quite pleased to stand in my seat from time to time and defend our environment against the onrush of chemicals that their government refuses to defend us against. So I accept that as a compliment from the Member for Minnedosa and I thank him for that.

But I want to talk about the bill tonight. I want to talk about Bill 31, The Public Schools Act, which fails in its attempt, which fails to meet the needs that we face today in this province. It is a failure more because of what it does not do than what it does do, Mr. Speaker. Because granted, it gets rid of the hitching post, it gets rid of the responsibility of the teacher or the superintendent to take care of a horse if a student should ride that horse up to the gates of the school. It does that and for that reason has some small degree of merit but the merit is indeed small. The merit is indeed small.

So what we have is a bill that has taken us from the late 1800s — and I think it's been said before in this House but I think it bears repeating — has thrust us headlong into 1950 or thereabouts. It is still three decades behind its time. It is the type of bill that one would have expected in the 50s. It is a regulatory-style bill when, in fact, what is needed is a conceptual bill, a bill that provides an outline, a framework, a legislative quality to education, and this bill fails to do that entirely, Mr. Speaker, totally and entirely. It is a lackluster attempt by the government to meet the challenges of the day and in fact it is one more of a long list of failures that we have grown accustomed to.

We had expected more. This bill has been some time in preparation. We had demanded more and it is not us alone on this side who had made those expectations and those demands on the government, but it was the people of this province who came in time and time again to make representations before the government, to talk about what they foresaw, to talk about their vision of what education in this province should be. They didn't particularly care whether the hitching post was there or not, Mr. Speaker. They didn't particularly care at all. But what they did care about was the quality of education that this province provides its students, and that is why they have been cheated by this bill. That is why they too, not only us on this side who are only voicing their frustrations and voicing their feelings and their thoughts, but throughout this province I have heard very little good about this bill, outside of the odd teacher who had to take care of a horse from time to time, because there is nothing of any substance in this particular piece of legislation. The bill has failed in what it was intended to do.

I would like to speak about a number of areas in the bill, in general, Mr. Speaker, because I believe that it is important to place on the record some

observations, and in some cases they will be personal, in some cases they will be caucus positions, but I think they are legitimate observations nonetheless. I would just like to point out in the beginning though, that I consider this to be a piece of nickel-and-dime legislation, nickel and dime. You know, they've nicked and dined the minimum wage earner into poverty; they've nicked and dined their own staff, the Civil Service, into poverty; they've nicked and dined the students of this into a second-rate school system, because this is a second-rate public schools' act.

Let's talk about the specifics; let's talk about what this bill does and what it does not do. It does not provide us with any goals, with any definitions, with any concepts of why we have a public school system, why we want to send our children to that system, what we expect of that system. There could have been a preamble, there could have been a statement, it could have been written into the legislation. There could have been statements of intent and there could have been statements of goals, and there could have been definitions of what an educational system should be, and there is not, there is no purpose behind this bill, other than to get rid of the hitching post, which they have managed to do. They have failed entirely, and I don't believe that I can repeat that too often, even at the chance of boring those on the other side.

I would like to talk about the Advisory Councils in here, Mr. Speaker, because it is a northern issue that I think is far too often overlooked and demands action, and I had hoped that this particular bill would have dealt with that situation. By way of preface, let me explain what the problem is right now. In certain areas, in Frontier School Division, we do not have a school board for our community. What we have is an official trustee, who is in charge of the division, and then we have at the local level — in some instances we do and in some instances we don't — a local advisory committee, and that local advisory committee is dealt with in this particular act very briefly, and in most shallow terms, Mr. Speaker. What it says is that the Minister may appoint a local committee for any community within a school division, where there is a school consisting of persons residing within that community, to advise and to assist the official trustee with respect to school matters in the community.

Now what does that say to you? That says that he may appoint a committee that may in fact be totally powerless, or he may appoint a committee that takes onto itself far too many powers, and because there is no regulation, because there is no specification as to the duties of that committee, as to the function of that committee, as to the purpose of that committee, that committee floats about in the community, dealing on an ad hoc basis with needs as they perceive them to be, without the type of support services that they need, without the type of personnel that they would need to function properly, without the type of power and authority that one would expect a committee of that sort to have. It is like it was an after-thought on the part of the Minister; someone was writing the act and they said, oh yes, we have local advisory committees now, let's put something in this particular act about local advisory committees.

That system is failing in the north. Let me explain to you why. When you set up that sort of a body and you do not give it authority, and you do not give it guidelines, and you do not give it goals, and you do not give it any sort of power, you have a situation that is different from community to community to community. You will see in the act when they talk about school boards, they spent a very inordinate amount of time outlining the duties and the responsibilities of those school boards. They don't provide the local advisory committees with that same sort of outline, with that same sort of direction. Then we have friction, and we have this existing today.

I am not talking in a hypothetical sense, because we do have local advisory committees in the north, and what we have there is friction in many instances between that committee, between the officials of the school, between the official trustee, between the teachers and school, because there is nothing put in place, it is ad hocism at its worst. And that means, that when the committee takes upon itself a certain power, they meet with frustration and they meet with a sense of restriction from other elements within the system, because they are taking onto themselves a power; it is not a power that is conferred unto them, they are taking it on to themselves. When they don't do that, then there is frustration within the committee, because the committee is powerless and can't do anything.

So when I go from community to community, what I hear in one community is, well, that local advisory committee is just too autocratic, it is doing too much, it is taking too much power unto itself, and we have got to do something about it. I travel to the next community, and what I hear is, that local advisory committee isn't doing anything at all, they are not really serving a function. And what happens in that instance is, because they are perceived as not serving a function, people grow disinterested in them, they drop off them, they don't run to sit on them, and in fact what we have is no committee after a certain period of time. That is not what is intended by this act, but that is what happens because of the way this act is written.

Let me tell you about the people who want to serve on those committees, Mr. Speaker. Those are parents of children in the school system that have an honest desire to develop in their own community a school structure and a school system that provides their children with the best possible education, and they believe that they have a role to play. They believe that they can be a functional part of that process, and so they let their name stand, or they volunteer or they get appointed, as this act would have it, to that local advisory committee, with all good intentions, their intentions are excellent. It is a positive act on their part, and they find the frustration; they find that they cannot live up to their original expectations, and they find that in time the local advisory committee has disintegrated or degenerated into a non-functioning committee that in fact is not serving their needs at all. They drop off the committee, maybe an idealistic parent comes and takes their place, maybe not, because maybe the word has gotten around, but in the end run, what you have is no local advisory committees.

What I would like to see this bill do, is give more power to those committees, to set them up — and I

am speaking in a personal sense right now, Mr. Speaker — to set them up along the lines of a school board. Why shouldn't they be? Why should someone in Lynn Lake have an elected school board that can make the type of decisions that they do, and yet someone in Gillam has to be on a local advisory committee that can't make the type of decisions that they are making in Lynn Lake? Why should that sort of anomaly or inequity in the system exist? It should not, because the fact is that those people want to participate for much the same reasons and bring the same skills and bring the same attitudes and bring the same opportunities to the committee or the school board, but it is the committee that destroys that in them, and it is the school board that brings that out and helps it to grow and helps it to flourish.

I would hope that when we are talking about this particular act in committee, and we are talking about it throughout the debate, that we can use some sort of pressure to convince the Minister that that particular section of The Public Schools Act, above all, or among many other sections, is totally inadequate, is totally self-defeating, and does not serve the function nor the purpose to which I would hope it is intended to do.

So that is one area that I want to talk about. I want to talk about the north in another sense too. A lot of the debate in the House has centred around special needs, the special needs of children, who for different circumstances may in fact place different demands upon the system. I want to talk about the special needs of northerners because they too, because of geography, and if for no other reason, geography alone, place different needs on the system.

If we have what has been termed a special needs child in the system in Lynn Lake, where does that child go if they can't provide the type of educational opportunity for that child that that child should have in the community, where the child has to go outside of the community, the child has to leave his or her home, the child has to go through a whole different set of circumstances that are not necessarily those that a city child would go through, because of the geographical location of the community in which that child resides. And the Minister can do nothing about the geographical location, and in fact the Minister, because of financial constraints, is going to have difficulty in dealing with the situation in any other way.

But the fact is that there is nothing that I can read in this particular Act that provides special consideration with those with special needs in a special geographical area, the north. And I might suggest that that might apply also to some of the rural areas, and I would hope to hear others from this side and that side who represent those areas to provide the type of support and the type of argument that will be necessary to convince the Minister that we have to make some more advancements in that particular area.

We talk a bit in this Act about language, and yet I see no mention of the Cree language, or the Ojibway language, or the Saulteaux language in this particular Act. And yet those are areas, if you go into a community like South Indian Lake, where most of the population still speaks Cree, you would have a very

special need. And granted, there are some minor provisions in the Act, but it is not enough. There is no commitment to provide a Cree child with language instruction in their own language from the time they enter the school system.

And I believe that that can be a part of a progressive, complete and comprehensive Act. That's my belief. And I might add that it's a belief of the residents of South Indian Lake, because I've had opportunity to discuss this with them. I've had opportunity to talk about this with them, and in many other jurisdictions it is being done. I know, and the Minister knows, that on reserve communities which come primarily under federal jurisdiction, that they are talking about bringing in more and more Cree at the younger levels, in order to aid the children in a transitional phase into the school system, in order to make certain that that school system more accurately reflects their needs or aspirations or goals, their culture in their home, to make certain that they are comfortable, because that's what a child should be in school. A child should be comfortable in school.

And I don't see this Act as providing them with any security or protection of that comfort. I don't see this Act as performing that function. You know, in reading through this Act, you know what it reminded me of, Mr. Speaker? It reminded me of Roberts Rules of Orders. That's what it reminded me of. I was expecting some commitment, I was expecting some conceptualizing, maybe I was expecting too much from that government. Obviously I was. But what it did remind me of was Roberts Rules of Orders, or Beauchesne, if you wish, or any other number of parliamentary experts who have taken the time to write out the regulations of a group such as this. And the fact is that this does little more than that. Regulations again.

I'd like to, very briefly, because I've spent some time talking about this in the past number of weeks, speak to Section 50 of the Act. And what Section 50 says basically, Mr. Speaker, is that a school board may fix a compulsory retirement age for teachers employed by it, but the compulsory age shall not be less than 65 years of age. Now that is a timely subject, in that we have debated it in The Ombudsman Act, just previous, it has been before the courts, it is now before the government; this bill is outdated before it's passed. Because I can assure you that given the circumstances of the day, there will be a move away from mandatory retirement. There will be a move away from forcing a person to give up their job because they are of a specific age, without regard as to their ability, without regard as to their capacity to perform that function, this bill takes away from, or could have the effect of taking away, if I phrase it more properly, the freedom of choice of a teacher to work beyond a certain age.

In other words, a school board is empowered to say to a person 65 years of age, you shall work no more for us. You shall work no more for us. Easy for me to say, easy for the school board to say with the legislative authority given to it, but not so easy for the person to take. And I believe that that is heartless, and I believe that is cruel, and I think, although I don't want to put either words or concepts in the Attorney-General's mouth, but I think that he agrees with me, because he has been on the record

as saying that personally, he is opposed to mandatory retirement, or at least I believe that is what he said.

And the fact is that this provides for mandatory retirement. So if my words mean little to the Minister of Education, I would hope that the Attorney-General would rise on his feet — he tells me he already has, and now it's in the Act, and now I'm really concerned because, Mr. Speaker, the Attorney-General was my last hope. He was my last hope on this, because I'm not certain that the persuasive power of my words can move the Minister to strike that section from the Act. But I had hoped that the Attorney-General, being closer to him, and being far more persuasive in his words, and being in a position that might have more impact and effect on the Minister, would have been able to rid this Act of this outdated, archaic, antiquated, infringement on human rights. And that he didn't. So perhaps I can encourage him to talk again to the Minister. I hope he does.

But the fact is that there are sections in this Act which are supposed to replace an outdated Act that are in fact outdated before they get in. And I am tempted to speak at some length on that, because I believe it is one of the most important issues that face us as legislators this session, but I know there will be another opportunity, and I will make use of it to discuss this in some more detail.

The aid to private schools provisions of this Act have been discussed at great length. I have discussed them in sessions previous; I know my colleagues have discussed them. I am certain that there are those on that side that have privately discussed them with the Minister, although we have not heard them publicly disclose their feelings on it. I don't believe that there is much that I can add to the argument, but that has never stopped me from talking in the past, and I don't expect it to in the future. But I will leave that accordingly until the end, if I do have a few moments left I will be more than happy to elaborate upon it, but I just want to get on the record my objections to it. And if anyone is interested, I would just refer them back to earlier speeches made by myself, and earlier speeches made by others on this side as to why I object to it in specific.

Section 88, for those of you who are following the Act, Mr. Speaker, provides for exemption from liability for accidents and work education programs. What it says basically, if I am reading it correctly, is that a student attending a course in technical or vocational instruction, on or off the premises, and that is something that we should talk about because the Minister is indeed thinking about, and giving consideration to providing vocational education opportunities off premises, and that is something that will become more timely.

It has been done in the past, of course, but I think the Minister is thinking about expanding upon the programs of the past, so that is important. But at any rate, this person shall be deemed to have accepted the risk incidental to the business, trade or industry in which he is being instructed or trained, and they talk about bodily injury and so on, and then they say that there shall be against the school board or any of the trustees, if it shown that the school board believed, upon reasonable grounds, that the person with whom the pupil was placed was

competent to give the instruction and that his plant and equipment were such to provide reasonable safeguards against death or injury, that they shall be exempt from liabilities.

Now, I'm not a lawyer, Mr. Speaker, nor do I believe I will ever be a lawyer. —(Interjection)— The Member for St. Johns says oh, yes, I will, and my seatmate says that I might be a priest. Well, both are, I believe, probably equally as possible. I may be a lawyer who is a priest. I think they are both trying to get me out of the House. Oh, no, I guess lawyers and priests sit in the House; well, there you go. I think they are both honourable professions and I rely upon both of them from time to time for advice and for insights which I don't carry with me, Mr. Speaker.

But that aside, the fact is that this is not what I would have wanted to have seen. When talking about vocational opportunities, and I have already spoken to the Minister about it, what I would want to see is the school, which is already designated a workplace, the school set up so that students who are attending work education programs on premises and off premises would automatically have a workplace safety and health committee in which they could learn how to protect their health and protect their safety and live up to their rights and responsibilities under the legislation, while still in a situation or in an atmosphere of co-operativeness. Because once they get outside, once they have to take on the employer, in many instances they will find that they are ill-suited and ill-equipped to deal with the situations that face them. We have talked about this, the Minister and I, during the estimates procedure, and I'm certain we will talk about it more. Unfortunately, I was unable to get a commitment from the Minister, so I had hoped that I would get a commitment in this Act. A legislative commitment, of course, is far better than the Minister's word in the House, although that is not to mean anything against the Minister's word because he is, of course, an honourable Minister. But the fact is I've gotten neither the commitment from the Minister and I've gotten neither the legislative commitment. That will not stop me from pursuing the issue at great length.

Why do we need that? We need that because we know, as a society, that most of those children, when they leave that school place, will go into a workplace. When they leave that educational environment, they will go into a work environment. And they have, as citizens of this province, rights and responsibilities that follow them, that are written into the legislation; yet if they do not have the tools with which to develop the responsibilities and to support the rights, those rights and responsibilities will mean far less to them than they could under other circumstances.

What do we suggest? We suggest that the school is a good place to learn. Now that's a concept that maybe they could write into the legislation — the school is a good place to learn. It's not only a good place to learn dates, to learn history, to learn a sequence of events, to learn two and two are four — and that's about as far as I'll go, Mr. Speaker — to learn algebra, to learn geometry, to learn how to speak — better than I speak sometimes in this House — to learn grammar, to learn languages, to learn how to behave as human beings. Obviously some have failed that course. But the fact is that it

can also be a place to learn how to be a safe and healthy worker, and what better place than when a student goes into a vocational atmosphere within an educational atmosphere, that as a matter of course — no pun intended — as a matter of course, they are taught the safe way to work and they are taught about the healthy environment to which they are entitled. I would like very much to see that written into this Act.

What do we have instead? We have an exemption for liability, for accidents in work education programs. Another failing. Now, maybe it protects the school board, maybe it protects the trustees, and maybe it is necessary. I am not saying that that even has to be taken out of there because I, in my ignorance, do not understand the full ramifications of it. But I do understand what happens when you send a person out into the workplace and you do not provide them with the tools with which to work. And if they lack a hammer, they don't pound a nail; and if they lack a saw, they don't cut a board; and if they don't know how to work a drill press, they don't drill; and if they don't know how to work safely, they don't work safely; and if they don't know what is healthy and what is unhealthy, they don't demand a healthy workplace. Education, that's what we're talking about here, The Public School Act, education. That is what is missing from this Act. So the Act does fail. The Act fails in almost every instance.

One of the members from the backbench there said, "No doubt about that," and I can only assume he was speaking to my last comment, that the Act does fail, and that is why they have not stood in their place and that is why they have not been able to defend this Act, because it is indefensible, it is poorly conceived. I am not going to address myself to the draftsmanship of it because there are others who are more capable of making that sort of an analysis, but I do know there was so much to be done, that there was so much that could be done, that there was such great opportunity, that there could have been vision written into the bill, that there could have been a future written in the bill, that this bill could have answered some very demanding needs and that this bill could have been a bill of which Manitobans could be proud, and I know that is not the case.

There is very little cause to be proud of this. And if they were proud, they would stand and they would talk and they would huff out their chests and they would puff and they would tell us how proud they were of this bill. They would say, "My government has done a good job; my Minister has put together an excellent bill." The fact is they don't because they can't and they won't. The silence is deafening, says the Member for Burrows — or I expanded upon what the Member for Burrows had said. —(Interjection)— That's interesting. One of the backbenchers over there, Mr. Speaker, has said, "He's no authority," referring to myself, of course, and he is absolutely right and I never professed to be an authority and I hope he doesn't profess to be an authority. I hope we are both honest to say we are not educational authorities.

I didn't stand to speak as an educational authority. I stood to speak as a person who is concerned about education and who may be able to provide some insight and who may be able to provide some suggestions and who may be able to provide some

criticism. That is all I wanted to do. That is all that I had attempted to do when I stood to speak before the House. I didn't want to come over here and beat you over the head with my credentials and say, "I'm an authority, and do this." That wasn't my goal.

I wanted to say that I am a human being and I have certain ideas and I am here to represent the constituency that has certain needs, and I want to bring both those ideas and those needs forward so that you may have the advantage — maybe it's not so much an advantage to hear what I have to say personally, but I certainly hope that you want to listen to what my constituents have to say. I certainly hope that you want to listen to what the north has to say, because you obviously didn't listen to the north when you drafted this bill. You obviously didn't take into consideration the needs of the north when you put together this antiquated, outdated, outmoded, and archaic Public Schools Act that should have been read not in 1980, but in 1950. You certainly didn't take into account the special needs of northerners, and I'm not so certain that you took into account the special needs of southerners either, and you certainly didn't take into account the opportunity for progress, for progressive legislation that was available to you.

I'm told that they have a teacher over on the back bench. I'm certain that he wants to stand and talk about this. I can tell him, and we're talking now to the Member for St. Matthews, I encourage him to stand because I want to hear what he has to say, and I hope he wants to hear what I have to say. I want to hear what he has to say as a teacher, because I think that is important. I want to hear what he has to say as a member who represents a group within the city that should have the benefit of his voice in this House. I want to hear what he has to say on behalf of his constituents, but more important, I know that the Member for St. Matthews from time to time does a fair amount of research. I know that he has extensive experience in teaching, and I hope that he would provide the people in this Chamber, the members and yourself, Mr. Speaker, and those who are watching, with the benefit of what he knows. I would hope that he would do that, because that is the way in which legislation is supposed to be developed, or at least that is how I anticipated it would be developed. Of course the Cabinet is going to bring forward something, the Minister is going to bring forward something and lay it on the table. But I have been here long enough to know that from time to time it's amended, and I've been here long enough to know that from time to time constructive suggestions and criticisms are taken into account, and that's what we'd like to see happen in this instance. I have been here long enough to know that from time to time the Member for St. Matthews is not afraid to speak his mind on issues that he considers to be important to him in one way or another, so I would hope that he will take the opportunity to join in the debate, or the discussion, or the process of making legislation that we find ourselves involved in from time to time.

Mr. Speaker, I must point out that I don't single out any individuals on that side in a derogatory sense whatsoever. I respect their opinions and I would hope that those opinions would become a matter of the public record. I want to hear them, and

that is why I entice and encourage, so that we may have the benefit of their knowledge.

The fact is that this bill fails in many other instances, in areas that it does not provide for direction and that it does not provide for definition, and that it does not provide for support to areas that we believe to be very important — curriculum development, which I believe to be very important. I have talked to the Minister about the raw deal that I believe workers get in a number of textbooks. I've had opportunity, and I think I've used every opportunity during every estimates' debate, to bring that matter forward to the Minister. Now I had thought at one time that I was making some progress, and I have thought at other times that I haven't been making some progress, but when I saw that bill, I knew that it was mostly in vain, because there is nothing in there that would lead me to believe that . . .

MR. SPEAKER: Order please. The honourable member has 5 minutes.

MR. COWAN: I will try to brief then, Mr. Speaker — which leads me to believe that the Minister is not going to make any sort of a special effort to meet the special needs of children of workers, children who will go into the workforce who need the type of support, need the type of self image that the schools can be used to provide them with; who need to be proud of what they are going to do for the rest of their lives, because if they're not proud of it, they are going to be frustrated, and if they are frustrated, our society will be the worse off for it.

In the few moments that are short to me, I want to return to one area, and that's section 50, the area regarding mandatory retirement. And if I can do anything this evening with this speech, I hope it is I can encourage the Minister to take a second look at that particular part of the legislation; that I can encourage the Minister to put himself in the place of a person who has been told by a school board, because they are given the legislative authority that they can't work any more, even though they may be capable physically and mentally. I would hope that he would put himself in that position, so that he may from a different perspective review the words that are written in those two or three lines. I believe that this bill will have a tremendous impact, some of it negative, but I believe that that particular section will have a specific impact in all but negative, on some very capable people, and on some people who have every right to continue working because they are doing a good job; they are doing what they want to do, they are benefiting themselves, they are benefiting the children they serve, and they are benefiting the society at large. So if there is one point which the Minister deems in his wisdom to take under consideration everything I said, I hope it is that, and when he has done that, then we shall talk about the rest.

MR. SPEAKER: Are you ready for the question? The Honourable Member for Winnipeg Centre.

MR. J. R. (Bud) BOYCE: Mr. Speaker, for three years we have been attempting on this side, three years this October, to drag from the government, with all of the tools that are available to us, some

inkling of how they view education. Now we've debated the bill, Bill 31, which is The Public Schools Act, and a person could well ask the question, why do we need a public schools act? I think the first thing to be defined or enunciated, is response to that question, why we need a public school system. We tried as a result of the task farce that was established, and every session since then I have asked the Minister if he would respond to the recommendations of that task farce, and he said he would in a few days. —(Interjection)— I guess the lish will out. I have great difficulty saying forty-fours — my grandmother is farty-far. But anyway, Mr. Speaker, every session the record will show we've asked the government through the Minister to tell us their view of a public school system, and to this date we've had no response whatsoever.

In the estimates we've asked questions of why this government is asking us for money to spend on a public school system. Here again, Mr. Speaker, we failed to elicit from them a response. The same thing was true of the public health system. It has taken since October 1977 to get through to the public that the public health system was deteriorating, and as yet we have not been able to get across to the public that there is a parallel between that which is occurring in the health system and that which is occurring in the public school system.

I ask you, Mr. Speaker, how can you expect a government who has consistently put forward the view that the public system isn't worth a darn — it doesn't make any difference what it is, whether it is building roads, we will contract that out; cleaning buildings, we'll contract that out; the Provincial Auditor, we will contract that out. You can go on and on and on and on, Mr. Speaker, with the list of the reflections of the attitudes of this government towards public systems and I could sum it up, Mr. Speaker, the public being damned.

That is the attitude, and it permeates all of their thinking. They have no responsibility to respond to any question — why are you asking this to pass this Bill? What is this system supposed to do for the public in the province of Manitoba? Because what does this Bill talk about? It talks about administrations. The Member for Churchill — it doesn't talk about students, it doesn't talk about the youngsters who are entering the school systems in Grade 1 now, where they are going to be twelve years hence. Are they going to be able to cope with what we think the circumstances might be at that time? They have refused to answer questions relative to any piece of legislation. They have refused to answer questions in this regard relative to the expenditures of funds.

Mr. Speaker, I will put on the record what I think a public educational system is, and I think it can be defined in rather simple terms in my view. A public educational system is a tool whereby a society assists families who are unable to take care of all of the educational needs of their children. I see school systems as nothing but extensions of family. It is the family's responsibility primarily, I believe, to educate their children, and I can think of education in totality in this regard whether it comes to values and morals and all the rest of it, the learning of techniques of arithmetic, trigonometry, or Greek mythology or whatever. People need assistance in this regard, but

the school system is supposed to be an assist system for those things that we can't do ourselves.

What it is becoming, Mr. Speaker, is a second-rate system, because I have never done a survey on it, but I know how many people don't go through the public school system and fewer and fewer of them will go through the public school system, and more and more of them, not only just the private schools in the province of Manitoba, many of them go to Upper Canada, geared into Upper Canada college and all of the rest of it from the time that they are even considered for enrolment. How can this government expect the public to believe them, when they have shown their attitude towards public systems, especially when they won't come out and line it out what they think the role of the public school system is?

There are problems that we are facing and as the former administration didn't solve them all, in fact probably created a couple, but one was in connection with native children. The federal government in its wisdom or lack of it decided that the Indian resident schools would be closed and as a result all of the youngsters who had gone through this system would be dumped in the public school system. I was in the public school system at the time, Mr. Speaker, and with the Member for Churchill that doesn't make me an authority. But nevertheless, one of our jobs over at St. Johns was to try and help the youngsters survive through the secondary system in a strange world, the city of Winnipeg. We had only limited success.

A couple of weeks ago a couple was over at the house and the husband is an electrician, and I know him well enough that he speaks with candor about such things; and I asked him, knowing what you know now would you rather have the Indian resident school type of system which you told me you hated at the time, or rely on the present system. He said, you are right, I hated it, but I am thankful that it was there; because it helped them in his judgment. That is only one, that isn't a great survey I will admit, but nevertheless in his judgment it was better to have had that because it at least helped him learn how to cope with the rest of us.

Continually we are hauling youngsters out of strange environments where they are still speaking Cree and Ojibway and Saukteaux and dumping them into strangers' homes and expecting them to get educated. Get educated, what it is is almost like an assembly line; they decide what education is and you spend so long under this faucet, you move on to the next. You got twelve little faucets and when you get through getting a bath under each one of those faucets you are educated and you are out.

Mr. Speaker, neither the federal government nor the provincial government under our administration and under this administration did anything about it. Both this administration and ours used the excuse it is a federal responsibility and as a result we didn't address ourselves to it and neither are they, so it is still going on.

Another one in the same area are new Canadians. They bring refugees, people come of their volition and they end up in the urban school system. They do make token efforts in putting into place language classes, but other than that there is precious little

help. I think that there should be more done in this regard.

I mention these two areas, not that that is covered by this bill, but education should be involved. The idea that the Conservatives have, I believe, we have manifestation after manifestation that they have decided with Cicero that they know that which is best and they have to protect the rest of us against the fickleness of the people, because they won't enter the dialogue. The Member for Fort Rouge, who I happened to see the particular day she was at this committee meeting, saw what was going on when the public was making their representations at these committee meetings. And, Mr. Speaker, those that didn't see it will see it again, because it is going to happen again.

This bill eventually, after it has been hoisted a couple of times, may go to committee, and all of these people will make presentations and will go through the same presentations again. And I don't blame them, because they got short shrift from the government. I was criticized in trying to enter a dialogue with the people who were making presentations, to try and understand what they expected the public educational system to be as far as their interests were concerned, and the government sat there. The only conclusion I could draw from their silence is they knew what they were going to do and they were going to do it. The First Minister himself reflected the attitude of the government. They are going to ram this stuff through come heaven, or all the rest of it.

Mr. Speaker, when people talk about special needs, I wish in this day and age everybody could accept, because I think it is generally true, anybody who needs special help will be given special help as best we can, and we have to try harder to make that best better. I think we can generally accept that. The reason I make that suggestion is because what happens, when people start talking about special needs, who are lost are those who have specific needs every day. Everyone in this House is a product of our educational system and which one of us can't remember not getting 100 percent on every test that we ever wrote? Which one of us in this room got 100 percent on every test they wrote? How many of us flunked a couple of tests? How many of us flunked a couple of exams? Everyone did. But, Mr. Speaker, the state of the art, as far as education is concerned, has gone so far down the road in being of assistance to people who from time to time have difficulty as just a matter of course. But the educational system is taking a hind seat to space, to nuclear energy, to F-18s, to everything in the world, education is taking a hind seat.

Mr. Speaker, we have sophisticated systems and even they go awry once in a while; they were going to drop bombs on us, or something here, last week or the week before. But nevertheless, Mr. Speaker, we have sophisticated systems that you can take a drop of blood and analyze it for darn near everything that you can imagine. Once they see the aberrations in that sample of blood, they try and correct them.

They have comparable diagnostic techniques in education, but they can't use them. A teacher is faced with the necessity of holding that youngster under this tap for so long and then pushing him onto the next one that they haven't got the time to use

the resources which are available to them and lots step, one generation after another they have passed through this educational system.

I don't know if too many members understand what I am talking about or are even interested in what I am talking about. I'm just musing, I suppose. But there are techniques that teachers can find out almost what is the matter with a child in mathematics, why doesn't a child internalize some of the concepts and be able to make remedial work available to him or her.

Mr. Speaker, we don't make these resources available. We are moving in that direction slightly with the Child Guidance Clinic and some other efforts that the former administration — when I say the former administration, I mean under the Duff Roblin administration — started. But we haven't even scratched the surface. Why? Why? And I'm not going to fault the Minister, I'm not going to fault the government, it is because the people are accepting a mediocre system. I am not going to fault the teachers because I lived among them and with them for long enough, Mr. Speaker, if we made these tools available for them, they could do a much better job, and they have been crying for years for them. I remember that famous line of Churchill's, "Give us the tools and we'll finish the job!! Mr. Speaker, if the tools were given to the teachers, they could do a much better job. A much better job of doing what? Preparing youngsters to take over the administration of our society, the working in our society, the production in our society.

There was a show on television this morning on computers and on computer security systems. This chap, whose company deals in the security of computers, was talking in gobbledegook which I really didn't comprehend, but he said that he could break into any computer, he could get into any computer, and that there were about 16 people in the world that could do that, that have the knowledge to do that. The kind of world which we helped to create more by default than by design, we're going to leave for our children. My youngest one, Mr. Speaker, has now completed, I guess, her education at the secondary level, but the youngsters that are starting in the system, what kind of a world is it going to be for them and what in heaven's name, Mr. Speaker, will this bill do for them? What will it do for them? Does it give leadership; does it give some goal to be reached; does it set or talk about any of the problems that are facing these youngsters? The government wouldn't talk to us about these problems relative to this bill and they won't talk to us at any other time about where they think the educational system will go.

I was tempted, Mr. Speaker, earlier today, to perhaps see whether we could use another tool to prompt the government to perhaps at least respond, to give us some inkling, to give us some clue. And when the government refused to entertain an adjournment on this particular bill until tomorrow — I had hoped that they would myself — but I suppose I was just as petulant as anyone and I thought perhaps we should hoist the bill and that would give everybody an opportunity to speak again and perhaps by everybody repeating that which they had to say, they would provoke them to respond. But I'm thinking about that, Mr. Speaker, I don't know

whether the opposition is going to do that; perhaps we should.

In our legislative process, Mr. Speaker, in my judgment this place is the only thing that separates us from the apes and it's our respect for this place that makes it what it is. This is the place where we are supposed to make laws for people. And the government's attitude here in the last few days relative to this specific bill, that they're just going to ram it through, after spending all of the time, almost four months, in delaying legislation and then wanting to get into speed-up, and we're going to pass this most important piece of legislation, and then accuse us of causing delays.

I don't want to reflect on that which has taken place in another committee of the House, Mr. Speaker, because I don't think that would be proper, but nevertheless the government's attitude — they don't have to listen to the people. These people over here represent people just like those over there, but if they do something on this side it's stupid. If the opposition uses every tactic that's available, we're going to be here until Christmas. That's the choice everybody makes, but to think that we're just going to roll over and play dead because somebody chooses to be arbitrary, is that the message will eventually get through to the public.

It took us, as I say, three years to get the message through to the public that the public health system was going to pot. It's getting through. And just in that regard, Mr. Speaker, I really don't fault the press for it. Have you noticed in the last two or three years the relationship between the amount of advertising in the Winnipeg Free Press and The Tribune and the amount of printed words — gosh it's changed. A lot of the message isn't getting out to the public because the papers are selling more advertising. I really don't fault them for that either because that's what the business of newspapers is, selling advertising. But eventually the public will learn that this government thinks that they're the anointed, that they are going to sit there and not respond to questions, not to take reasonable suggestions and that they're going to railroad this particular bill through.

It's a good thing that there are rules in this House, Mr. Speaker, because the rule is that this bill has got to go back out for public representation. And I understand it is the intention of the government to send it to a small committee of the House. I don't why this most important bill, Mr. Speaker, is not going to go to the Law Amendments Committee, I understand that it is going to go to Privileges and Elections Committee. I have to think that's passing strange, that should be the choice of the government. Intersessionally it was decided to send it to Privileges and Elections as a matter of convenience because we were going to hear briefs, but that isn't the case now.

We are going to consider this bill clause by clause eventually, and I for one think it should go to Law Amendments Committee, not to Privileges and Elections. But here again, it is the choice of the government, but I think at that time, Mr. Speaker, the government will see that it is the fifth time that this kind of thing has been around through its dance, and it will find that they government is still dancing to the same step, that one of arrogant silence.

MR. SPEAKER: Are you ready for the question?
The Honourable Member for St. Johns.

MR. SAUL CHERNIACK: Mr. Speaker, the Member for Winnipeg Centre has mentioned some pretty important features about the Legislature and its function, and I am — it's not the first time but it's one of the very few times that I can recall a bill being introduced for second reading by the mover, the Minister, and not one other person on the government side having anything to say about this bill.

Members who have been here for quite a while have nothing to contribute. Members who have the patience and some of them do, sitting and listening to criticism from this side of the House and not reacting at all and it is a disgrace, Mr. Speaker. You talk about debate, it's a farce. It is an absolute farce to face a government which has introduced a bill of this importance and no response. It appears as if they are waiting for the deadline to come so that the Minister will be able to answer it all, and you call that debate, Mr. Speaker. That's nothing, Mr. Speaker. It is exactly as was described by the member who spoke just before I did.

Mr. Speaker, you may have noticed that the last few speakers on our side, waited, paused, for you to call the vote, to give every opportunity to government members to speak on this bill. And on each occasion, one of us rose in order to prevent the vote from being taken because we want to discuss the issue, The Public Schools Act.

Mr. Speaker, I don't know how much the public is aware of the fact that to us on this side, this is one of the most important bills of this session to date. I may be wrong, but my impression is that this is the one bill out of the few we've had so far, and I'll speak about the numbers on another occasion, but of the few bills we've dealt with this is one of the very few where we have stated that we are opposed to it, that we have a point of view differing from that of the government on it, and that we intend to make it an important issue. I didn't see it reported in the press that way, although I know our lead-off speakers did stress the fact and did spell out our criticisms of the bill. I'm not sure that the public is adequately aware of the fact that we feel that this bill is completely inadequate for these times. As a matter of fact, Mr. Speaker, I've prepared a motion which I'm not presenting yet, but maybe it should be done, which would have read that Bill 31, be not now read a second time, but read this date 30 years back, namely 1950.

Mr. Speaker, the Minister whose — I don't even see the teacher on the backbench present — is he? Oh, yes, I see him. Mr. Speaker, it amused me that during the estimates debate, members on this side on the education estimates said that the government had done absolutely nothing in the field of education, and the Minister then stood and rose in order to spell out the great achievements of the Conservative government in the field of education. And the very first one, the proud achievement was, we brought you a Public Schools Bill. Gerry forgot that he's brought us two. He brought one last year that floundered because of its inadequacy and poor draftsmanship, and he brought another one now.

Mr. Speaker, just as a matter of interest, and it has been mentioned by other speakers on this side, a revision of The Public Schools Act has been long awaited. I was a lawyer for a School Division, not 30 years ago, but over 20 years ago, and I knew then that the act needed revision. And now here comes the long-awaited bill — I would almost call it a stillborn bill. I would certainly say that the bill now is old before it was born. I would say that bill deserved much more work on it in order to be brought to this Legislature after all the years. And I am informed, Mr. Speaker, and reliably informed, that a great deal of preparatory work was done by the previous government and that by the time there was a change in government there had been a fair amount of work done by staff on the revision of The Public Schools Act. There had been communication with special interest groups, I believe superintendents, I believe school trustees, teachers, dealing with this bill and dealing with The Public Schools Act, and that it wasn't as if it needed the Conservative government to come in and start work on a revision.

Mr. Speaker, whatever happened, they barely started when they're already finished because they had nothing to say. Last year, as I say, the inadequacy of the bill was proven. It was left to go on between sessions, and as I'm informed and the Member for Fort Rouge described her dismay in the way this bill was dealt with in that committee, the intersessional committee. But I know, I was waiting to see the report of the committee and there was not a report. I was waiting to see a draft bill to come out of the committee. That's usually the function of an intersessional committee. I was waiting to read recommendations to come out of the committee, that's usually a function of an intersessional committee. But what happened? Long after the session started the Minister deigned to give us his draft and his alone. Well, when we looked at the bill we thought maybe we were going to see Conservative philosophy. We certainly didn't expect to see New Democratic philosophy and I think we were right. We saw Conservative philosophy in that bill — nothing, nothing, Mr. Speaker, a goose egg as far as any thrust to education, any consideration as to what the education should be.

Mr. Speaker, it's trite to say but it's worth repeating, that of all the natural resources in this province there is none more important than that of our children, nothing. It's been said so many times but it's worth repeating. I think this government is more concerned with other natural resources than it is about the care and rearing of the children of Manitoba, and that's why, Mr. Speaker, I consider that the investment in education should be of prime interest and should be something that all should be concerned about. But are they, Mr. Speaker? No. The Minister of Education is; he's brought a bill. Were the rest of his . . .

Mr. Speaker, never having sat at a Conservative caucus, I don't know what goes on there. I venture to say, Mr. Speaker, and nobody will tell me the truth, I venture to say that The Public Schools Act Bill as presented to us here was never reviewed in any kind of detail by the Conservative caucus. I think that's a pretty fair assumption. And if it were, Mr. Speaker, it wouldn't have taken any time at all, because all the Minister would have had to say was we did a good

mechanical job. It's a journeyman's revision. We've taken a great big cumbersome act and we've refined it down to a readable, easily handled, not too heavy bill, and fellows that's okay. We've done a good job — because he's so proud of his great achievement. So proud, Mr. Speaker, that he couldn't get one member of his caucus so far to get up and speak. — (Interjection)— Oh, yes, that's right. — (Interjection)— Is he a member of your caucus too?

MR. COSENS: Well who knows.

MR. CHERNIACK: Mr. Speaker, the Minister of Education doesn't even know who sits in his room. He doesn't know. He said, who knows. The answer is, he doesn't know, that's obvious.

Mr. Speaker, I consider this bill before us as a hoax, and that is one of the reasons why members on this side are taking the trouble to debate the bill, so that the people of Manitoba will know that it is a hoax. If the Minister had said to us, I have a bill, it's a bill that succeeds in refining and spelling out a little more concisely, the former Public Schools Act, and there's nothing very exciting about it, but at least we've done a good job in that respect. I think we might have accepted it, but no, it was a great achievement of this government. So what does it say. Well, Mr. Speaker, it says nothing, really, and the government speakers — I have to say speakers, because frankly, Mr. Speaker, I don't recall what was said by the Honourable Attorney-General. I don't want to hurt his feelings, but I really don't recall what he said. And one of the faults that I pointed out to him the other day is that his manner of speaking is such that I don't hear, very often I don't hear what he is saying, but the Minister of Education introduced the bill and did not give us any concept or idea as to the philosophy behind the bill, as to the objectives of government. He did it very nicely, but we are left wondering, and worse, worrying about what Conservatives think and want to do about education.

Mr. Speaker, when I spoke about the natural resources of this province and about the fact that the children of Manitoba are the most important resource, I read through the bill, and I looked to see what is designed in the bill to improve the educational opportunities for the children I speak of, the students. What do I see? I see something which says that every child between the age of, I think 16 and 18, has the right to attend schools. The bill also says that it's up to the school boards to provide an education to those entitled to go. What kind of education? The three Rs, anything more?

I remember, Mr. Speaker, early in the term of this government when it was suggested that Conservatives believed in the three Rs and that's all, how pleased I was to see that the Minister of Education stood and said, oh no, we're not that archaic, we believe that there are other things in education. That showed how much more progressive he was than people of his party who had spoken before when they were in opposition about the objectives of education. To them, reading, writing and arithmetic were the prime requisites and that's all.

And that, Mr. Speaker, shows such an abysmal ignorance of the society of Manitoba, of the

problems that exist in Manitoba, of the different opportunities and lack of opportunities for students in Manitoba to acquire an education. You know, if we were one monolithic cultural background with one language and one ability to converse in that language, and if we all had more or less equal economic opportunities and equal housing and equal health facilities, then one could talk about a form of education that would be available to all. But when we know full well that Manitoba, and to its credit, is an exciting province made up of people of varied ethnic background, varied cultural contributions to make to Manitoba, but unfortunately, varied economic opportunities, varied living-style opportunities to adjust to our form of education, then one worries about the students and what are the rights of students to acquire the knowledge that we would like to have them equipped with when they start out in their adult life in Manitoba.

Consider the language problems, just in the last few years, the immigrant waves that have come here, bringing children and adults of all ages with no knowledge or ease in either of the two languages. And let's not fool ourselves, Mr. Speaker, it's the English language which is really the language spoken in Manitoba, and so many of the children come into the classrooms, as do their parents in the workplace, without any real facility in the language itself. And the cultural aspects, the cultural disabilities of so many who come in from Manitoba into Winnipeg, without a proper adjustment to an environment different from theirs.

I just depart for a moment, Mr. Speaker, but it's still dealing with education. I recall sitting in management committee of the previous government and being told of the problem that was created when we had special adult schools for native people who were learning, at school, to upgrade themselves in their education so that they could, as mature students, enter into the university field; and how we were told that they had discovered, in that very area of service to a limited group of people, that bringing one member of the family along in a rapid method to adjust to new schooling, new atmosphere, meant that there were other members of the family who were not coming along as quickly, and that we had to devote ourselves to their adjustment as well. And I recall the costs involved. But the recognition we had, that you don't deal with an individual alone, you have to deal with the whole family. And here we talk about an education for children? That's what the Public Schools Act says. A child is entitled to go to school, a child must go to school, the school board has to provide an education. Period. That's all, Mr. Speaker.

And where do we see some consideration? In the bill dealing with special cases, gifted children, slow learners, disabled children, single parent families, all the problems that occur in Manitoba dealing with what I call our most important natural resource. What is there in the form of philosophy in this bill? Nothing, Mr. Speaker. That's why, Mr. Speaker, I think that the Minister, and I think that the House Leader expected, why, we'll just sail right through. After all, what is this bill? It's nothing really, and that's true. It's nothing, really, Mr. Speaker. I think we're speaking more about what is not there than what is there. What quality of education do we expect the school boards to produce? Nothing. No

leadership at all. School boards must provide schooling. School boards provide desks, chairs, and for the rest of it, there is nothing in the act that tells them what to do. What do we rely on? The Minister's regulations, his persuasiveness, I don't know what, Mr. Speaker, but what is there in the bill to give us any sense of confidence that there is a philosophy which we could review, discuss, debate, nothing, Mr. Speaker.

What about the rights of parents? You know, Mr. Speaker, there was a time, a long time ago when parents were not considered at all as parents of school children. They were people who paid the taxes, they were people who went to work, got up in the morning, went to work, came home at night, but there is a big change, Mr. Speaker. Parents now have a concern about the education. They want to be involved. They want to be able to have proper access to these school boards, to the educational facilities, to find out whether what they think is useful for the children would be so.

You know, Mr. Speaker, it is recognized, and has been for many years now, that a proper educational system has to both consult with parents, give opportunities to parents, and teach parents what it is the school system is trying to bring about. And that's difficult, Mr. Speaker. I have been a member of Home and School Associations, I've been a school trustee, I've had various relationships with school systems, and I know it's very difficult to get parents to come and participate in the education of their children. For many of them, it's a strange environment, the school building itself. For many of them, their own cultural linguistic and other disadvantages make them timid — that's a good word — make them timid about entering into the school and talking to teachers. You know, it's an old story. The people who are most affluent and best adjusted are the ones that dictate to our civil servants and our teachers. It is the people who don't have the opportunity, or ability, or self-confidence to speak up for themselves, that are the ones who get pushed around — what is the analogy? — to a squeaky wheel getting the grease, I think that's the expression.

In any event, there should be a special effort involved. Where is there something in the act to define the rights of parents? Well, I admit I haven't read every section, but I've gone through the bill. But where are the members opposite to get up and tell us where they are? Where are the members opposite to answer all the speakers we've already heard on this side? And where are they to say, these are the things you're wrong about. These are the approaches you've overlooked, this and the others are in the bill, and you've overlooked it. Where are they, Mr. Speaker? Some are here in this Chamber today, some are not, but we have not seen any of them — to have the feeling of legislative responsibility, to get up and talk about what, to me is a very important bill, to them maybe not at all.

Mr. Speaker, I am speaking now to people whose intelligence I respect. There are people opposite whom I've heard speak many times. And Mr. Speaker, I have learned that they could say things if they didn't feel prevented from doing so. I have been on both sides of the House, I've seen occasions when a Minister says to the people behind him, leave

this to me, I'll handle it. Well, is that what happened here? Have they received orders? Leave it to the Minister?

Mr. Speaker, I said earlier, I'd like to see a debate, and a debate is two-way street. A debate is people speaking, people listening, people responding, people listening, people responding again; the reason that we are each allowed 40 minutes is so that we should be able to discuss, debate, and not lecture. I don't particularly enjoy lecturing. I'd much rather have a debate, but we haven't heard it yet, Mr. Speaker, and that's what bothers me. I have to admit to you, I don't believe that I am saying anything that has not been said at least once and more than once by members opposite. And the Member for River Heights, who sits there on his behind, saying nothing, now responds when I said I am repeating something. At least he may know, now I am repeating it, the possibility is that he doesn't know but is glad to say, oh sure, we've heard this before. If that member, who is in the educational business himself, had any feeling of responsibility in this, which I think is his first session, he would get up and say something, in the field of education. He makes his living out of education. He's a professional. But what does he do to contribute to our debate? Nothing — but responds when I said that others have said what I said. Let me tell the Member for River Heights, it may be necessary to tell him 15 times, what we believe, and he may then learn that there are points of view that may be worth hearing.

So I don't want to upbraid him too much, Mr. Speaker, but I want to tell him that contributions are made when one is standing on his feet in this House, not when one sits and responds, not when one shouts insulting remarks. That's not a contribution. All that does is give the Speaker gray hair, if he had any other kind, to turn gray. But Mr. Speaker, the contribution the Member for River Heights has made today is, I think he voted a couple of times in order to crack a whip, and he may get satisfaction out of that. He may go home tonight saying, I did a good day's work today, I voted twice. And I pounded the table once. That's his contribution for the day.

Mr. Speaker, I spoke of the rights of students, I spoke of the rights of parents, and — (Interjection) — Mr. Speaker, now he's pounded twice and he must know that I have another right to talk about it. That's overtime. It's going to be a day, he can take credit for tomorrow as well and say, well I did something today, enough for tomorrow, and he's proving it now, Mr. Speaker.

Mr. Speaker, there is a third right, and that's the right of teachers. I'm sorry that the Member for River Heights left; he may be coming back soon, or still here. I think teachers have rights that should be spelled out. Because Mr. Speaker, they are the one group in our employment society that are denied the right to strike, that are controlled in a peculiar way. And I'm not saying that they haven't opted for that, I believe they did opt for it at one time. But, Mr. Speaker, the Member for Churchill has already said that legislation tells the employer when he has to fire a teacher.

Mr. Speaker, I had overlooked that section, honestly, I overlooked it. Mr. Speaker, I overlooked that section and therefore it came to me as a surprise when the Member for Churchill said that the

act, the legislation, tells school boards when a teacher is useless. The legislation does not give the teachers a right to bargain for themselves on this point. It does not give them the right to make individual contracts for beyond age 65. This Minister has decided that although you can be a member of the Legislature beyond 65, you can be a judge beyond 65, you can work in a factory wearing your fingers to the bone beyond 65, but you can't teach beyond 65.

Mr. Teacher, that's — Mr. Speaker, I am sorry if I really meant to call you Teacher then you would have to quit at 65 and you are closer than I am I think. No, you are not, Mr. Speaker. Then I am the one who has to worry, because if the Minister wanted to bring into this Legislative Assembly Act a provision such as he has already done then that is one way, I guess of getting rid of me, and I wouldn't put it past him. However, that is aside from he point.

I say that teachers' rights should be spelled out in this legislation and they are not. The only thing I can see that this Act does is retain and grants to the Minister tremendous powers in the system, and this Minister has no direction in the Act as to what he is to accomplish. He has not told us the philosophies of government.

I sat through much of the Education Estimates, Mr. Speaker. I got an accounting of money and staff man years and bodies. I didn't get any philosophy out of him, but at least I would have liked to think that the Conservatives do have a philosophy and that it is represented in the Act. The Minister for Agriculture is nodding his head as if they do have a philosophy, but he doesn't know because I bet he has never seen the Bill except to weigh it in his hands and say, whoops, I am not going to read that, that is too much for me.

Mr. Speaker, I say that the Minister has retained tremendous powers, is going to pass regulations, and he is even going to enforce them through his — I guess I blank out at that word because I know that he really means school inspector, but he has got a new one, field representative — through his field representative, which is bringing in one of the retrogressive features which do exist in the Act. Through that field representative he can control every teacher. Firstly, he controls their licensing; secondly, he controls their suspension through his own office and that of his field representatives.

Mr. Speaker, where are the rights involved in students and teachers and parents? Where are the rights for the special needs students? We talked about it, Mr. Speaker, it has been discussed. The previous government enacted legislation, which it did not proclaim, and explanations were given for the reason for delay. But regardless of that, what provision is being made by this government for special needs. I am sure the Minister has had many many briefs presented to him, many approaches to him, discussing with him what is needed. What do I do when I read about transportation? I see that students with special needs — how is it? — there is not need to transport them across school division boundaries and what is the distance in which they can be carried? I think half-a-mile. No real recognition of those needs of certain students with disabilities, no special funding for that, nothing, Mr.

Speaker. So where are we left? We are left with words, meaningless words, Mr. Speaker.

Mr. Speaker, one looks, but one knows enough now not to look too hard, to look for some funding approach, some formula. And, Mr. Speaker, I am minded to read into the record, not that it is the first time, but it is timely and every so often it is timely, but when one talks about Conservative philosophies and the lack of them, and there is much more lack of philosophy than there is any positive philosophy, one is reminded of Autopac. One is reminded of features that they fought and rejected, which they now espouse, which they now love, and which is now their program.

So for the record, in 1976, May 3rd, I was speaking on Page 3258, and I was asking the Leader of the Opposition not to leave the Manitoba people in the dark because I said that until 10 or 15 minutes prior to the time I spoke I believed that the Progressive Conservative Party would not eliminate the Property Tax Credit Plan, and after I was interrupted by the Leader of the Opposition I became in doubt and I asked: "I challenge the Progressive Conservative Party" — did you notice how I stumbled over that word Progressive, Mr. Speaker, not deliberate but it happens — "I challenge the Progressive Conservative Party to get up and not leave us in doubt for any longer. Tell us now," I said, "you must know how you stand. Would you eliminate the Property Tax Credit Plan?" The then Leader of the Opposition, Mr. Craik, did get up and spoke and thanked me for the opportunity given to him.

He pointed out that the Conservatives had brought in a Property Tax Credit Plan, which as I recall it we all laughed at uproariously. Then he said, "Well, if you want me not leave that, I will tell you we had the political courage to eliminate it once already, what makes you think we wouldn't have the political courage to do it again?" He said, "No, it is a very cheap vote-buying technique" — note that, Mr. Speaker, we are in the third session, it is a cheap vote-buying technique, which they brought in this year, at the rate of 100 bucks per vote, per household — "It is a cheap vote-buying technique and this government knows it better than anybody else. It buys votes like you wouldn't believe." Mr. Speaker, that is what he said.

Then he said on Page 3260: "Well, they are preoccupied whether we will wash it out or not. Let me tell you right now, it would be our prime objective to get rid of this sort of an inefficient program." You notice, Mr. Speaker, how they got rid of it, did you notice the Budget Speech, how they got rid of this inefficient program. Let me go on quoting him. "Now if you say will we wash it out, I say how many years do you give us, because right now you are up to 77 million? How fast can you absorb 77 million into a grand structure?"

I pause. Is anybody able to tell me right now, the Minister of Education should be able to tell me, what are you into now, how many million in the Property Tax Credit Program? —(Interjection)— 144 million, he says, Mr. Speaker. Well, that is almost twice as much, so close to being twice as much, it is within 5 million or 10 million close to being twice as much. And he said, "If the Foundation Program can be repaired again in one year to the point where we can again establish an equitable school finance program,

I assume we would do it in one year, but I tell you one thing . . ." Then he talked about the great government we would have when they came back.

Well, Mr. Speaker, he finally at the conclusion on Page 3262, he said, "Let me tell you, the faster and sooner we could get out of this technique by putting up a proper financing program for schools and municipalities, the sooner we will do it." Almost three years have gone by and what do we find, nothing whatsoever in this bill to indicate any change, any progress, any development in terms of funding of education in the public school system. And, Mr. Speaker, we have got a bill.

Oh, we are told, yes, we are going to study it. I am not even sure who was studying it. I think we didn't find out who was studying it, Mr. Speaker, but we don't even know who is studying that, but we are told, oh, we will have something by the end of this calendar year, as I recall it that is what was said.

Mr. Speaker, for what this bill is worth, we can wait. Let them take the bill back, let them work out their financing . . .

MR. SPEAKER: Order please. The honourable member has five minutes.

MR. CHERNIACK: You mean, Mr. Speaker, when I next . . .

MR. SPEAKER: Order please. The hour being ten o'clock . . .

MR. MERCIER: Mr. Speaker, we are prepared to grant unanimous consent to continuing the debate on this Bill. —(Interjection)— I said we were, Mr. Speaker.

MR. CHERNIACK: I thought he was in your caucus.

MR. MERCIER: The Member for Inkster is close to going into our caucus, but he hasn't joined yet.

MR. SPEAKER: Seeing as how there is no unanimous consent, the hour being ten o'clock, the House is adjourned and stands adjourned until 10:00 o'clock tomorrow morning (Friday).