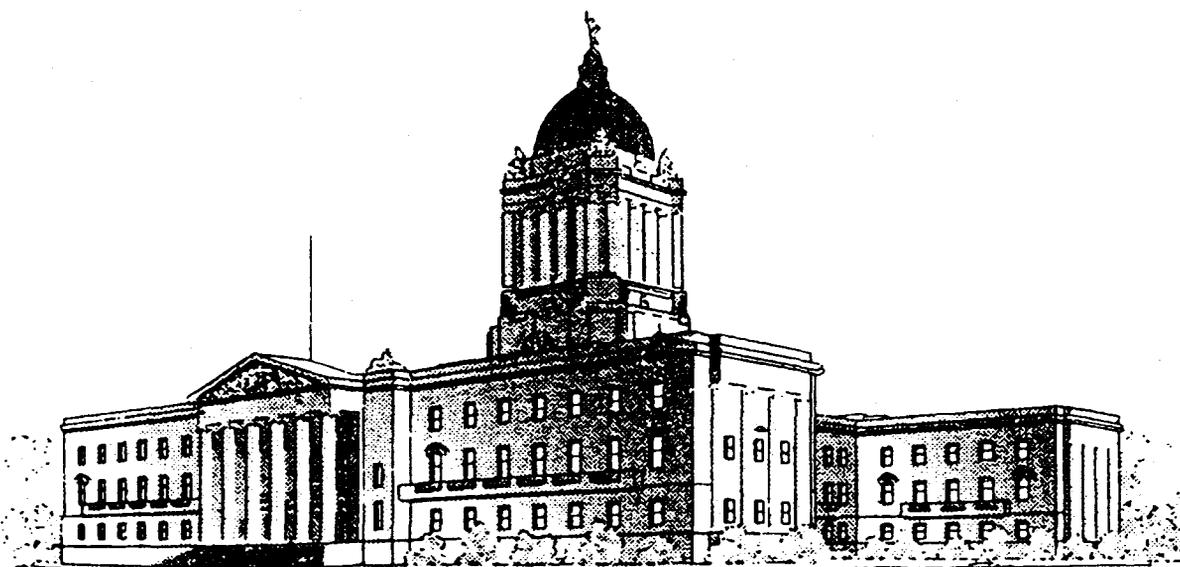




Third Session - Thirty-Seventh Legislature
of the
Legislative Assembly of Manitoba
Standing Committee
on
Law Amendments

Chairperson
Mr. Doug Martindale
Constituency of Burrows



MANITOBA LEGISLATIVE ASSEMBLY
Thirty-Seventh Legislature

Member	Constituency	Political Affiliation
AGLUGUB, Cris	The Maples	N.D.P.
ALLAN, Nancy	St. Vital	N.D.P.
ASHTON, Steve, Hon.	Thompson	N.D.P.
ASPER, Linda	Riel	N.D.P.
BARRETT, Becky, Hon.	Inkster	N.D.P.
CALDWELL, Drew, Hon.	Brandon East	N.D.P.
CERILLI, Marianne	Radisson	N.D.P.
CHOMIAK, Dave, Hon.	Kildonan	N.D.P.
CUMMINGS, Glen	Ste. Rose	P.C.
DACQUAY, Louise	Seine River	P.C.
DERKACH, Leonard	Russell	P.C.
DEWAR, Gregory	Selkirk	N.D.P.
DOER, Gary, Hon.	Concordia	N.D.P.
DRIEDGER, Myrna	Charleswood	P.C.
DYCK, Peter	Pembina	P.C.
ENNS, Harry	Lakeside	P.C.
FAURSCHOU, David	Portage la Prairie	P.C.
FRIESEN, Jean, Hon.	Wolseley	N.D.P.
GERRARD, Jon, Hon.	River Heights	Lib.
GILLESHAMMER, Harold	Minnedosa	P.C.
HAWRANIK, Gerald	Lac du Bonnet	P.C.
HELWER, Edward	Gimli	P.C.
HICKES, George	Point Douglas	N.D.P.
JENNISSON, Gerard	Flin Flon	N.D.P.
KORZENIOWSKI, Bonnie	St. James	N.D.P.
LATHLIN, Oscar, Hon.	The Pas	N.D.P.
LAURENDEAU, Marcel	St. Norbert	P.C.
LEMIEUX, Ron, Hon.	La Verendrye	N.D.P.
LOEWEN, John	Fort Whyte	P.C.
MACKINTOSH, Gord, Hon.	St. Johns	N.D.P.
MAGUIRE, Larry	Arthur-Virden	P.C.
MALOWAY, Jim	Elmwood	N.D.P.
MARTINDALE, Doug	Burrows	N.D.P.
McGIFFORD, Diane, Hon.	Lord Roberts	N.D.P.
MIHYCHUK, MaryAnn, Hon.	Minto	N.D.P.
MITCHELSON, Bonnie	River East	P.C.
MURRAY, Stuart	Kirkfield Park	P.C.
NEVAKSHONOFF, Tom	Interlake	N.D.P.
PENNER, Jack	Emerson	P.C.
PENNER, Jim	Steinbach	P.C.
PITURA, Frank	Morris	P.C.
REID, Daryl	Transcona	N.D.P.
REIMER, Jack	Southdale	P.C.
ROBINSON, Eric, Hon.	Rupertsland	N.D.P.
ROCAN, Denis	Carman	P.C.
RONDEAU, Jim	Assiniboia	N.D.P.
SALE, Tim, Hon.	Fort Rouge	N.D.P.
SANTOS, Conrad	Wellington	N.D.P.
SCHELLENBERG, Harry	Rossmere	N.D.P.
SCHULER, Ron	Springfield	P.C.
SELINGER, Greg, Hon.	St. Boniface	N.D.P.
SMITH, Joy	Fort Garry	P.C.
SMITH, Scott, Hon.	Brandon West	N.D.P.
STEFANSON, Heather	Tuxedo	P.C.
STRUTHERS, Stan	Dauphin-Roblin	N.D.P.
TWEED, Mervin	Turtle Mountain	P.C.
WOWCHUK, Rosann, Hon.	Swan River	N.D.P.

LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON LAW AMENDMENTS

Wednesday, June 26, 2002

TIME – 6:30 p.m.

LOCATION – Winnipeg, Manitoba

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

**VICE-CHAIRPERSON – Mr. Jim Rondeau
(Assiniboia)**

ATTENDANCE - 10 – QUORUM - 6

Members of the Committee present:

Hon. Ms. Barrett, Hon. Mr. Caldwell

Messrs. Cummings, Gilleshammer, Jennissen, Laurendeau, Martindale, Nevakshonoff, Rondeau, Struthers

APPEARING:

Hon. Jon Gerrard, MLA for River Heights

WITNESSES:

Mr. Christopher Saunders, Springfield Parent Council

Mr. Otto Mehl, Private Citizen

Ms. Candace Daher, Private Citizen

Ms. Gloria James, Private Citizen

Mr. Brian Ardem, Vice President, Manitoba Teachers' Society

Ms. Kristine Barr, Trustee, Winnipeg School Division No. 1

Mr. David Bell, Secretary-Treasurer, Winnipeg School Division No. 1

Mr. Bob Land, Private Citizen

Ms. Anita Chapman, Chair, Board of Trustees, St. Boniface School Division

Mr. Murray Grafton, President-Elect, Louis Riel Teachers' Association

Mr. Roland Stankevicius, President, River East Teachers' Association

Ms. Marijka Spytkowski, President, Transcona-Springfield Teachers' Association

Ms. Virginia Larsson, Private Citizen

WRITTEN SUBMISSIONS:

Mr. A. Glen Anderson, Private Citizen

Ms. Susan Choquette, Private Citizen

Mr. John Pshebniski, Superintendent, Duck Mountain School Division No. 34

Ms. Zeeba Loxley, Leadership in Education Accountability Dialogue

MATTERS UNDER DISCUSSION:

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

Mr. Chairperson: Good evening. Will the Standing Committee on Law Amendments please come to order. Our first order of business is the election of a Vice-Chairperson. Are there any nominations?

Mr. Stan Struthers (Dauphin-Roblin): I move that the Member for Assiniboia (Mr. Rondeau) assume the position of Vice-Chair.

Mr. Chairperson: Are there any further nominations? Hearing none, I declare the Member for Assiniboia to be the Vice-Chair of this committee.

This evening the committee will be continuing with consideration of Bill 14, The Public Schools Modernization Act (Public Schools Act Amended). We have a number of presenters who have registered to make public presentation to this bill, but before we proceed with the presentations, I have a few announcements.

I would like to take a moment to restate the agreements reached by the committee at the meeting yesterday evening.

First, it was agreed that time limits would be set at 15 minutes for presentations and 5 minutes for questions and answers.

Second, it was also agreed to hear from out-of-town presenters in the following order: those who were required to travel a long distance, and

the remainder as listed with an asterisk on the list of presenters.

Finally, it was agreed that names would be dropped to the bottom of the list after being called once and that names would then be dropped from the list entirely after having been called the second time.

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

Mr. Chairperson: I will now read the names of the persons who have registered to make presentations this evening: Judy Edmond or Brian Ardern, Kristine Barr and David Bell, Bob Land, Glen Anderson, Anita Chapman, Gayle Wilson and Kevin Wilson, Murray Grafton, Roland Stankevicius, Marijka Spytkowski, Virginia Larsson, Wendy Moroz and Paul Moreau, Zeeba Loxley, Colleen Jury, Gwynn Ketel, Floyd Martens, Christopher Saunders, Dale Kallusky, Mike Kukulko, Bert Kornelson, Barrie Stevenson, Joyce Penner, Bob Hooper, Otto Mehl, Candace Daher, Gloria James.

Those are the persons that have registered so far. If there is anybody else in the audience who is not yet registered, and would like to make a presentation, you may register with the attendant at the back of the room. Just a reminder that 20 copies of any written presentation are required. If you need assistance with photocopying, please see the attendant at the back of the room.

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

Mr. Struthers: Can I suggest that we do as we did last night. It seemed to work pretty well, and that is that we go to midnight and reassess at that point to see where we are at with the presenters and decide at that time.

Mr. Chairperson: Is it agreed that we sit until midnight and reassess at that time? *[Agreed]*

I would like to inform the committee that a written submission has been received from Susan Choquette, private citizen. Also, I have been advised that three individuals who had registered to present have now asked that their briefs be received as written submissions and

included in the committee transcript for this meeting.

These presenters are Glen Anderson, private citizen, No. 4 on the list of presenters; Zeeba Loxley of CEDA, No. 12 on the list of presenters; Gwynn Ketel and John Pshebniski of the Duck Mountain School Division, No. 14 on the list of presenters. Copies of these briefs have been provided to committee members at the start of the meeting. Does the committee agree to have these written submissions appear in the committee transcript for this meeting? *[Agreed]*

We will now continue with public presentations. I will read the names of the out-of-town presenters who will be called first. The first presenter is Colleen Jury, chair of the Rolling River School Division No. 39. Colleen Jury, please take the podium.

That name was called last night, so this is the second time of calling.

Mr. Marcel Laurendeau (St. Norbert): Mr. Chair, I think it might be appropriate, seeing as it is early in the evening, if we were to recall these names a second time after, to give them an opportunity in case they are running a little late.

Mr. Chairperson: Are you suggesting we start with the people who are actually here? Is it agreed that we call—the problem is then I would be calling those people three times, and we agreed to only call them twice. If there is leave, we will call their names again. *[Agreed]*

The next out-of-town presenter is Gwynn Ketel, Duck Mountain School Division. She has presented a written brief. Floyd Martens, Inter-mountain School Division.

Christopher Saunders, Springfield Parent Council. Please proceed.

Mr. Christopher Saunders (Springfield Parent Council): Excuse me. Missing yesterday, I did not realize I was going to be the first one up, so thank you very much for hearing me. I will try to keep this as businesslike as possible. For myself and my family, this is a little bit more of an emotional situation, but we will try.

My name is Chris Saunders. I am a resident and taxpayer of Anola, and I appreciate the opportunity to speak in a forum on a major concern to myself, my wife, and the effects the

current proposed legislation will have on our seven-year-old daughter's education and the opportunity in future life.

I would like to know, is Bill 14 the start of the current Government's efforts to deny citizens their traditional rights to challenge government on education? A major concern to myself and to our family is the splitting of the school division, not the amalgamation, that will leave the area that my daughter attends with an inferior quality of education and the opportunity that currently exists in the education system that my tax dollars in part pay for. I would also like to speak briefly about the assets in the area. A lot of people ask me my opinion on how to describe my personal take on the assets and where our dollars are going.

How I try to describe it is this: If you owned a house and the house was paid for, someone came along and changed the game rules, and then the next day you find out that you only own half that house, I would be very curious, how did one day I own a full house, and the next day, after paying into it, I only own half a house. Up to this point the assets of what we have has not been explained how these assets are going to be split.

* (18:40)

We have been told to have faith. If I had faith running my business every day, I would be bankrupt. I would like to actually see a proposed plan, something in writing, not a promise, a proposed plan in writing stating that the assets will be not three years down the road, not four years down the road. It is like take away without giving an explanation. Only governments could do this, not in business.

I would have a major concern for the methods, also the communications that have taken place over the past eight months. As a resident I do not feel that I have been informed or worse still able to get the information that I was in need of. What has concerned me since November, since the amalgamation has started, is that what I have seen and what I have talked about to other people in the area is as soon as amalgamation has started, there has not been any straight, clear lines of communication on what is

actually going to transpire. There was a lot of hearsay and so on and so forth and promises and people speaking through different sides of their mouth and that. There was no legitimate coming out and actually explaining what is happening.

What I observed during this period of time is that this amalgamation or the split has really divided our community and the good educators that we had. What a lot of these people had to do, they had to make decisions based on their life. At Anola School there have been rumours of the 22 or 23 teachers that we had that were enrolled, up to 18 have asked for transfers. During that time I have asked every possible source to give me the proper answer. I have been embarrassed to say that not one of them had the fortitude, the integrity to give me a right answer. Again, it was an utter insult to my intelligence that people that we paid for from our tax dollars cannot look me in the eye and give me a number. It is a total, total embarrassment.

As I said, I will try to keep the emotional part to a minimum, but, like I said, this is an emotional issue, especially with how unprofessionally this has been handled up to this point. Recently a group of parents felt a need to pursue the education charges in court. The matter was thrown out. I am very concerned with the total fairness of this event. In view of the fact that the Government was well represented by legal team, our group was unable to, in all honesty, compete with—excuse me, I am getting a little upset here. The bottom line of what occurred here, the playing field when we went to court was extremely unfair. We, as a parent council, had to raise dollars for legal fees to fight what we thought was right, but, on the other hand, the Government had our tax dollars. Our tax dollars, does anyone hear me, our tax dollars to fight us, the public that pays your wages. It really upsets me.

How do you win? You could sit down and dance around this gentleman as much as you can and give me all the pretty answers. We know what actually transpired during this. A blind man could figure this out.

I am aware of a group of parents who spent a great deal of time on the concerns of our future in the local education system. They have spent an unbelievable amount of time and effort on the

issues. Their efforts for their legitimate concerns should not go unnoticed. I am most appreciative of their efforts, and, hopefully, their work will not be proven to be completely a waste of time. I am speaking of the Springfield Parent Council.

I will do a quick personal, and I will try to keep this as unemotional as possible. The ladies that started this up in November showed more class than any of the so-called professionals that I have seen up to this point. They worked. Their hands were tied. They did their homework, they did their studying. I have nothing but utter respect for all those ladies. They took their time and effort and made this a full-time job.

It is a shame. It is a bloody shame, the public and the government of today and what has transpired, and how these ladies have not been shown enough respect.

The education of my daughter is prime in our family's life decisions. Her future is dependent to a huge degree on the ability to receive an education that opens all doors for whatever she chooses to do. If I am living in an area where changes are made to the education system that promises a substandard level of education, then I may be forced to make some changes based on decisions that will place my family in a school division that will ensure that my daughter will receive the best possible public education in this informal part of her years.

I would like also to say, before I move on, that people have said that your tax dollars will not go up in the near future in regard to this. I would like to bet anyone in this room, and he could look me straight in the eye and tell me that my tax dollars will not go up and then come back to me in four or five years and do the same thing. I do not believe anyone here is capable of doing that.

I would like to thank you again. On behalf of my family, thank you.

Mr. Harold Gilleshammer (Minnedosa): Thank you very much, Mr. Saunders, for your presentation today. It is certainly consistent with what we heard from parents that were here last evening. It seems to me that the Springfield parents have made a very, very strong case for maintaining the status quo in the lives of their

children. It seems to be the only area of this amalgamation that has this particular problem.

I think that other divisions are going ahead with amalgamation, accepting that they can make it work. My feeling is that we need to find a solution here, and one solution would be to maintain the Transcona-Springfield entity. If it is to be amalgamated, I gather that parents and students and interested people are not particularly concerned who they are amalgamated with as long as the services that they have been used to and the education that they have been used to remains in place. Is that sort of a fair analysis of what you are saying?

Mr. Chairperson: Mr. Saunders, I need to acknowledge you before you answer the question, for purposes of Hansard.

Mr. Saunders: Yes, that is exactly it.

Mr. Gilleshammer: A second question, you mentioned your daughter and your daughter's education and how important that was in your lives. Can you tell me what sort of feelings that she has at this time with, I think you said, 18 of 23 teachers leaving the system there, or at least a large number of teachers leaving, and sort of the uncertainty surrounding what school and what program that she would be entitled to go to next year and in future years? What sort of impact is that having on her?

* (18:50)

Mr. Saunders: She is at the age now—she is seven years old, the relevance of what is transpiring and what is going on, that is why she has parents to fight on her behalf and that. So I really cannot answer.

Mr. Chairperson: Thank you for your presentation.

Mr. Dale Kallusky, private citizen; Mike Kukulko, private citizen; Bert Kornelson, private citizen; Barrie Stevenson, private citizen; Joyce Penner, private citizen; Bob Hooper, private citizen; Otto Mehl, private citizen.

Mr. Otto Mehl (Private Citizen): I was going to address the Honourable Madam Friesen, the Vice-Premier, but she is not here. I am very glad

and happy that there is some fresh air blowing in the political system, that even women are present in government—

Mr. Chairperson: Excuse me, sir. I hate to interrupt you, but I am having trouble hearing you, and I am wondering if you can get closer to the mike.

Mr. Mehl: I was going to address the Honourable Madam Friesen, the Vice-Premier of this province, but she is not here. But I am just going to read my presentation here as I go.

I am here to protest against the proposed Bill 14 in the present form on the following grounds. Amalgamation of schools divisions was supposed to streamline and improve the system of education, but as I see it, in the case of Springfield, our students became the victims of these changes, and I repeat "victims."

We are not against amalgamation, but we want to remain as an identity of Transcona-Springfield School Division and the use of the facilities in Transcona, which were built up for 40 years and were partly paid by tax dollars from the Springfield municipality.

Instead of improving the education system of our students in the proposed Bill 14, they are being greatly disrupted. I became aware of the situation when the municipality called a meeting in the gym of Springfield Collegiate in February of this year, to which attended over 800 concerned parents of our schoolchildren. By the way, I am a grandparent from kids attending Transcona-Springfield.

The municipality was after the loss of their tax base, which was originally planned in the split to be taken away from them. Honourable Mr. Caldwell was at the meeting, facing hostile parents and Springfield school trustees, who protested then about negative situations affecting Springfield students.

I had faith in Mr. Caldwell, after he heard all the presentations, that he would have taken it to his heart and would have made the right decisions in favour of Springfield students. I got disappointed. The municipality got their money base, which was rightfully theirs. The parents were left holding the bag of uncertainty of the

future of the education of their children. That is why we are here again presenting.

All these promises from Mr. Caldwell for shared arrangement services for temporary arrangement for three years appear like a rainbow in the sky which will fade away in the future. I think you will believe it too.

Who will build infrastructure for shops and French language services, which are presently used by our students and are being lost by this split by your proposal? Do you not think it will cost money? Where are the savings from the proposed amalgamation? What you would have is to build new education buildings with millions of dollars on the shoulders of the Government and municipalities. It is absolutely unnecessary to do that, in my opinion. It does not make sense to me when there are buildings which were constructed years ago for the use of our students. In the Canadian Constitution there are rights enshrined for education of children in both official languages, and you are taking them away.

Mr. Chairperson, at that meeting in February after the parents representations had been made, the parents were asking the superintendent of Transcona-Springfield School Division to speak. He was non-committal. He knew best the situation of our students. He did nothing. For that he got rewarded with the appointment for the new named Sunshine school division. But in the meantime we are experiencing an exodus of well-qualified teachers from Springfield, as an example, our very experienced principal and vice-principal from Anola. Do you think that the Springfield parents will have any respect for the new superintendent in the sunshine school division? I would not. I think the others would not either. After he was non-committal, you know what the talk was by very well people from Springfield, he said he was after his job, he did not say anything. That was the response from important people from Springfield. So, well, I do not respect him for that, that he did not do anything to help our children.

I was fortunate enough to be fluent in three languages, German, Polish and English, but I had to learn them the hard way.

As I went through the turmoil of the war, my education ended at age 14. So please do not disenfranchise kids when they have possibilities now the way they are. On my own initiative at age 26, after studying for three years in a correspondence course, I got a diploma in agriculture to be able to hold my job as an agricultural representative in Poland. I never went to English school. I never went to Polish school. I learned all from day-to-day actions. You read my writing. Maybe I make mistakes, but I can make myself heard.

Please do not play political games with the education of our children, as did honourable MLA Reid with MLA Ron Schuler, trying to score points against each other. It does not help our children's education in that respect. Politics do not belong in the classroom. I believe in social justice, in democracy. That includes providing education for our kids without political interference. Take politics aside, create a neutral atmosphere, and provide the students with the best accessibility of a pleasant environment in the school system and remember the parents who take the brunt of all the problems they have now.

I want to add, a government gets elected by the people, for the people, to serve the people. As I see in Transcona-Springfield, that point got missed, and I would like to ask Mr. Caldwell to take it to heart like you did at the meeting in Oakbank. I was there. I was going to put my presentation there at that time, but there were so many representations that I did not speak. But I had faith in you, and you let me down. Thank you.

* (19:00)

Mr. Gillehammer: Thank you for your presentation, Mr. Mehl, and certainly it is noted, again, the importance that education has played in the lives of yourself and those around you. I just have the one question. The key word here, I believe, is accessibility. If Transcona-Springfield could remain as one entity, then those children would have access to the programs that they have had for the last five, ten, fifteen, twenty years and longer. I think we need to find a solution so that those children have access to those programs, and I think that would probably satisfy your concerns.

Mr. Mehl: My concern is—

Mr. Chairperson: Excuse me, Mr. Mehl. I need to acknowledge you every time before you speak, okay. Mr. Mehl, proceed.

Mr. Mehl: I would like to see the system be kept as it was, and nobody got any buts and ifs about it. Mr. Caldwell held us a meeting and I thought he would take it to his heart, but he did not. He proceeded continuously, and we had to take as parents, well, I am a grandparent, I do not have to be here and argue about it. I try to be polite in my presentation, and I think I spoke my word out. Thank you.

Mr. Chairperson: Thank you, Mr. Mehl. The next presenter is Candace Daher, private citizen. Please proceed.

Ms. Candace Daher (Private Citizen): Good evening. My name is Candace Daher. I am a parent at École Dugald. I would like to begin by saying what do you tell your child when she asks you, mom, why are we suing the Government? I had to answer this question last week, and had to tell her, because they will not listen and want to make sure that all children's mommies and daddies in Manitoba will not be heard also. The pride of Canada, our democracy, is being made a mockery of by this Government. First, they thought of election gag laws. Now they want to silence the parents and grandparents of this province. If I had any confidence at all in our elected representatives' integrity and honesty, or even a shred of evidence that they had their constituents' best interests at heart, I believe I could work within the framework they propose.

Unfortunately, this Government is not interested in honest dialogue and true fact-finding. They are into dictating policy and self-preservation at the expense of the disenfranchised, our under-voting-age children. You would think they would realize that these same children will some day be voters. But I think they recognize that the reality is that each generation is less likely to vote. Why, some may ask?

Well, do not question me further, because I have the answer. They know politicians do not care, and it does not matter if you vote for

someone who claims to be for the populace, because once they have sipped from the goblet of power they have become intoxicated on it and lose all sense of responsibility and accountability. My children now see the Government as an adversary.

I cannot trust this institution to do what is best for my children. In fact, no institution can possibly know what is best for my child. So that is why I need to use my voice. With this bill, you take this away from me. Why is this necessary? Are you afraid you are not omnipotent? Are you afraid we may see through your schemes of punishment politics, and rewarding those who vote the right way? Why are the voices of those in the trenches not valued and heeded? Because they do not fit the agenda, or conform to someone's idea of symmetry? I am sorry, children are not symmetrical. Special needs are not symmetrical. Vocational training is not symmetrical. French immersion is not symmetrical. Honesty is not symmetrical. Hmm, I think I have used the word "symmetrical" enough, because apparently if you repeat a word continuously, it is supposed to supply its own definition and meaning with no real thought or meaning behind it, at least according to Mr. Caldwell's style of discourse with the public and media.

Symmetry is apparently a very dear concept to the honourable minister. Dear enough that he is willing to gag the very people who voted him into office, and is willing to take the risk that they will have very short memories. Or that they truly like living in the pseudo-democracy he and his cronies are creating.

I would like to know if Mr. Doer has sat back and studied how this law appears to ordinary laypeople, who are not privy to the backroom conversations he has with his lackeys who support their fearless leader in these hare-brained, anti-democratic decrees. He had to realize that more and more people are feeling a sense of detachment from the whole process of governing our society. It is developing into a them-against-us mentality, which is fostering a movement of whole groups of people who will move further and further away from believing that we can all work together and do some good for all. You are driving us to look out for No. 1, and damn those who are not capable of it.

I had my best friend tell me that this is a done deal, and I should just give up. Apparently she does not feel that a concerned mother has any power, and that questioning the Government is pointless, as they do not care anyway. To all of you listening, I hope that you never hear such an argument when it comes to your child. Give up. The Government says you have to wait seven hours at Misericordia to get your child's broken wrist attended. Give up. The Government says your child is not entitled to the level of education you have been paying taxes to support. Give up. You do not have the right to question what Herr Doer wants to do in the Legislature. Give up. Just give up. You do not have the right to question if Mr. Caldwell knows what symmetry is. Just give up. This is the message Mr. Doer and the current Government is sending by proposing this bill. They are sticking to the old adage of, it is easier to ask for forgiveness than to ask for permission. They will bulldoze through legislation, and then give people the chance to comment. I think that is putting the jackass ahead of the cart.

When I tried to register to speak, I was forwarded to Mr. Caldwell's office. My name, phone and fax numbers were recorded. Unfortunately, I was never registered. Was this an oversight? I now know the Clerk's office was the appropriate place to register, but I am haunted by the nagging questions of why did the staffer not tell me this, or simply pass along my info to the Clerk? Was she enacting the bill early, and trying to take my opportunity to speak a little early? I hope it is nothing so malevolent, and that it was simply poor training or typical government screw-up.

What will it take for you to realize how threatened the ordinary citizens of Manitoba feel by your pattern of trying to gag us? Perhaps I should have shown up wearing a burka. I have sympathy for the women of Afghanistan, because for many years they, too, had their voices silenced. All of you who are considering voting in favour of this legislation should be ashamed. You are shaming the very House you sit in. You are shaming the ideals your parents instilled in you as proud Canadians. You are shaming the children who sing of "The True North strong and free!" You are shaming the sailors and soldiers in the Middle East right now,

fighting for our freedom. You have no idea of the damage you are doing. At least, I hope you do not, because, if you do, I am truly frightened for all of us. This is wrong. You know, it is wrong. How can silencing anyone be right? I beg of you, please do the right thing.

Hon. Becky Barrett (Minister of Labour and Immigration): I just have a comment, I guess a question. I am wondering if you are aware that, actually, Manitoba is the only province in Canada, or the only jurisdiction in Canada, that requires that public hearings be held on every piece of legislation before it is passed.

Ms. Daher: That is irrelevant, as far as I am concerned. It is the larger issue that I am concerned about. It is nice that now we get a chance to talk, after we have passed the deadlines for amalgamation. That is real swell.

Ms. Barrett: No more comment. I am going to shut up.

* (19:10)

Mr. Gilleshammer: Thank you for your presentation today. Again, we have heard similar passion from other presenters last night, and, certainly, I have come to learn that this is a very, very important issue as far as the parents of Springfield are concerned. I truly regret that parents are having this feeling of powerlessness, but I think I understand. It seems that in some areas of the province, where the boundaries have been changed by local NDP MLAs, they have found a proper solution. I regret that, even though a crowd of upward of 800, 900 or 1000 people came together to make this point, we have not been able to move the Government. I ask you, then, if there is some way of just preserving the status quo irrespective of where Transcona and Springfield end up, as long as the entity stays together. Would that satisfy the needs of you as a parent?

Ms. Daher: Yes, I truly think it would, because I think what the minister either has forgotten or has not realized, or has not done his homework, is that Transcona-Springfield by the name implies we already are an amalgamation. We know it works; it has worked for 40 years. So, yes, we want you just to leave us alone. We are

an amalgamation that works. We are the flipping poster children for amalgamation. We will stand up and say it works every day of the week. But, no, now you want to take it away, give us to a smaller division and de-amalgamate us to something we have left behind 40 years ago. Yes, Mr. Chairperson, if we could stay with Transcona-Springfield, that would be wonderful—either be with River East, or with Agassiz. We are not asking for anything, I think, unreasonable, or something that we had not been promised for the last 40 years.

My parents and grandparents paid business and property taxes into the division, agreeing for those schools like Murdoch and PET to be built in Transcona with the full understanding and promises of the Government that that would be available for their children and grandchildren. We just want what you said we could have.

Mr. Gilleshammer: Just one other question. I am a bit alarmed by the fact that you perhaps would not have been notified of this meeting. If I follow your information here, you had contacted the Government through Mr. Caldwell's office to be on the list so that you could speak, and the Clerk's office was never informed of this. Do you know of anyone else who perhaps was trying to come to this committee to speak that perhaps received the same treatment?

Ms. Daher: No, I have not had time to do the footwork because I found out about this meeting on the radio. So I phoned back to Mr. Caldwell's office and made his office aware of what had happened. They sent me back to the Clerk's office. I made the Clerk's office aware of what happened, and they were slightly shocked and dismayed at what happened as well.

Mr. Gilleshammer: Mr. Chair, I wonder, as a recommendation from this committee, whether we can have some sort of investigation of this to see if there were other people that wanted to speak, and whether they simply were not informed of this meeting because they were not directed to the right people.

Mr. Chairperson: Well, as Chair, I am going to suggest that we deal with that after we hear with the presentations. So, if you want to bring that back, Mr. Gilleshammer.

Thank you for your presentation. The next presenter is Gloria James, private citizen.

Do you have a written presentation?

Ms. Gloria James (Private Citizen): I do not.

Mr. Chairperson: That is okay. Please proceed.

Ms. James: My name is Gloria James. I am a parent at the Dugald School. I live in the Springfield municipality. I am a mother of four children. I have a child in kindergarten, one in grade 3, and one in grade 6 and one in grade 8. As we have been learning about school, and what that means, we have learned that each year a little more homework is required. As they get older, it takes more to complete the work that they are asked to do.

I have a question for Mr. Caldwell: Did you even do half an hour of homework as you prepared and as you worked on this amalgamation, this whole situation? We have been at your meetings. We were at Oakbank. We had a hearing there. We could speak there. At the end of the evening my husband and I wondered how did you ever get this job as Minister of Education. Did you ever do any homework? You had absolutely nothing to say to us as parents that would encourage us that what you have been trying to tell us is good. Yes, you said it is all good for the children, but did you do anything to check that this would be good for my children, the children of the Springfield-Transcona division?

As Candace has already said, yes, we are in amalgamation. It is not the amalgamation that we are against. It is the split that you have now enforced upon us. That is what we are against. We have, in this process of talking about amalgamation, heard that a successful amalgamation is one where the children do not know there has been an amalgamation. Things are so smooth that they will go to school and they will not notice it.

Yes, we have a shared agreement with Transcona now to share the services for three more years. Then those things will come to an end. What will my children have then, and who will benefit from what we parents have built up?

Will it be Mr. Doer's children? Is he going to have a child that will now take the toy that I bought, and will he make a rule to say, that is right to take away what I gave my child? Is that how our Government works now? That we have to pass a law to make what is wrong right? Did you do anything to find out if this is going to be good for my children and the children of Transcona-Springfield School Division?

As a child of God, and that is who I am, I am not perfect and so I do tend to get angry at times, and right now, I am angry at Mr. Caldwell. He has been in my prayers for months. I do not know if I can talk about this here, but as a citizen, I believe I can still talk about my faith, and, yes, I believe that is my responsibility to pray for those in power, for those leaders who have been put in position, and it was not by anything that you managed to do. I believe that God is still in control, and that you are in this place because of where my Father in heaven is. He is in control, and, yes, I believe that I have to pray for even those who are in a position that do not belong there. But, you know, when I walked in the door, I do not read Latin, or whatever it is, but I believe there is that rug on the bottom that says something about liberty.

You have a high responsibility as our governors to uphold the liberties of our country. We have been hearing a lot about the firing of the CanWest editor, because he spoke out against Mr. Chrétien. What are you going to do? You cannot fire me. So you will take away my children's education and give it to another division? You will take away my liberties by silencing me with Bill 14. Are we now a dictatorship, that you will legislate that which is wrong? If you are good government, we will know it, and you will not have to legislate in order to cover up mistakes. So that is what I have to say. As Candace has also said, that possibly what I now say will not make much difference. I have a responsibility to tell you how I feel. That is how I have done, and I will continue to pray for you as a government that our liberties will be upheld and that we will not lose them to a government that has not done their homework.

Mr. Gilleshammer: I thank you for your presentation. Again, it is obviously from the heart

and with the best interests of your children in mind. You have asked the Minister of Education a number of questions, and I would like to defer to the minister to perhaps answer some of those questions.

Hon. Drew Caldwell (Minister of Education Training and Youth): I thank the Member for Minnedosa (Mr. Gilleshammer), who is a wise man in this Chamber. He was part of a government that undertook a report in 1993-94, the Norrie Commission report, that gave guidance to the amalgamation exercise that we are currently undertaking. This is an exercise that took place in the rest of Canada in the last decade. It is a challenging exercise. It is one that is fraught with emotion.

I have certainly been moved by the presentations from Springfield parents, particularly the passion that they have for their children, for their children's education. I can assure you that there was substantially more than half an hour's worth of work that went into this exercise. It is an exercise that occurs in Manitoba. It has historically occurred in Manitoba about every 50 years. The same sorts of concerns have been expressed in previous exercises of this nature; in the 1950s, the 1920s, when the two previous major consolidations of school boundaries took place in Manitoba.

We have, in Springfield, parents, councillors, municipal councillors, trustees. The Springfield trustees, indeed, concluded with the River East School Division, the Agassiz School Division and the Transcona-Springfield School Division the night before last a shared service agreement that runs until 2005 is, as you know, that accommodates the immediate questions. I know that elected trustees, your trustees, as well as the trustees of other school divisions around the province, place the highest value on children and the highest value on the programs that those children are able to receive in the public school system. I fully expect, as you should expect, that the shared service agreement would lay a foundation for either the continuation of the reality that has been known in Springfield for the last number of decades, or for their development of programs in the communities of eastern Manitoba.

Our objective in this exercise is to create in Manitoba a—

* (19:20)

Floor Comment: You are speaking in circles again.

Mr. Caldwell: I will leave it ride. I am not going to be heckled.

Mr. Gilleshammer: I wonder if you are comforted by the shared services agreement and the words of the minister.

Ms. James: No, I am not. Sure, we have them, and so for now for three years we can see what the NDP government will do. He even had to pass a law to take away the budget so that he can make sure we are going to have something in there. Am I confident that our NDP government is going to do anything good for my children? Absolutely not. In three years we are going to look at him and say, Mr. Caldwell, what did you do to ensure that my child will have the programs that you said I could have?

In three years my busing to the schools that carry the shops will be gone; the schools in Anola, where we would have our shops, they are already full. Is he going to build us another school? Is he going to build a school for the French immersion children after those three years are up? Is he going to make sure that we have technical and shops in Beausejour, or build another school in Anola so that my children can go to school and continue with the programs? Is he going to give me enough money in my school that my child will possibly take a program where he will want to have an instrument that is shared, and the one year he has it and the next year, oh, sorry, this is no longer part of your program. Is he going to then buy us another tuba, a drum? What is he going to do to ensure my confidence? No, I am not at all confident that what he says is going to happen.

Mr. Caldwell: I guess, just in response, briefly because I know the time is expired. During the 1990s, the previous administration withdrew \$130 million worth of provincial support to the public education system in this province. In the

last three years this Government has invested \$200 million new dollars into the public education system of this province.

I realize there—

Point of Order

Mr. Chairperson: On a point of order, Mr. Laurendeau.

Mr. Laurendeau: Has the minister got a question for this presenter, or is he just making another political rhetoric speech?

Mr. Caldwell: On a point of order. There were a number of questions that were asked of me. In the first—

An Honourable Member: You said you had answered them before.

Mr. Chairperson: Excuse me. Let the minister finish please, Marcel.

Mr. Caldwell: I can understand that the member is anxious over the record of the previous administration.

Mr. Chairperson: Okay. It is not a point of order. It is a dispute over the facts.

* * *

Mr. Chairperson: Time has expired, so I will ask the minister to quickly put a question.

Mr. Caldwell: That is fine.

Mr. Chairperson: There is no question.

Thank you for your presentation. The next presenter is Judy Edmond or Brian Ardern, the Manitoba Teachers' Society. Please proceed.

Mr. Brian Ardern (Vice President, Manitoba Teachers' Society): Good evening. My name is Brian Ardern. I represent the Manitoba Teachers' Society and our 14 000 members. I would like to begin by telling you that I was here last night at 6:30 and I looked like a million bucks, had a nice tie on, a suit and by 12:30 last night I looked like 39.95. I was kind of a puddle on the

floor. So tonight I just skipped the suit and the tie and everything. I hope you will forgive my informal appearance.

Now the Manitoba Teachers' Society represents 14 000 teachers who work in our public schools. The goals of our organization include positively influencing educational change in our province, and that is why we support the amalgamation of school divisions and why the Manitoba Teachers' Society is here today making this presentation.

There are good reasons to alter school division boundaries. The last major alteration of school division boundaries occurred three years after I was born. In that time, Manitoba, like the rest of Canada, has undergone enormous changes, changes which should have resulted in nominations to our school division boundaries long before today.

These include demographic changes. It includes a student population which, though it has declined slightly, has been relocated to different places drastically. It includes changes to where people and businesses are located in our province, and that means that the property tax base in many divisions has changed dramatically.

Over the last 43 years there have been huge technological changes. Students and teachers can now talk and exchange information instantly. In addition, our transportation system and infrastructure has also changed. These are just some of the reasons why reconfiguration of school boundaries in our province is long overdue. It should be noted that, with one exception, every other province in Canada has already undergone this reorganization.

It is why we have been calling on provincial governments for the past three decades to act in the interests of Manitoba students by establishing a more effective and efficient scheme of school division boundaries. More than 30 years ago, the society made a presentation to the Boundaries Commission on the reorganization of school division boundaries. A decade ago, we made a presentation to the Norrie Commission on school division boundaries. The reasons that we gave then are basically the same ones that we are

presenting today. Unfortunately, on both occasions, government decided to do nothing.

MTS recognizes that it is the provincial government that has responsibility for public education. During 1999, MTS ran a public information campaign with the theme, "Every Child Deserves a Fair Chance." Our message to Manitobans was that every student should have equal educational opportunity, no matter where he or she lives and no matter what their individual learning needs are.

The research we do at the society shows that it is difficult to provide students with a full range of education programs and services in smaller school divisions. It is usually too expensive for small divisions to offer much more than the most basic programs, and when a division does not offer a certain program or service, it may lose the matching funds that the provincial government provides.

Greater equity and access to programs and services can be achieved when there is greater symmetry in operating scale among divisions. Through reconfiguration of school divisions now happening in Manitoba, more school divisions will benefit from the advantages that economies of scale can offer. For example, a school division in Manitoba recently advertised for a superintendent. The division has about 65 teachers and about 800 students. We have a number of schools in Manitoba that are that big. Does it make sense for a division this size to have a superintendent and a busing structure? And, and, and. Eliminating duplication of this type could save money that could be redirected to the classroom.

* (19:30)

Amalgamating school divisions will also reduce tax inequities between divisions. The current variation in taxation bases among divisions means that taxpayers making the same effort with the same special levy generate different amounts of money for school divisions. Compounding this problem are the different fiscal policies of various school boards. Some boards resist increasing taxes at the expense of educational programming, while others place a priority on providing their students with a full

range of programs and ensure that their budgets meet that need.

In most cases, increasing the size of school divisions will increase access to provincial and local funding and lower per-pupil cost when the same range of programs and services are offered. The funding that government puts into the public school system should go to improving programs for students. The result will be something everyone should be able to agree on: getting more money to classrooms in our province for the 180 000 public school students.

Amalgamation of school divisions will not mean the amalgamation of schools. Manitoba has a tradition of small schools, and Bill 14 will prohibit the closing of schools for a time. More significantly, larger, more solvent school divisions will be better equipped to support smaller schools in our province. With larger school divisions every effort should be made to keep student travel at a minimum, especially in the early years of schooling.

For teachers, Mr. Chairperson, changing boundaries to strengthen operating scale means improvements in our working environment, which is, after all, the students' learning environment. This should enable us to deliver improved educational services to our students. All teachers should have the resources and support services they need to meet what is expected of our public schools by Manitobans. Just as it should not matter where a student lives in Manitoba, it should not matter where a teacher works. We should have the resources we need to do our job.

The 14 000 members of MTS directly deliver educational programs to children in our province. Morale directly affects the quality of education our students receive. That is why, once the amalgamation of school divisions is complete, the blending of our collective agreements should proceed in a manner that will ensure that the needs of teachers in terms of our salaries, benefits and working conditions are protected.

Before closing, I would like to mention two parts of Bill 14 that deserve specific mention.

The first is a criterion for the land transfer by the Board of Reference. Section 7(3) of the bill specifically states that the board should be satisfied that the transfer is for educational purposes and that it should not have a detrimental impact on the school division's ability to meet the educational needs of students within its boundaries. This section marks a significant crossroads for The Public Schools Act in Manitoba. While other provinces have reformed their legislation governing public schools to place a focus on what is in the best interests of students, this is, I believe, the first mention in the PSA that emphasis on what is best for the students should be placed there.

Congratulations to the Government for taking a small step towards acknowledging that the underlying principle of decisions taken under The Public Schools Act should be the best interests of Manitoba public school students.

The second point relates to section 17 of the bill. Bill 14 requires divisions to present their proposed budgets at public school board meetings. Teachers welcome this amendment. Currently, some divisions present an enormous amount of information on their budgeting process to local taxpayers for their consideration. Others offer nothing more than the budget itself, a fait accompli, a budget that has already been passed by the board. Consulting with the public about how trustees intend to spend tax dollars for public schools will mean better informed parents and taxpayers. Hopefully, the result will be better decisions on how we invest our public education dollars.

I would like to offer one amendment to this section. All school divisions should be required to present their proposed budget in FRAME format. If each division uses the same format, Manitobans could compare how each school board manages their money.

In conclusion, on behalf of the Manitoba Teachers' Society, I would like to commend this Government for finally reconfiguring school divisions. More than 40 years is a long time to wait. Better late than never seems apt for today. I would also like to thank school trustees and teachers. More than 40 percent of the teachers in the province are covered by this bill, and, in fact,

the transition has been a remarkably smooth one. School trustees have worked very, very hard, and I know teachers have worked very hard as well. There are, of course, difficulties, but for the most part this transition has been a smooth one.

Unfortunately, there is still work to be done. Tiny school divisions still remain. The Manitoba Teachers' Society believes school division boundaries should be renewed on a regular basis. Currently, electoral boundaries are reviewed periodically to provide equality in representation. It is just as vital that our school division boundaries reflect the best interests of public school students.

Thank you for the opportunity to present the views of the Manitoba Teachers' Society. I urge you to pass the bill so that we can have some certainty as we finish one school year and prepare ourselves for the next. Thank you.

Ms. Barrett: Thank you for your presentation. I asked this question of I believe it was a teachers' representative from Agassiz School Division last night, and I would like to ask you as a representative of the umbrella group of the Manitoba Teachers' Society. I know you are representing the Teachers' Society, and I am not sure if you are a parent as well, but I know that teachers interact on a daily basis with students and with parents and with the community at large. They are not just isolated as a special interest group as some would have them.

Can you give us a sense from either the MTS's perspective or your own perspective as to how you feel parents and the community at large are dealing with this amalgamation process?

Mr. Ardern: We expected the process to involve a certain amount of difficulty for us this year, given that it involves 40 percent of our teachers, given the work that is going to have to be done now in amalgamating contracts. I, frankly, expected our phone would be ringing off the hook, and I have been quite surprised that it has not. There are certainly issues that we have had to work with, but, generally speaking, my sense is almost that the people across this province have said, you know, we have been talking about school amalgamations for 30 years,

let us get on with it. Let us do it, and then let us sit down and do the work that has to be done to make them work effectively. So my sense is that, notwithstanding that there are areas where there are difficulties, by and large there has not been a lot of resistance to the amalgamations that have been announced.

Mr. Gilleshammer: Thank you for your presentation, Brian. I do not have any statistics on it, but last night and again tonight we heard parents indicate that there were quite a large percentage of teachers who are leaving the Springfield part of Transcona-Springfield. Has the society had this brought to their attention? Do you have any numbers on the number of teachers who have resigned or are leaving and is it of concern to the society?

Mr. Ardern: Actually, we have talked briefly about that. We do not have any hard data at this point. We do not have any firm numbers, but the impression that we get is that, in fact, the number of transfers this year is nothing out of the ordinary, that they are not significantly more this year than there had been in past years.

Mr. Glen Cummings (Ste. Rose): My question is related to the boundaries as they have been drawn up. In your presentation, you described a school division that may have been a generic description, but I have a suspicion that I might even represent a school division that matches the description that you made. What concerns me is that these boundaries did not, in general, follow any of the recommendations of the Norrie report, and yet we have other divisions out there where people were begging to have reorganization. I know that the teachers within those divisions were certainly vocal with me that they wanted reorganization or amalgamation.

Have you had any discussion, or can you confirm what seems to have been said to me that this is the first round of amalgamations? It has come to my attention that members of your society are saying, do not worry; this is just the first round and there is more to come.

Mr. Ardern: Well, as I said in my presentation, we have made no secret of the fact that we think it should have gone further. We think there are still boundaries out there that need to be changed

and divisions that need to be amalgamated. We did ask the minister about that, how he made some of the decisions that he made, and he talked about a variety of factors. It is, obviously, a very complicated piece of work.

Whether or not there will be more amalgamations down the road, that is obviously the decision for the minister to make, but our position has been consistent all the along, and I said in our presentation we think there should be more.

Mr. Caldwell: Mr. Chair, I am speaking, I guess, in reference to the question put by the Member for Minnedosa (Mr. Gilleshammer). He asked about the transfers made in the Transcona school division. There were a number of questions last night and again today. We have information from the Transcona school division that this year, in 2001-2002, there were 23 transfers in that division. In 2002-2003, there will be 24 transfers in that division, 8 of which are rural to urban.

Mr. Chairperson: I do not think that was a question, but it did put some information on the record, so we will go back to Mr. Cummings.

Mr. Cummings: Following up on my last question, and to use the American term, you can take the fifth on this, if you choose to, but was the society consulted prior to the announcement of the boundary changes on the structure of the amalgamation?

Mr. Ardern: Do you mean, were we informed before other parties, or—

Mr. Chairperson: Mr. Cummings, we will let the presenter answer.

Mr. Cummings: My question was—I will try and make it more fair—to your knowledge was the society consulted on the structure of the boundaries prior to their announcement?

Mr. Ardern: No.

Mr. Chairperson: We have run out of time. Thank you for your presentation.

Next is Kristine Barr, Trustee, and David Bell, Secretary-Treasurer, Winnipeg School Division No. 1.

Please proceed.

* (19:40)

Ms. Kristine Barr (Trustee, Winnipeg School Division No. 1): Good evening. The Board of Trustees of the Winnipeg School Division would like to take this opportunity to provide its comments on the public record on Bill 14, The Public Schools Modernization Act, which proposes amendments to The Public Schools Act.

We appreciate that legislation is required to provide parameters for amalgamation, but there are several provisions of this bill that we believe go beyond this intent. In reviewing the proposed changes, our specific comments relate to the following areas: local school board autonomy, the budget process, administrative costs, and the consultation process.

On local school board autonomy, our board believes that locally elected school boards are best able to make decisions regarding educational and budgetary issues, as these decisions are typically made following extensive community consultation and with a high degree of understanding of the needs of the local community. Given that local taxpayers are funding education to a substantial degree through the special levy and the education support levy, it is appropriate that local school boards retain the authority for managing educational matters. The funding ratio of the Winnipeg School Division's budgeted expenditures is 44.8 percent through special levy, versus 53.2 percent from provincial funding.

The changes proposed in this bill will have the effect of transferring significant decision-making authority from duly-elected school boards to the provincial government. We have a concern about the role and use of ministerial regulation as a governance style. Regulations can be changed at the Cabinet level with no input from school divisions or from the community at large. We feel that this process is in direct contradiction to the spirit of public input, which is included in section 178(1) of Bill 14. We would strongly suggest that the bill be amended to ensure that the minister and Cabinet cannot make unilateral changes without an opportunity for input from affected parties.

The second issue is the budget process. This legislation effectively provides the Minister of

Education (Mr. Caldwell) with full authority to make any change to a school division budget without being accountable for the budget changes directed. There is no requirement or obligation for the minister to consult with the school board and its community, or even to explain the rationale for any budget change. Any ministerial change could have a dramatic impact on a school division's special levy, and could essentially be done without any consultation.

Although the Winnipeg School Division is not directly affected by this provision at this time, we are concerned about the precedent that such a change would set. We believe that school divisions are fiscally responsible in the development of their budgets, and are fully accountable for the decisions that are made. Our board believes there is no justifiable rationale for the minister to have the authority to direct changes to school division budgets.

The third issue I wanted to look at is administrative costs, section 174(1). The Winnipeg School Division is very cognizant of the level of administrative costs and consistently has managed to maintain these costs within a reasonable level. The administrative workload for school divisions is becoming increasingly demanding and complex, and it is critical for school boards to maintain the necessary staff levels, systems and controls to properly manage the operation of the school division. These costs are primarily funded through local special levy, rather than provincial funding; 87% special levy versus 13% provincial funding, and we consider it appropriate that the local school boards retain the authority to make decisions for these expenditures.

It is our understanding that the secretary-treasurers in the metro area have had discussions with representatives of the department regarding the interpretation of what is to be included in administrative costs, as the initial definition included areas such as consultant services, which, in the Winnipeg School Division, have limited administrative responsibilities. We are concerned that one area of expenditure is being singled out for inclusion in the act, and feel that if the department believes it is necessary to review administrative costs, this could be accomplished by another mechanism which

would be more flexible to reflect local school division needs.

The fourth item I would like to look at is the consultation process, section 178(1). The Winnipeg School Division is recognized for its long history of consultation and collaboration with its various communities. Our draft budget reflects the educational priorities for the upcoming year, and is created after extensive consultation with our staff and our community throughout the fall months. Following the provincial funding announcement in late January, we produced a comprehensive budget document which is widely circulated throughout the division. Further discussion is held with our communities through a board advisory committee system and parent council meetings. Opportunities are also available for residents to make presentations to the board in writing, or by appearing as a delegation at special board meetings.

It is the position of this school division that public consultation is in place as part of the accountability of trustees to their constituents. However, we support the intent of this section and feel that it should be included in legislation to reflect what is in place, as demonstrated by the Winnipeg School Division and by many other school divisions in Manitoba.

Our budget consultation process is very similar to the process followed by the Minister of Finance (Mr. Selinger) when he consults with the citizens of Manitoba on our provincial budget. The board of trustees would like to thank you for the opportunity to express our comments on The Public Schools Modernization Act, and hope that you will give them due consideration. Thank you.

Mr. Caldwell: Thank you, Kristine, for a very good brief to the committee. Some of this material we heard last night from MAST, but I am interested a little bit in your last point about the consultation process, and the greater transparency and accountability that are involved with that process. You are quite right. Winnipeg 1 has been a leader in Manitoba in that regard.

Could you give us an idea of approximately how many people participate in that, in any

given year, just notionally, and in what kind of context they participate?

Ms. Barr: It varies from year to year, depending on what process we put into place. We have tried a number of different models for our budget consultations. We found that the most effective model that we use is a one-night meeting, initially, where, once the Budget has been brought done by the provincial government, we provide a document with our priorities indicating how we plan to spend our budget in the upcoming year. All parents, community and employee groups are invited to come out to those meetings. Then, they take that document back to their respective groups, consult with people at the grass-roots level, and then come back to us with any feedback they have at special board meetings.

We feel that we provide that opportunity for anyone within the Winnipeg School Division to give voice to any concerns and suggestions they have for budgetary changes, and that, as a member of the finance committee, I can speak to the fact that those are given due consideration and are often interpreted into the changes that we make in our budgets.

Mr. Caldwell: That is just what I was going to ask. There are changes that you make as a result of that process of accountability? That is the experience that you have had?

Ms. Barr: Yes, it is, and we have a large number of advisory committees within the Winnipeg School Division that represent different areas within our school division. Winnipeg School Division, it will be very shortly, is the largest school division in the province and we are serving 79 schools. We find it to be an effective mechanism, to have a large number of advisory committees that meet locally, to bring together schools from one area of the school division to consult and bring their feedback together. Then there are always local parent councils at each individual school.

Mr. Caldwell: Thanks.

Mr. Gilleshammer: Thank you for your presentation. On page 1 of your presentation you indicate that in your operating budget that 44.8

percent is raised by special levy and 53.2 percent is provincial funding. What has the trend been over the last few years? Has that been fairly stable, or has there been a growth in special levy and less percentage from the province?

Ms. Barr: Since I am co-registered for this presentation, I will turn the answer to that question over to our secretary-treasurer, David Bell.

Mr. David Bell (Secretary-Treasurer, Winnipeg School Division No. 1): Certainly, over the last two or three budgets there has been a maintaining the level that is coming from the provincial government. In previous years, we had been experiencing a much more significant dependency on the special levy.

Mr. Caldwell: Just to follow on that, if I am hearing right, the last two or three budgets there has been more stability in terms of the funding, and the years before that there was a greater reliance on special levy, or greater, less provincial dollars I suppose?

Mr. Bell: That is correct.

Mr. Gilleshammer: Well, following that, the special levy has been reduced then, in the city of Winnipeg, over the last couple of budgets?

Mr. Bell: As far as the special levy is concerned, while it has not essentially been reduced because of the increasing costs, obviously, with only receiving the 53 percent from the provincial government, with costs increasing, there is still a shortfall that must be, you know, picked up by the special levy.

Mr. Gilleshammer: So that the percentage of reliance on special levy then has decreased, or has it remained about the same?

Mr. Bell: It has essentially remained around that same figure. It has been in the 43-42-44% range.

* (19:50)

Mr. Gilleshammer: And now it has risen to 44.8 percent?

Mr. Bell: That is correct.

Mr. Chairperson: Thank you for your presentation. Next presenter is Bob Land, private citizen.

Please proceed, Mr. Land.

Mr. Bob Land (Private Citizen): Good evening. I would like to thank this committee and its members: the Minister of Education (Mr. Caldwell) and his colleagues; Mr. Gilleshammer, who has been to my school, and his colleagues; and I was hoping Doctor Gerrard, my MLA, would be here, for the opportunity to give my views on the bill, and the effects it will have on Manitoba public education.

I am speaking to you tonight as a teacher and vice-principal, with 42 and a half years of service to the students of Manitoba, in both rural and urban settings. I have worked for nine different school boards. Sometimes more than one in one year.

Floor Comment: Is that a good sign?

Mr. Land: Might be, might not be. If only it were true that local boards are in the best position to determine local needs, and provide resources, and establish programs. If it were true, then boards would have ensured that schools would have programs, staff and resources that would be providing much more equitable, effective, cost-effective and up-to-date services for students and residents in their jurisdictions. But this is not usually the case. And from my personal observations of several boards, both rural and urban, large and small jurisdictions, over time, some trustees feel that their role is to be much more trustees of the public purse than trustees of public education. This often operates to the detriment of students, and particularly those with needs which are out of the ordinary.

Having worked in several jurisdictions large and small, rural and urban, and having had the experience of working through the spring '59 establishment of secondary school divisions, and the expansion of school divisions to include elementary and junior high students in the mid-sixties, I have heard many of the same objections to larger jurisdictions, to changes in legislation, to changes in regulations on these two occasions, as we heard last night and are hearing tonight.

Trustees fear losing control, feel that local people will not be heard, fear that imposition and taking control by the Government and/or the minister. With the changes that have taken place in the world, in Canada, in Manitoba, in education, in technology, as Brian said, and in jobs and careers over, at least, the last 50 years, there has always been, as there is now, need for the Province to take a leadership role, as it is doing now.

To quote the principles of the Norrie report on page 125:

The Province needs to provide the best governing structure which will further education excellence; facilitate effective and efficient program delivery and development in the public school system; facilitate the goals of education of the province; and ensure that education reflects principles such as equity, openness, responsiveness, excellence, choice, relevance, and accountability; ensure flexibility in student movement between and among divisions and districts; acknowledge the increase in applicability of technology to facilitate program delivery; foster partnership between and among government, community, parents, labour, business and industry; and receive public acceptance, because it is the Province with the primary responsibility to provide for education, and to provide appropriate structures for delivery. It is necessary that there be a provincial leadership role for change, as exemplified by this bill.

While there will, of course, be situations to work through, most, if not all, boards affected by this most recent round of amalgamations are making good progress towards the goal of improved operations as of the fall of 2002.

In my own school of Murdoch MacKay Collegiate, in the current Transcona-Springfield School Division, soon to be in the River East-Transcona School Division, we feel that we will continue to function as an excellent school, and as a part of a larger jurisdiction we feel that our ability to continue to meet a variety of students' needs will be enhanced. Our first meeting last week with the newly appointed CEO of River East-Transcona makes us enthusiastic about being part of a larger jurisdiction with him as our new educational leader.

This small personal example will, I feel, be typical of how beneficial change can be as we seek to adapt, to change and to grow in response to student needs and parent wishes.

Mr. Vice-Chairperson in the Chair

I would like to thank the minister and the Government for the leadership which they have shown in moving Manitoba's education into the 21st century. Thank you for your attention to my presentation.

Mr. Vice-Chairperson: Thank you very much, Mr. Land.

Ms. Barrett: Thank you for your presentation. If I had a hat, I would doff it. Forty-two years in the public education system is a remarkable achievement. Being in this system, whether as a teacher or a paraprofessional or administrator, is a very, very challenging role. I am telling you something you already know.

I was particularly struck by the fact that, with your range of experience and your years of experience, you bring a perspective to this discussion that we have not heard a whole lot from, because, well, there have been some presentations with a large number of years of experience. But I think it was very helpful, certainly to me, to have your perspective, kind of through that lens of such long years of service. So I guess it is more a comment. Congratulations and, on behalf of us all here, job well done.

Mr. Vice-Chairperson: Mr. Land, do you want to respond?

Mr. Land: Thank you. I do feel that I am a member of a rather special group. Comments were made last night about sort of narrow jurisdictions, and I guess I am a kind of a special interest group. There are not many of us white-haired older folks left. There is you, me, and Art Reimer, and that is about it. *[interjection]* No, no, you are not there yet.

Mr. Vice-Chairperson: Thank you.

Mr. Gilleshammer: Thank you, Mr. Land. As someone who is closely associated with the Transcona-Springfield School Division, and you

have been here and listened to a number of the parents from Springfield, do you see any solution to their concerns that they have brought forward that they feel that potentially, very soon, they are going to lose out on some of the opportunities that they have seen within Transcona-Springfield over the last number of years? You have heard their concerns. What do you say to these folks about the future of education for their children?

Mr. Land: When I have received calls from some Springfield parents, as I have, with students who are not already in my high school, Murdoch MacKay, which has the vocational programs which have been referred to, and they ask, will my student who is presently in Grade 8 or 7 or 6, be admitted, I say that will be a matter for the new boards, first the interim boards to decide after July 1, and the newly elected boards to decide after October.

Mr. Gilleshammer: Thank you for that answer. So I would expect that you can see why there is a great deal of anxiety out there in that school is ending, it will start again in two months, and these decisions will be put onto the backs of an interim board which is yet to be identified or just recently identified, and again put forth in elections next October. From your answer, I think it supports the view that these parents have a right to have this anxiety because there is some uncertainty in the future of the education of their children.

Mr. Land: Partly, in response, parents are always concerned about what their children's future will be. I can compare it with a situation when I was teaching in my home town of Tilston, Manitoba, about 38 years ago. When the decision was made to change what had been a three-grade one-room high school into a two-grade one-room high school and the parents in the community could not understand why I would not go and protest to the board with them, I said, you know, it is not really my place. I work for that board. I understand your concerns, but you are going to have to do this, not me.

Mr. Vice-Chairperson: Mr. Caldwell, for a quick question.

* (20:00)

Mr. Caldwell: Thank you, Mr. Chair, and thank you for the report. I appreciate it very much, the presentation.

In your experience with trustees over the many years that you have been an educator, Mr. Land, how would you characterize their interest in providing greater opportunities, I guess, year in and year out for students in terms of their decision making? How would you characterize?

Mr. Land: I believe that most trustees want to provide better education for the students in their charge. They are sometimes not operating with the best of knowledge, the best of experience, the best understanding. I believe that most of them honestly feel that they are doing the best job they can. I think that some could do better with better advice.

Mr. Vice-Chairperson: Thank you very much, Mr. Land.

The next presenter will be Anita Chapman.

Ms. Anita Chapman (Chair, Board of Trustees, St. Boniface School Division): Thank you. You will see at the beginning on the first page of the brief that this was supposed to be presented by Marilyn Seguire, who is the chair of the St. Vital School Division. She could not be here, so I am the next one. I am the chair of St. Boniface School Division. We would like to thank the committee for the opportunity to express our concern and recommendations with respect to Bill 14.

As you know, our divisions will be amalgamated upon the passing of this legislation. We, therefore, have a vested and direct interest in ensuring that the legislation passed by government assists and does not hinder the process of amalgamation upon which we have embarked.

Our comments today will be focussed on the most important concerns we have with regard to Bill 14, The Public Schools Modernization Act.

Our concerns are twofold. First of all, we are alarmed with the provisions of Bill 14 that transfer significant decision-making power from local school divisions to the Minister of

Education, Training and Youth (Mr. Caldwell). Our boards believe that decisions on budgets and property taxation, as well as those decisions that can affect program and service delivery to students are best made at the community level by locally-elected school boards. Not only are these boards accountable to the community, they also possess the knowledge required to make the informed decisions that are sensitive to the students' and community's needs.

We are also concerned with specific sections of the proposed bill. In particular, Bill 14 does not address certain critical legal issues about amalgamation. It impedes local control of education by shifting significant decision-making authority from elected school boards to the Minister of Education, which may hinder the amalgamation process or add to the challenges which have been imposed on school divisions being forced to amalgamate. The sections of Bill 14 that we strongly feel should be amended or removed are sections 22, 16 and 12. I would like to elaborate on those.

Section 22. Amalgamated divisions to submit budgets. This section of the bill requires amalgamated school divisions to submit their annual budgets for review to the Minister of Education, Training and Youth in each of the three years following amalgamation. The proposed legislation would give the minister the authority to direct a revision to a school division's budget and the power to withhold provincial support should the revision not be included in the final budget. Given that school divisions that are not amalgamated are not subject to this requirement, we can only assume that the Government's inclusion of section 22 represents an attempt to control the expenditures related to amalgamation. This opportunity was afforded to governments when our school divisions shared with the Minister of Education and with officials of the Schools' Finance Branch estimates of the costs which would likely be incurred with amalgamation of our two divisions. In fact, these estimates were shared well in advance of the minister's announcement that our division would be amalgamated.

A very large portion of these costs is related to the harmonization of employee collective agreements. In this area, we have difficulty

understanding how the minister could impose a revision of salary expenditures in a budget without providing some form of legislation or mechanism to assist divisions in controlling these costs. In the absence of such legislation, any budget revision imposed by the minister in this area would only serve to reduce the level of programming for students. The costs of salary harmonization do not benefit students.

To further confuse and compound this problem, section 22(2) specifically states: In the fiscal year of amalgamation, which in our situation would be 2002-2003 fiscal year, and each of the next two years, which means 2003-2004 and 2004-2005, an amalgamated division must: a) submit its proposed annual budget at the time and in the form and manner determined by the minister for the minister's review.

It seems that we may be in violation of this portion of the bill before amalgamation even occurs, as our boards have finalized their budgets for 2002-2003. Once consolidated, these budgets will effectively become the budget of the amalgamated division. It is our interpretation of the wording of section 22(2) is not what is intended by the legislation, and if the 2003-2004 budget is the first which requires ministerial approval, we would suggest that the wording be clarified. Also, if this is the case, if the minister's intent is to review amalgamated costs, then he should know that our 2002-2003 expenditures budget includes some amalgamation costs. This section of the proposed bill will, therefore, not accomplish what we believe is intended to be accomplished.

Section 22 authorizes the minister to impose the revision to a school division budget, but does hold the minister accountable for budget revision. In fact, it is the locally elected school board that becomes accountable for the revision and its potential negative impact on the quality of education for students in the division or the level of property taxation in the community. For this reason alone, this section should be removed from Bill 14.

An integral part of the process followed in the development of our school division's budget is consultation with our community and parent groups. This is done through publication of

budget documents and, primarily, through consultative meetings. Under section 22, the minister could alter the budget for a program or a service, that has been identified during the consultation process by the school board and its community, as being a necessary component of the educational plan for the upcoming school year. There is no mechanism for the school board and the local education stakeholders to discuss budget revisions dictated by the minister.

From a practical point of view, the submission of the annual budget to the minister for review and approval further constricts the amount of time available to school divisions for conducting meaningful and important consultation with local educational stakeholders. The Province is supposed to announce its level of support to divisions by January 15. On occasions, the announcement has been delayed until nearly February. It will require some time for the minister to have the review of the submitted budgets completed and for a determination to be made as to whether or not revisions are imposed.

* (20:10)

Given that school boards must finalize their budgets by March 15, it would be very difficult, if not logistically prohibitive, for a division to prepare a proposed budget, consult stakeholders, submit the budget to the minister, wait for the minister or officials from his department to review and approve the budget, advise and/or consult the community about the minister's imposed budget revisions, should there be any, or make further adjustments that may be necessary to the budget as a result of the minister's revisions, and, finally, to pass the budget.

Our board has been, and will continue to be, fiscally responsible in the planning and establishment of our budget. We strongly feel that section 22 will cause logistical problems in budget development and consultation for amalgamating divisions.

We believe the budget consultation process and the disclosure of amalgamation costs during these consultations are the most effective mean of ensuring local accountability. For all of the above reasons, we are recommending that section 22 be struck down from the proposed Bill 14.

Section 12. Subsequent regulations. Under this section of the proposed bill the minister will be authorized to issue regulations pertaining to the effective date of amalgamation, the establishment of the interim board of trustees and other matters, such as the altering of school division fiscal year-ends. It is our understanding that this proposed bill might not be enacted until after July 1 and that the effective date of amalgamation may fall after July 1. If this becomes the case, we would recommend that school divisions be consulted regarding the altering of the fiscal year-end.

Depending on when the legislation is enacted, the regulation may be useful in altering the year in such a manner as to eliminate the need for the preparation of multiple financial statements, thereby reducing the costs associated with conducting multiple audits.

Section 16. Control of administrative cost. Our boards have been fiscally responsible in all the areas of their budgets, including administrative costs. Despite pressure in this area to address the increasing demand on management and board members to provide information to parents and the public and the minister's department, our boards have maintained costs at reasonable levels. In fact, after the transition stage of amalgamation, we will be within the 4% administrative cost limit.

Mr. Chairperson, we believe that the accountability of our locally elected boards to our constituents through budget consultation is a mechanism that best ensures the appropriate level of administrative costs. We would urge the minister to consider the potential harm which could occur should administrative costs be kept at, or reduced further than, the 4% current limit currently being proposed. Adequate levels of administration are necessary in order to properly manage the operation of a school division, including the maintenance of systems and controls.

To recap, the proposed bill shifts significant decision making powers from local school divisions to the Minister of Education, Training and Youth. We believe that school boards, through their consultative approach with the community, possess the knowledge required to

make informed educational and budgetary decisions that are sensitive to local students and community needs. This decision making should not be transferred to the Minister of Education.

Mr. Caldwell: Thank you, Anita, for a very thoughtful brief. A lot of the material that you have covered was covered by boards yesterday in their presentation, and it has influenced my thinking as we have moved through the committee process. So thank you very much for that and please give my best wishes to Jean-Yves and Marilyn.

Ms. Chapman: We will certainly do that.

Mr. Gilleshammer: I, too, thank you for your presentation tonight. Can you indicate what the amalgamation of St. Boniface and St. Vital school divisions is going to cost in the next year? Have you sort of got your head around additional costs?

Ms. Chapman: We have done some preliminary costs; they are not solid. St. Boniface, having been through an amalgamation process once before with Norwood, realize there are definitely amalgamation costs. I guess at this point we are certainly looking at perhaps one time costs of \$1.7 million, and perhaps ongoing costs of \$1.2 million.

Mr. Gilleshammer: Does that take into consideration the harmonization of collective agreements?

Ms. Chapman: In the harmonization of collective agreements, yes, that would be coming under the 1.2.

Mr. Gilleshammer: The minister indicated when he made this announcement that he expected to see a \$10-million savings across the system due to amalgamation. The numbers you have given us of \$1.7 million for the immediate costs and \$1.2 million for ongoing costs would seem to make it difficult to understand what contribution St. Boniface and St. Vital would make to this \$10-million savings.

Ms. Chapman: Certainly, as far as I can see, there would be no savings in the immediate future. Perhaps maybe four or five years down

the road, there may be some savings when there are less administrative people or perhaps there are some cuts, but at the moment when you are trying to harmonize collective agreements and you are bringing school divisions and programs together it is very difficult to even consider there are going to be any kind of savings.

Mr. Chairperson: Thank you for your presentation.

Ms. Chapman: Thank you.

Mr. Chairperson: Mr. Laurendeau, did you have a question?

Mr. Laurendeau: Yes, just one question.

Mr. Chairperson: Ms. Chapman, Mr. Laurendeau has a question.

Mr. Laurendeau: Thank you, Ms. Chapman. My question was on that section 12, the subsequent regulation. Looking at the bill, were you saying it was under 12(c) then that the minister could alter the fiscal year?

Ms. Chapman: I guess what we are saying is the end of the school year is June 30. If we are looking to go into a new year, like after July 1, still as St. Boniface and St. Vital, then are you into a situation where you are reopening your books and starting a new year? Is there going to be perhaps some legislation or some approach where those costs would be eliminated, some regulation that would indicate the legislation would be diverted back to July 1, or something along that line? The cost of hiring auditors does not come cheap, and it would be an added cost to amalgamation.

Mr. Laurendeau: Were you aware of that section (ii) in 12 that gives the minister the ability to do that altering of the fiscal year and the timing and the scope of its financial reporting and audits required under the act?

Ms. Chapman: Not to my knowledge.

Mr. Laurendeau: It was right in the act. They have the power.

Ms. Chapman: Did I miss something?

Mr. Laurendeau: He has the power to do it. He has that power to change it.

Ms. Chapman: He has the power to change it, but—

Mr. Laurendeau: Right in the act.

Mr. Chairperson: Sorry, I need to acknowledge people. Did you have another question, Mr. Laurendeau?

Mr. Laurendeau: No, we are done. Thank you, Ms. Chapman.

Mr. Chairperson: Thank you.

Mr. Laurendeau: We had our discussion right there.

Mr. Chairperson: We would like to be part of these discussions. The next presenters are Gayle Wilson and Kevin Wilson, private citizens.

Murray Grafton, Louis Riel Teachers' Association. Please proceed.

Mr. Murray Grafton (President-Elect, Louis Riel Teachers' Association): Good evening. Thank you for this opportunity to speak to you about Bill 14. My name is Murray Grafton. I am a high school teacher in St. Boniface and president-elect of the Louis Riel Teachers' Association. I am here to speak in favour of amalgamation of school divisions.

* (20:20)

When the Norwood and St. Boniface school divisions amalgamated four years ago, I was past president of the St. Boniface Teachers' Association and was involved in the process of merging the two divisions. Teachers of St. Boniface and Norwood are pleased with the results of amalgamation on our students and staff.

Norwood had been the smallest metro Winnipeg school division with only one high school. Mr. Chairperson, as excellent a school as Nelson McIntyre is, student options were

sometimes restricted by the size of the school. Amalgamation allowed for increased options for those Norwood high school students such as a wider choice of vocational and technological courses available in St. Boniface. Norwood French immersion students previously had to leave their school division to continue in the immersion program for high school. Amalgamation ended that situation.

Amalgamation created more opportunities for special needs students, including involvement in the occupational skills program and the well-known Crackers bistro program in St. Boniface.

St. Boniface-Norwood amalgamation was also positive for teachers. Teachers now had wider horizons, more opportunities for movement and professional growth. Imagine being the physics teacher in your division's only high school. Whom do you collaborate with on your division's professional development days? Amalgamation provided increased opportunities for professional development and sharing of teaching practices for all teachers but it has been especially helpful for teachers in more specialized areas. The Louis Riel Teachers' Association understands that this more efficient professional development helps teachers to be more effective and benefits our students in all our classrooms.

Now we, again, have the opportunity to amalgamate. The teachers of St. Vital and St. Boniface are proud of their schools and their students. We feel that our school divisions are among the best in Manitoba and that the blending of our school divisions will result in an even better public school system. We look at the success of the Norwood-St. Boniface amalgamation in 1998 as a model for the amalgamation of St. Boniface and St. Vital School Divisions. We are confident that this is a change for a better future.

The Louis Riel French immersion program will be a leader in western Canada with two immersion high schools. Teachers in Louis Riel anticipate more options for their students such as a possible reintroduction of practical arts at the junior high level throughout the entire division. Louis Riel students seeking education in the smaller or larger high school setting will now

have easier access to the smaller high schools in St. Boniface or the larger high schools in St. Vital. All of our students may now have better access to the vocational, industrial, technological programs at the Winnipeg Technical College and the St. Boniface Arts and Technology Centre. There may also be increased opportunities for special needs students. Increased numbers allow for enhanced programming and the ability to offer more choices to more students.

Amalgamation provides a chance to review and re-evaluate programs. This re-examination of our practices is a healthy exercise. More teachers working together will generate a broader spectrum of ideas. The larger system of Louis Riel will allow for a greater possibility of creating divisional magnet schools such as a school of performing arts or a school offering a full range of advanced placement or international baccalaureate programs. The future for our students is very exciting.

In looking at the past, I would like to speak from my personal experience as a teacher in St. Boniface since 1975. The major partner with the parent in every student's education is the classroom teacher. As a classroom teacher I have enjoyed strong community support of my school, as have my colleagues in the 40 schools of St. Boniface and St. Vital. We appreciate that support very much. Government support has been another matter. In my situation there are three professionals whose work helps me to deliver the best educational experience possible for my students. The vice-principal helps with school discipline and student attendance. The teacher librarian is one of my students' chief resources for research. The department head coordinates big picture planning and curriculum implementation at the grass roots level. They allow me to be a better teacher and better meet my students' and their parents' expectations.

Unfortunately, it has not worked that way for some time. During the 1990s, government cutbacks in funding caused distress in public schools. By 1995, class sizes grew larger as teachers were cut. Our vice-principal and teacher-librarian had their time reduced by 50 percent and the department head position disappeared entirely. Textbook costs continued to rise while textbook budgets were reduced year

after year. The loss of teachers, administrative time, teacher-librarians, department heads and learning resources are some clear examples of the need to put dollars back into the classroom now. Although there has been some relief to the system in recent years, more remains to be done. The expectation of teachers in Louis Riel is that amalgamation can achieve some long-term savings to invest in our students' futures.

Mr. Chairperson, the communities of St. Vital and St. Boniface share much in common beyond Bonivital baseball and soccer or the Bonivital Pool. The Louis Riel School Division makes sense to the residents of St. Vital and St. Boniface with whom I have spoken over the past few months and will be positive for students and their teachers. The teachers at Louis Riel believe that amalgamation will provide enhanced learning opportunities for all students. This concern for our students encourages teachers to support the principle of amalgamation and Bill 14. Thank you.

Mr. Jim Rondeau (Assiniboia): Mr. Chair. I know that doing some of the research on school divisions in the past, I have looked at some school divisions like North York, which has about a quarter of a million people. You have some divisions in Manitoba, that was like, 250, 300 people in the entire division. Just wondering whether you have done any or you have an opinion as to what the best size of a school division is to get the best programs for the kids or the best bang for the buck?

Mr. Grafton: I thought the Norrie Commission in 1994 came very close to what my idea of what metro Winnipeg should look like. That is the part that I am most familiar with. They called for four school divisions in the city of Winnipeg and we are getting very close to that now. I would say that our school divisions are, in terms of metro Winnipeg, are large enough that they are going to be able to provide excellent services to the students and the community at large.

Mr. Cummings: Thank you for your thoughtful presentation. I have a concern that some of the boundaries, and obviously you are quite comfortable with the ones where you are the most familiar, but some of the boundaries and some of the exclusions from amalgamation were rather

more political choices than they were for the betterment of the education of children. We do have some divisions out there, following on Mr. Rondeau's question, we have divisions out there that are still rather small and were candidates for amalgamation, but for some reason have been avoided. Have you any advice?

Mr. Grafton: I thought you were going to ask me a hard question. I am not quite sure what you are seeking advice on.

Mr. Cummings: Well, my point is that there are divisions out there of less than 800 students who were not included in this amalgamation process, and I am wondering, through your association or through your colleagues, if you have any knowledge about why they may not have been included or if you have any suggestions about whether or not they should be included in the future.

Mr. Grafton: I am not sure that the Louis Riel Teachers' Association has a position on that. Personally I would agree with the position of the society that there is more to be done. I think that a school division of 800 students is severely challenged to be able to offer strong programming to all its students.

Mr. Chairperson: Thank you for your presentation.

The next presenter is Mr. Stankevicius, River East Teachers' Association. Please proceed.

* (20:30)

Mr. Roland Stankevicius (President, River East Teachers' Association): Good evening, everyone. My name is Roland Stankevicius, and I am serving as president of the River East Teachers' Association. I am here to speak on behalf of the approximately 875 teachers who are its members. We are the teachers who are employed in the River East School Division which is amalgamating with the urban portion of the Transcona-Springfield School Division.

I am also the parent of three children. My son and daughter attend Collège Béliveau, and my youngest daughter attends school at École

Guyot, schools in the newly amalgamated Louis Riel School Division. Speaking as a parent of children in public school, I heartily support Bill 14, as I believe it will provide for greater flexibility for program options for my children and a more efficient use of education dollars towards school programs.

As well, since April 15, 2002, I am also serving as president-elect of the River East-Transcona Teachers' Association, which will be the successor teachers' association upon the amalgamation of the River East teachers and the urban portion of the Transcona-Springfield teachers' associations.

This amalgamation will occur at the end of this school year and our new association will have a combined membership of approximately 1275 teachers. I am very pleased to be here tonight to speak in favour of Bill 14 and to encourage that the Manitoba Legislature move quickly to pass this bill into law.

Very many of the teachers in our association are also citizens, parents, taxpayers and voters in the community of North Kildonan. In my questions and conversations about school division amalgamation with teachers, the responses vary from "I think it is a good thing" to "it is about time the Government did something about that" and the always popular "that is a no-brainer." Teachers believe that amalgamation will provide better programs and opportunities to the children in our schools, and over time amalgamation will also provide for greater efficiency in allocating for more and better classroom resources.

Teachers in our classrooms of our public schools know all too well about the very scarce resources available to provide a quality educational program to our children. Doing well for our children without sufficient resources for all learners and all types of learners is a credit to the creativity, dedication and commitment that our teachers bring to their profession. When we as teachers see expenditures in areas that do not directly enhance the quality of learning in the classroom for our students, we see this as a huge opportunity cost that cannot be recovered. It is too often the case that too many public education dollars are allocated to non-instructional areas.

Eliminating the wasteful and unnecessary duplication of administrative expense, and redirecting these scarce public dollars into our children's classrooms is the right thing to do. I believe Bill 14 does provide the necessary framework for a successful transition to a more efficient administrative structure for our newly amalgamated school divisions. I believe that teachers very clearly see the opportunity to improve quality in the classrooms by eliminating duplication of administration and establishing a cap to the level of expenditures on these items.

The Public Schools Modernization Act is the necessary tool for allowing the amalgamation of school divisions to complete the work that they have been pursuing since November 8, 2001. There is no need to delay as most of the public is well aware of the advantages of amalgamation. The discussion and debate around school division amalgamation has been going on for my whole lifetime. There has not been any comprehensive change during that period, but it has been generally agreed that amalgamation should take place. I applaud this Government for being somewhat brave on this issue, and although they probably should have gone further, I do believe this is a very important big step forward.

School divisions are ready to go with amalgamations. They have been working very hard to organize themselves to be ready for the new reality. From the very beginning, Mr. Chairperson, school divisions understood the importance of embracing this change and have been working to plan for a successful transition.

Back in November 2001, after Minister Caldwell announced the amalgamation of school divisions, Mr. John Carlyle, Superintendent of the River East School Division, stated in a press release that we are committed to making this process work effectively in order to preserve quality education for our children. Today, the most recent press release from Mr. Carlyle states in part that the trustees of Transcona-Springfield and River East school divisions are pleased to announce that the transition organization chart for the superintendent's department of the River East-Transcona School Division has been established and will take effect when the new school division comes into being.

So, in River East and Transcona, we have come a long way from an early commitment to the process for a change to the announcement of a new organizational structure. Now, we need to see this work completed with a swift enactment of Bill 14.

Our new teacher association is also ready to go. After many meetings and discussions with our colleagues in Transcona, we have developed a bond of trust and commitment to a positive amalgamation. To this end, we have already adopted a new constitution, established a new name, elected a new executive, passed the first budget and conducted a successful founding meeting. We are looking forward to our future challenges as a larger, more diverse and more talented teachers' organization.

Thank you for allowing me to make this presentation this evening.

Mr. Caldwell: Thank you, Rollie, for a good presentation from River East. Could you give us a sense of how the morale is with the teachers around this issue? One of the things we heard earlier in Springfield, one of the biggest benefits of amalgamation was the new sense of energy and revitalization that goes on. Do you have that sense in River East?

Mr. Stankevicius: I have a sense that the River East teachers, as a group, there was some initial anxiety about where will my career end if there are transfers, but that has all been laid to rest, and there have been some assurances there will be no changes in the near future. I sense from many of our colleagues in Transcona they are looking at it as an opportunity to expand career opportunities, and as our River East teachers reflect on this expanded school division they are seeing their opportunities for career and professional development as also being enhanced.

Generally, I believe it is in keeping with what we were saying about the kids in the classroom. The amalgamation should be seamless. It should not disrupt how teachers see their role in the classrooms. Hopefully, it will be an enhancement to their professional development and career.

Mr. Cummings: Thank you for your presentation. Obviously you are very well organized and have given considerable thought to not only this presentation but to the future of your organization and your colleagues.

I wonder if you have been privy to or have had any discussions or been given any information that would demonstrate the amount and the magnitude of dollars that may or may not be achieved from this amalgamation.

Mr. Stankevicius: In terms of what? In terms of savings, or in terms of the cost for the amalgamation? I am not clear on your question.

Mr. Cummings: Savings.

Mr. Stankevicius: I do not have anything concrete, but just from looking at the elimination of a school division office and the staffing of that and issues of fewer trustees, it does not take a rocket scientist or even a teacher to figure out there will be considerable savings over time. I am glad to see that we are modernizing the public school system to something that is more efficient, and with the commitment of this Government to put the money back in the classrooms where the fundamental objective of public school finance should be.

Mr. Cummings: Well, I am not a rocket scientist. I am a farmer and a former trustee. Can you tell me how much a trustee makes in these amalgamated school divisions, if that is where some of the savings is going to come from?

Mr. Stankevicius: I understand the basic remuneration for a trustee is approximately \$9,000 in River East per year, plus some additional benefits. It does not sound like a lot of money, but over time. There are other issues in relation to administrative staff and their support which would increase that number significantly.

Mr. Struthers: Yes. Thank you very much for your presentation. I am interested in knowing, rather than the amount of savings that might be realized and given back to a government, my preference is to think of this as a redirection of money that we are putting forth as a provincial government, and that if we use some common sense that we can actually achieve.

I am interested to know what that redirection of money means in your classroom. What kind of things can you, as a classroom teacher, look forward to doing within the classroom—look forward to having in the classroom—that are going to make a real difference for your students? Because, I think both sides of this table, and testament by all the people we have heard from in two nights, that is what the bottom line is. What difference will this make for your kids in your classroom?

* (20:40)

Mr. Stankevicius: It is pretty straightforward. In the high school I taught at, there was a chronic problem with such basic items as desks for students; having enough desks, desks that did not rip your pants when you sat in them, desks were the right size. Those are not huge capital expenditures, but the money just was not there. Having enough textbooks for everyone that is registered in the course; you have some textbooks, but you would not have enough.

The issue of numbers of students per class, you would often, as staffing was achieved in terms of the budget, you would have very large classes where, of course, quality can be compromised where a teacher is overloaded with too many students, too few classroom textbooks and not enough places for people to sit in. So there are some very clear deficiencies and, hopefully, we will redirect some of the money through amalgamation to these issues.

Mr. Chairperson: Thank you, sir. The next presenter is Marijka Spytkowski, Transcona-Springfield Teachers' Association. Please proceed.

Ms. Marijka Spytkowski (President, Transcona-Springfield Teachers' Association): Thank you. Good evening. My name is Marijka Spytkowski. I am currently president of the Transcona-Springfield Teachers' Association and, as of July 1, I will be president of the Sunrise Teachers' Association.

I am here to present some recommendations for consideration in future amalgamations. I applaud the Government for finally making the decision to amalgamate school divisions. School

divisions cannot provide a full range of programs and services to students if the divisions are too small. Every Manitoba student, whether they be in elementary school or enrolled at an adult learning centre, is entitled to have equal educational opportunities and access to programs and services no matter where they live in the province.

Since the November 8 announcement, life in Transcona-Springfield School Division has changed. I must admit that the splitting of our school division and the subsequent amalgamations have been most difficult. The effects of these amalgamations will be felt for a long time. As a teacher who has worked through the amalgamations with River East and Agassiz teachers' associations I would like to request that the Government consider the following recommendations.

School divisions that are too small may benefit from amalgamation. However, cultural diversity needs to be recognized. Merging two or more culturally divergent school divisions may cause more problems. School divisions should stay intact when merging. To do otherwise creates turmoil, frustration and anger. Working with colleagues since November 8 has been very emotionally draining. Many in the rural area of the Transcona-Springfield School Division are still very bitter.

Teacher morale in the division is low, and low morale impacts on the quality of education as teachers are the direct providers of the educational programs in the school divisions. Services to assist school divisions through the onerous job of amalgamation should also be extended to the employee groups within the division. A resource manual outlining procedures, timelines and resource personnel should be developed and distributed prior to any future amalgamations. For the most part, the various teacher associations develop their own strategies for working through the amalgamation. In Transcona-Springfield, a time line and checklist were developed to address the various tasks, such as the division of assets and liabilities, committee structures, meeting locations and times, and the development of a constitution, to name just a few.

Funding for the amalgamations must be extended to the various employee groups. School

divisions will receive \$50 per pupil over the next few years. Mr. Chair, money for amalgamation-related expenses of employee groups, such as teachers, comes out of the local membership fee. The expense borne by the Transcona-Springfield Teachers' Association has surpassed the \$10,000 mark, with the total still rising. Even with the support of the Manitoba Teachers' Society, costs and expenses have become prohibitive.

Communication is of the essence. Everyone needs to have the same information and remain up-to-date in the process as it unfolds. The Government should consider requesting monthly updates as the school divisions work through amalgamation. Mr. Chairperson, the Transcona-Springfield Teachers' Association regularly sent out newsletters, as well as one-page flyers, *The Informal*, to keep members informed of the progress. In fact, those documents were also shared with the amalgamating partners.

There should be a review of the amalgamation procedure in the next year. It is important to know how the merged divisions are functioning in order to alleviate any future difficulties. The metro group of amalgamating presidents has decided that it is important to meet on a regular basis in the next year to review and share information. This round of amalgamations has provided many of us with an interesting task. From my perspective, it has been a learning experience for everyone, one which I will remember for a long time.

We are here to improve the public school system in Manitoba. It is an important goal for teachers as well as the Government. I therefore ask the Government to take the recommendations into account when deliberations begin on the next phase of boundary review. Thank you.

Mr. Caldwell: Thank you, Marijka, for your presentation. I think your comments, as highlighted by the points, are very instructive for us now, let alone in the future and looking back. I wonder, we have heard a lot about, I guess, the fears around the quality of education in the Sunrise School Division in the future and so forth. Could you, as a teacher in Springfield, and president-elect of Sunrise School Division, the first president of the new division, could you give us some comments on the quality of

education in the new division? And maybe, if you have some vision that you may have with your colleagues in terms of building excellence in the new division?

Ms. Spytkowski: The quality of education is not going to change in Sunrise. Looking at colleagues in Springfield, looking at colleagues in Agassiz, they are all committed to providing the best with what they have. That will continue, regardless of amalgamation. I see a camaraderie developing very quickly. In fact, we have met on many instances and already the sharing of ideas has occurred, the networking has started, the different groups have started to meet, I am talking in specifics to administrators and resource personnel, consultants, they are all out there working. They are ready to do the work that needs to be done.

Mr. Caldwell: How many teachers are in the new division?

Ms. Spytkowski: From my last total, approximately 387.

Mr. Gilleshammer: Thank you for your presentation. You indicated that teachers will perform their tasks and work the way they are supposed to, and I believe that to be true. What about the question of access to programs? Is there an issue? I think this is what we have been hearing from residents of Springfield, that there is a fear that the children that have access to certain specific programs now, like music and French immersion and others, is there a potential problem here of a lack of access to the programs they have become accustomed to.

Ms. Spytkowski: As the minister indicated yesterday, the announcement of the shared services agreement that has come forward—that will give us a beginning. I think, as a group together as a collective—parents, teachers and the trustees—we can put forth the programs that we need to have to maintain the viability of the educational system in Sunrise.

Mr. Gerard Jennissen (Flin Flon): I am wondering if you would clarify something for me. I taught for many years in a very culturally diverse school division, and I notice one of your concerns was merging two school divisions that

are culturally divergent. Now, Canada is known for its diversity of cultures. So there are some very positive things to this, as well. I was just wondering, what are the negatives, in your opinion? I am not clear what you mean by this. Can you be a little bit more specific?

* (20:50)

Ms. Spytkowski: See, I waited this time. Thank you.

Looking at the culture within Transcona-Springfield, we have been described as a "rurban" division. We have the Springfield component, which worked together with the urban, so we accessed many of the benefits from the city. Looking at what Sunrise will now encompass, very community based schools, and I think in those communities are various cultures and they are very distinct. So, we are looking at merging, not only two school divisions but also separate entities that now will be performing as one. It does not have to be an ethnic culture. It can also be within the locale where the schools are located. So that is something that we have to address and be cognizant of.

Mr. Gilleshammer: On the first page, under point 2, you say teacher morale in the division is low. Low morale impacts on the quality of education. What impact has this amalgamation and this low morale had on students over the last few months?

Ms. Spytkowski: I cannot answer that because I have not seen it from the student perspective. I can only speak to what I have seen with colleagues.

Mr. Gilleshammer: When you say teacher morale in the division is low and low morale impacts on the quality of education, in what way has it impacted on that quality of education from the teacher's point of view?

Ms. Spytkowski: At this point in time teachers are uncertain of what they are doing next year. Reassignments are still occurring. Transfers are still occurring. With that uncertainty in the air, there is a sense that perhaps that transfer will not come by June 30. Looking at what teachers do in the classroom and taking into account that

students pick up vibes very easily, I am sure there is some, but I have not seen it first-hand.

Mr. Chairperson: Thank you for your presentation. The next presenter is Virginia Larsson, private citizen.

Ms. Virginia Larsson (Private Citizen): I come bearing gifts.

Mr. Chairperson: Please proceed when you are ready.

Ms. Larsson: I waited a while to get here. Good evening. My name is Virginia Louise Larsson. I am here as a Charleswood constituent, splendidly represented by Myrna Driedger, who, I think, is a close personal friend of Dave Chomiak. Maybe I am mistaken there. I am not sure about that. We are all on the same page. That is good. It is my hope that many will visit the Hansard archives to resource my words spoken here today.

Minister Caldwell, I would like to state that Bill 14 is far from over. This is the beginning possibly of the minister's educational nightmares. My first question: If this is such a wonderful bill why have the people, the parents, the taxpayers not been given the details? If I had the brass ring of educational solutions, I would be serenading the encouraging details to one and all. I am sorry, I am reading off my draft notes because my printer jammed, if you will forgive me. I would be serenading the encouraging details to one and all, bringing on board as many people as this bill would touch. I would be visiting schools and talking to children, telling them about all the things that they could look forward to, the programs, their teachers' names, and, maybe, even the school that they would be attending.

I would be telling them about the money we are saving because of these changes that would possibly help their mommies and daddies go on enriching field trips or that the gym they were going to would have new equipment, but I am not the minister. You are, Mr. Caldwell. Minister Caldwell.

This is part of your job description, to inform the public of all areas that affect them

within the boundaries of education. What I hear from you in response to the people's pointed questions are repetitive catchall phrases like: we will need to get to that; needs to be done; still has yet to be done. It makes me question whether the minister has a plan at all.

Numerous presenters that I have listened to, from presidents of educational associations such as MAST, to teachers and former principals, have eloquently and passionately put forth the proven documentation that leaves gaping holes in the legislation of Bill 14, and warn us of the confusion and possible havoc that it will reap on the children, but all to no avail it seems because it is the minister's intent to march this into reality at all costs to the taxpayers.

So let us visit the money arena. It is my understanding that this legislation provides full authority to make any changes to a school budget without being accountable for the budget changes directed. There is no requirement or obligation for the minister to consult with the school and its community to explain the rationale for the budget changes.

This could have a dramatic effect on children and their families. It could be done without consultation. So when I read this phrase I ask myself: Could a regional director be placed in the school underneath the auspices of a budget such as sex ed, resource centre, maybe a crisis room, tagged as \$5,000 per school or could a new unwanted curriculum be added underneath the guise of an addition to the budget? It is possible.

Nothing prohibits this. Mr. Caldwell has all the authority. Remember the Stonewall opposition to the distribution of birth control and parental involvement? I was there and nobody wanted that in the school. I think there were over 200 to 300 people, parents, that were in opposition to that but it was it was forced anyway.

Does this kind of legislative wording leave the door open for the minister's personal interpretation and application of anything he sees fit to put in our education system without accountability?

Another concern about the money. Anything that requires rebuilding, right, requires money and time to do it properly yet amazingly we as taxpayers, especially in my area of Charleswood, have been asked to simply just accept this bill without no real figures. If you want to do the number crunch and do the legwork, which many people behind me have done, that would relieve the fiscal pressure and concerns of the parents. It has not been provided by the minister that I know of.

The school boards and the taxpayers are the ones that are having to go get their homework done. Some of the proposals include in amalgamation, as I understand it, under the words "harmonization and synergy" include analysis of existing policies and programs and services to see how the operations of the schools will occur; program services and offerings need to be harmonized; collective agreements with all employee groups will need to be negotiated; staff allocation and assignment process need to be reviewed and revised. This one looks pretty expensive to me, technology systems like computer software differences and their changes will have to be made.

Does the minister know how much money this is going to take for the preparatory process alone? I have not seen any breakdown on that one.

Is there a cash cow somewhere? Has the NDP government been allocating funds to this purpose all along through Agenda 21 and sustainable development? If so, why not tell us all that everything financially is covered? One wonders if this could be the reason behind Minister Caldwell's calm demeanour and seeming lack of concern for all the budget-minded taxpayers.

Time, this is another interesting area. All of these systems and monies to be allocated, placed and accounted for in 100 days or less, that is how we have to start. The way this legislation is laid out for the average parent or taxpayer like myself, it seems that the process is bottlenecking communication. Lots of information needing checks and validation between the minister and the school administrators, concerned parents, even students are stuck and mired down in

minute passages of time. Unless the message gets to the minister, he will continue to do what he chooses without any accountability.

* (21:00)

Again, with all these areas of such magnitude to be implemented within such a short time, I have to wonder is there a blueprint or a plan somewhere. Is this a Trojan horse, Mr. Minister? Why do we not have all the facts so we can all be on the same page educationally and fiscally instead of being divided? Give us something, as parents, to look forward to, to excite our children towards learning. Is there documentation or a list of educational benefits for the children that we can all visit? What are we gaining overall in education for our children with Bill 14?

Education, children, all these questions and very few answers, so I decided to do some research into possible education systems being implemented globally. I came across an educational program called *Outcome Based Education*. Maybe some of you are aware of this. In case you are not, I provided you with some information, some research for your time, to go over, and a couple of other things, gifts.

When I came upon this, to understand it, you might find some striking similarities in its implementation process to the one we are being ramrodded, in Manitoba, with in Bill 14. I ask you to look at page 3 of the White Knight document, square 11, and one of the similarities is it gives control of the system to educators, site-based management, in place of school board and school committees, and thus breaks the last bit of local community control over the education process. It also ensures control of the educators by the system, because teachers and administrators are mandated to learn and utilize the new system, and they will remain dependent upon it for their professional advancements and livelihood.

Then, if you will turn to page 7, you will find goals marked Goals 2000. In Outcome Based Education, it looks like it is to be administrated provincially or federally to override local control and establish curriculum from the top down, and I thought, well, with the

power at the sole discretion of the minister, this could be done. Then I looked, and I saw that there was another area here. I believe that it is, reading through this document, it appears that there is concern for academics but greater emphasis on social, cultural and gender equity, and it would appear that we are falling into that by the lack of information and disregard given to issues like French immersion and special needs. This sounds very similar to the people that have brought their concerns to this podium over the last 48 hours.

Mr. Vice-Chairperson in the Chair

Number 5, this is very interesting. It might not seem so at first because it is only two lines, but no parental privacy, no parental input into the schools. The child belongs to the state, and the family is an open book to the state. I will let you substitute this for province, okay.

So, hypothetically, if we wanted to submit our families to the bureaucracy of the system by excluding the freedom of choice from parents regarding education, we, by exclusion in the process, give up our children to the Province. Essentially, by not being able to speak into the system, as this legislation proposes to do, you have our kids, and we do not have anything to say about it.

Just on these structural similarities alone to this paper, and there are probably many others, this leads one to question are we being engineered to adopt an educational agenda that has been drafted by a global organization. Our regional health organization already operates under the mandate of the World Health Organization. I do not think it is a stretch. I represent many who are questioning this. Given the information before you I think we either have been or we are about to be forced into this Agenda 21 that has a specific blueprint called Kids and Agenda 21, the blueprint for education.

Any and all who are in opposition to Bill 14 may find some troubling answers and even more troubling questions that need to be addressed now. Hearing that the minister is hellbent on recklessly fast-track Bill 14 on—is it Friday? I am

not sure. I heard that. It could be a rumour. Is it Friday you are voting? Please, no. Okay.

I am concerned for this sitting government, particularly this ministry, with already two lawsuits pending upon Bill 14's implementation. Will this invite more? The jury is out, the verdict is not in. Minister Caldwell, I ask you where is this bill coming from. Did you have personal involvement in the drafting of this bill, or are you just the messenger? I know I am.

I thank you for the opportunity to give voice on behalf of the children who do not have one. Remember, what you do now will let go for all eternity. Thank you.

Mr. Vice-Chairperson: Thank you very much, Ms. Larsson.

Mr. Gilleshammer: Thank you for your presentation and the handouts that we will have an opportunity to look at. Clearly, you have identified some problems, that there have been secretive criteria and no plain process for people to understand. The minister has repeatedly said that he is following the Norrie Commission. The Norrie Commission met over the better part of two years to put together the plans, and one of the recommendations is that the unfolding of amalgamation should happen over a three-year period. The first year was to set in place some regulations. The second year was to do some urban amalgamations, and the third year was to do the rural amalgamations. There was a thoughtful, structured process. I gather from your comments you see this as a shortcoming of the minister.

Ms. Larsson: Absolutely.

Mr. Vice-Chairperson: Ms. Larsson, please wait till you are—Ms. Larsson, please.

Ms. Larsson: Absolutely.

Mr. Gilleshammer: The minister has indicated that he is going to wring \$10 million of savings out of this exercise. Yet we have heard from the St. Boniface-St. Vital School Division tonight that there was going to be a cost in excess of \$1 million for the first year, an additional \$1.3 million, I think it was, for succeeding years. We

heard last night from other school divisions that there would be a cost.

Have you done a cost analysis or thought of that? Do you see any savings that can be redirected into classrooms through the passage of this bill?

Ms. Larsson: My MLA is providing me with the number crunching. Due to the short notice of all of these horrific facts, I have done the best I could to provide those that are listening with the information that I feel pertinent to this situation. As far as numbers, what I quoted regarding money, I mean, if one was to just do basic math, how much does synthesizing computer programs cost within many schools or many computer rooms? I mean, it just climbs and it escalates. It really is mind-boggling.

I look at all these big words and these long descriptions of processes and bureaucratic forms to be taken by overworked teachers as it is, and I wonder just how much is this going to cost? So that would be my question. The very fact that I do not have the figures is because they have not been made obvious to me as a taxpayer.

I would expect that if I am going to be levied with an amalgamation, I pay taxes, I want to know. I want to be able to plan as a responsible citizen to the building of Winnipeg and Manitoba. I want to be able to contribute to that. And what I save in one area, because I know about what kind of budget is coming down on me, I can put towards another. So, no, in answer to your question, I do not have all of the fiscal numbers, but I sure wish I did.

* (21:10)

Mr. Gilleshammer: I gather from your report here tonight that local input, local school committees, local trustees accessible to parents is fundamental in your vision of education. I join with you in suggesting that there is going to be a loss of that direct input that parents have when they have school committees and trustees. Do you see any way we can improve this bill so that local input can still be there?

Mr. Vice-Chairperson: Ms. Larsson, for a very quick response.

Ms. Larsson: Well, I would ask the question: What is the rush? Okay. What is the rush? If this is such a great bill, let us go over it with a fine-toothed comb. This is our money and our kids and their education and the building of Manitobans, and we need to look over it in detail and address the questions raised until we have answers that we all agree on.

Mr. Vice-Chairperson: Thank you very much, Ms. Larsson.

Ms. Larsson: Thank you.

Mr. Vice-Chairperson: The next speaker will be Wendy Moroz or Paul Moreau. Wendy Moroz or Paul Moreau, are you present? Colleen Jury, for the second time. Colleen Jury. Colleen Jury, she has been called the third time so she will be dropped from the list.

Floyd Martens. Mr. Floyd Martens. Okay, as Mr. Floyd Martens has been called the second time today, he will also be dropped from the list.

Dale Kallusky. Dale Kallusky. As Dale Kallusky has been called a second time his name will be dropped from the list.

Mike Kukulko. Mike Kukulko, is he in the room? As his name has been called the second time, his name will also be dropped from the list.

Bert Kornelson, Bert Kornelson. As his name has been called the second time, his name will be dropped from the list.

Barrie Stevenson, Barrie Stevenson. As his name has been called the second time today, his name will be dropped from the list.

Joyce Penner. Joyce Penner. As Joyce Penner's name has been called the second time, her name will be dropped from the list.

Bob Hooper. Is Bob Hooper present? As his name has been called the second time, his name will be dropped from the list.

Gayle Wilson or Kevin Wilson. As their names have been called the second time tonight, their names will be dropped from the list.

Wendy Moroz and Paul Moreau. As their names have been called the second time, their names will be dropped from the list.

Mr. Chairperson in the Chair

Mr. Gilleshammer: I brought up an issue earlier in the evening, and you directed me to bring it up at the end of the proceedings.

We had a presenter earlier on this evening, Candace Daher, who had phoned in to be on this committee, apparently was directed to the minister's office where she left her name and phone numbers, and she was never ever called by the Clerk's office. She is the only one that has appeared having that concern or complaint, saying that she heard about the committee on the radio this morning.

My concern is that perhaps there were others who tried to have their voices heard on this piece of legislation. I have been a member for a number of years and do not recall this ever happening before. People who wanted to be heard on legislation were accommodated. I do feel we need to investigate to see if we have additional people out there who want to present to the committee to have their say on this bill. I am rather disturbed that people who were led to believe, by leaving their name with the Minister of Education's (Mr. Caldwell) office, that they had registered, and then find out when they listen to the radio that the process is half over. My concern is there may be others. I think as a committee we have to deal with that issue.

Mr. Caldwell: I truly hope that the Member for Minnedosa (Mr. Gilleshammer) is not impugning the character of any of the long-serving civil servants who inhabit my office and have loyally served governments previous to this Government. I am very hopeful that is not the tone in which the member is referring to this matter. I know that calls come in to members' offices on these issues from time to time, and they are routinely referred to the Clerk's office. That certainly is all of our expectations. But the front office staff in the Department of Education have

served successive ministers and successive governments, and I would not want to have any impugning of character involved in this. I think that there should be some further investigation of this from the Clerk's office in terms of what transpired, but I certainly can attest that the integrity of the front office staff in all ministers' offices, serving all governments, this one and previous ones, are, in my experience, beyond reproach. I certainly hope that the member, he is nodding his head, so I think he has acknowledged that. So, if we could refer this to the Clerks, I agree with the member, we should have further analysis of it.

* (21:20)

Ms. Barrett: I think a referral to the Clerk is the appropriate thing to do. We are heading into the time of the session where we will be having more and more public hearings. I think it is not a bad idea to perhaps have the Clerk issue a memo to all caucus offices, as well as ministers' offices, outlining the procedure or procedures to be followed to ensure that people do have the opportunity to register for public hearings and to make their views known, which would include the phone number for the Clerk's office.

As I said, at the outset, we are heading into the time when the bills we have been introduced and debating are coming into the public hearing process.

Mr. Gilleshammer: I want to assure the minister and colleagues on this committee that I do not impugn the reputations or the motives of any staff. When I spoke at committee yesterday, when we started the Estimates process, I joined with the minister in praising the civil servants, the very professional civil servants we have in this province.

I also made those comments when I made the Budget speech. I think very, very highly of the professional people we have working in our system. I do believe we need to have a resolution or a motion from this committee, and I would be comfortable sending that to the Clerk's office. Perhaps the Clerk can give us some direction on how we bring this to the attention of the staff of the Legislature who are responsible for compiling these names.

I do wonder and I do not know how we address the fact that there may be other people out there that want to have their say on this piece of legislation. Obviously, we have had some 50 people or so come forward. There are a lot of issues around this. I would like to know how we are going to address that issue.

Mr. Chairperson: It has been suggested that the Clerk send a memo to ministers' offices and caucus offices outlining the proper procedure for registering to present in public for bills. Is that acceptable to the committee?

Mr. Gilleshammer: Well, I think that is a good first step that we do that for people who obviously put their lives on hold in a small way to come forward, sat here last night through the heat and the mosquitoes, and some sat here all of last night, then returned this evening to make their presentation. Obviously, this is an important issue to them.

A member indicated to the committee that Manitoba is the only province that goes through these proceedings, and I think it is important that we do it properly. I would like to also address the issue of any outstanding presenters that are out there, and I am not sure how we get around that. Perhaps we have to advertise again, that people can perhaps mail in their concerns, their thoughts on this legislation. I am just saying, if it has happened with one, it may have happened with others. It is an issue that I think we should address, given that we all very much believe in this process.

Mr. Chairperson: I would like to deal with these one at a time before I recognize Ms. Barrett.

First of all, it has been agreed by the committee, and the Clerk at the committee tonight will convey this message to the Clerk of the Legislature, that all members and their staff will be reminded of how people are to properly register to present in public.

The second issue being that of outstanding presenters.

Ms. Barrett: I think the Member for Minnedosa (Mr. Gilleshammer) actually sort of said what I am planning to say, or began the process, when

he stated this was the first time in his many years in the Legislature he had seen this or was aware of this situation happening. It is unfortunate this individual was not able to, in the first place, get her name on the list, but she was, luckily, able to make a presentation.

I think we should say we have not seen this as a major problem in the past and we have addressed this issue going forward, I think, by our earlier motion. I suggest we allow the Clerk's office to undertake this and we continue with the business of the committee this evening.

Mr. Gilleshammer: My understanding, Mr. Chairman, is the individual had phoned the 1-800 number and, rather than being directed to the Clerk's office, was directed to the Minister of Education's (Mr. Caldwell) office. Perhaps our investigation could also include those who work at the 1-800 number to see if they recall any other people who have phoned in or communicated through them so that we leave here with some certainty that all people have been heard on this legislation.

Mr. Chairperson: Is it agreed that we also instruct the Clerk to contact the government information line to make sure they refer people to the Clerk's office, as is the proper procedure?
[Agreed]

Mr. Caldwell: I just passed a note that the Springfield Parent Council apparently published the Clerk's telephone number in the area newspapers in the Springfield area, as well as the *Free Press*. I just put that for the record.

Mr. Gilleshammer: Well, I think I am satisfied we are going in the right direction on this. What do we do about trying to contact anyone else who perhaps has some input on this piece of legislation? Is there a remedy to let the committee hold over for another day and do some advertising on this? We believe this is a very important process that we are going through and it would be a shame if there are people out there who have a contribution to make and, for whatever reason, they have been stymied by the system.

Ms. Barrett: Mr. Chair, I just think, as I stated before, this is the first case the Member for

Minnedosa has seen an instance of this happening in his, 1986, '88, 14 years in the Legislature. *[interjection]*

I think it does not quite qualify as a systemic problem at this point, with all due respect to the honourable Member for Ste. Rose (Mr. Cummings). I think we have identified there was an incident with at least one individual. I think it would be virtually impossible to try and identify, going back, other situations. I think we have done what we can do to ensure the correct information is given for the next and following committee hearings in this session and future sessions, and I think it is time we carry on with the business of the committee.

Mr. Gilleshammer: If the committee is satisfied. I do not know if other members want to speak. If that is the will of the committee, I am prepared to accept that.

Some Honourable Members: Agreed.

Mr. Chairperson: That concludes the list of presenters I have before me this evening. Are there any other persons in attendance who wish to make a presentation? Seeing none, is it the will of the committee to proceed with clause-by-clause consideration of Bill 14? *[Agreed]*

Does the minister responsible for Bill 14 have an opening statement?

Mr. Caldwell: I think, first and foremost, I want to thank the trustees in the amalgamating divisions across the province of Manitoba for the extraordinarily good work that they have taken on and the extraordinarily good work that they have done in moving the modernization of Manitoba school boundaries forward. This is an historic piece of legislation. In Manitoba, we have had only two such previous processes occur.

The principles underlining the processes of school division consolidation, as it was called in an earlier time, school division amalgamation as it was referred to in an earlier time and as it continues to be referred to today, the principles underlining those movements in the 1920s, the 1950s and into the 1960s are the same as those underlining our work here today, and that is the

creation of better educational opportunities for Manitobans wherever they exist throughout the province. Trustees and locally elected officials in divisions throughout the province have been entrusted with managing the work that needs to go into this process to make it successful.

I also think it is important to thank the parents, communities and teachers throughout the province who have worked so diligently in moving this process forward and who have commented to me, made representation to the office, to members of government on both sides of the House to this committee in our hearings over the last two days and shared their views with us on school division modernization. In no small way, the advice from these parents, from these communities, from these teachers and trustees went into the bill that we have before us. I do not have anything profound to say other than that I am very grateful and thankful for the good work that has gone into this process, particularly in the last year, but in this province over the last eight years around this issue of school division modernization.

* (21:30)

Mr. Chairperson: We thank the minister. Does the critic for the Official Opposition have an opening statement?

Mr. Gilleshammer: This has been a very interesting debate, discussion and development of legislation on the part of this minister and this Government. Often we measure the bill before us by the number of presenters that came forward to speak to it. We have certainly had more presenters on previous bills in previous sessions, but I think I say with a fair amount of certainty that I have heard more good presentations from parents who are very passionate about education, who love their children and who see tremendous flaws in the process that got us to this point in the legislation itself.

There need to be amendments. I was hoping the minister would indicate to the committee in his opening remarks whether he is prepared to make any significant changes to this bill. I recognize this will unfold as it will in the next few minutes or half hour or whatever, but I think this is a long way from being a done deal. I think

that I have indicated through some of my comments and questions that there are some ways of fixing this legislation to satisfy the concerns, particularly to the people of Springfield. I commend the Member for Dauphin-Roblin (Mr. Struthers) and the Minister of Agriculture (Ms. Wowchuk) who took the Minister of Education (Mr. Caldwell) by the hand and took him up to Dauphin and Duck Mountain and Intermountain and made some changes there that were acceptable to those people, and the process worked. I have given the Member for Dauphin-Roblin a lot of credit for that in the past, and I think he tells me he is a pretty modest man, but I think it was a busy little beaver that I called you.

At any rate, that same process of appeal and looking at these boundaries needs to be extended to the people of Springfield, who obviously have pointed out some major flaws in this legislation. I think other school divisions, and I have indicated that people in Souris Valley and Antler River, while they may not like it, have accepted it. Similarly, in Pelly Trail and Birdtail River they are working towards a new board. I think in the city, St. Vital and St. Boniface have gone in that direction, similarly Fort Garry and Assiniboine South, but we still have a major problem with the folks who have presented here and who live and raise their families in Springfield.

I can tell the minister, and I have told those people who want an amendment to fix this, well, the difficulty is the actual action of putting this into effect is in regulation. So this is not done as an open process, this is not done in the Legislature, it is not done in the committee rooms, it is done in the Cabinet room. That has been very frustrating to these people. I think we still need to address this.

I would again encourage the minister to give us some indication tonight whether he has listened, whether he has heard, whether he has understood, and whether he is prepared to make those changes, because we still have a long ways to go and we need to see some movement on the part of the minister.

With those few comments, I am prepared to proceed to the next step.

Hon. Jon Gerrard (River Heights): Just a brief comment and a question.

Mr. Chairperson: Excuse me, Mr. Gerrard. Normally, only the minister and the opposition critic make opening statements. Mr. Gerrard, I am only recognizing you to speak.

Mr. Gerrard: Well, I am trying to speak.

Mr. Chairperson: Mr. Gerrard, did you have a question?

Mr. Gerrard: Yes.

Mr. Chairperson: What is your question, sir?

Mr. Gerrard: All right, thank you. In—

Mr. Chairperson: No, I think I was trying to get you to ask for leave.

Mr. Gerrard: All right, may I have leave to speak?

Mr. Chairperson: Is there leave for Mr. Gerrard to speak? *[Agreed]*

Mr. Gerrard: Things are tough. One of the things that we have heard in the presentations, which provided some quite detailed analysis, was that there are some significant costs associated with amalgamation, at least in certain of the school divisions.

Given the statements that we have heard, I wonder if I would like to give the minister an opportunity to see whether he has revised the figure that he presented initially that there would be approximately a \$10-million saving resulting from this bill and the accompanying school board amalgamations.

Mr. Chairperson: I am advised that this is a time only for opening statements and that detailed questions can be asked during the clause by clause. So now that we have finished with opening statements, we are going to proceed to the bill.

During the consideration of a bill, the enacting clause and the title are postponed until all other clauses have been considered in their

proper order. Also, if there is agreement from the committee, the Chair will call clauses in blocks that conform to pages, with the understanding that we will stop at any particular clause or clauses where members may have comments, questions, or amendments to propose. Is that agreed? *[Agreed]*

Shall clauses 1 and 2 pass?

Mr. Gerrard: I would like to ask a question of the minister on the amendments proposed, given that the minister has indicated that the amendments proposed should save the Province of Manitoba and the school divisions some \$10 million.

I would ask whether, as a result of the discussion that has taken place and the presentations, the minister has had the opportunity to review that number and provide any amendments to it.

Mr. Caldwell: I appreciate the question from the Member for River Heights, because it allows me to put on the record again that up to \$10 million will be redirected into the classrooms of the province of Manitoba. This talk of saving, saving, that I hear from members opposite has quite concerned me throughout this whole process, because what we are endeavouring to do here is redirect public dollars from boardrooms to classrooms, redirect public dollars, educational dollars, for the purposes for which they were dedicated, and that is educational purposes.

There is an expectation that up to \$10 million will be redirected into the classrooms of the province of Manitoba as a consequence of the measures undertaken in Bill 14, and that expectation of redirection of educational dollars has not changed.

Mr. Gerrard: I thank the minister for his comments. I would ask whether the minister, who, I presume, has done some detailed analysis on this, would be prepared to table the results of that analysis showing where the cost savings and the redirections will result.

* (21:40)

Mr. Caldwell: I am sorry, could the member repeat that? I am sorry.

Mr. Gerrard: I thank the minister for his statement that the initial estimate still stands. I presume the analysis that the minister referred to is robust and has stood the test of the questioning and wonder if the minister would be prepared to table the analysis, just so that we can see more clearly where the money, the cost, will be saved and the money redirected.

Mr. Caldwell: Well, Mr. Chair, as the member knows and as the public knows, the process of amalgamation is an ongoing one in terms of the harmonization of collective agreements, in terms of the harmonization of programs, in terms of the experience in Manitoba as well as elsewhere in Canada, that this process from the passage of the bill until an objective analysis of the benefits can be carried out is generally a three- to five-year period.

That is the experience in Manitoba. It is the experience in the eight provinces that undertook this exercise in the 1990s. So, in the fullness of time, the Member for River Heights will have his answer.

Mr. Gerrard: Let me just pursue this once more. Since you have provided an estimate, since the minister's view is that that estimate will still be valid given the presentations and the additional information that has been provided here and perhaps in some instances directly to the minister, it would certainly be valuable to be able to compare three years from now the actual results with the minister's breakdown.

So I think that it would certainly be worthwhile having access to the basis for which the minister's \$10 million is derived.

Mr. Caldwell: Well, as I said in my first response, Mr. Chair, the experience in Manitoba, as well as the experience in the provinces that have undertaken this exercise during the last decade, indicates that the details of the evolution of the redirection of resources will become manifest during that time frame. The administrative cost caps that have been put into place will be a significant factor in that, as well, the reduction in the number of trustees, the reduction in the number of senior managers, superintendents, their support staffs, the consolidation of administrative functions such as transportation,

administration, the consolidation of other administrative functions that will be ongoing from the point of the passage of this legislation, from that point, moving over the next three to five years.

Mr. Chair, this Government certainly is a government that believes very strongly in supporting educational excellence in word and in deed, a government that is invested in operating and capital support for the public school system at unprecedented levels in this province, second to none in this province, and is a government that is addressing agenda items in public education that lingered on shelves for a decade. We are, in fact, the education government in the history of Manitoba.

We certainly do have a very keen interest, as do the public, in ensuring that educational resources are expended on educational programs, that there be the greatest level possible of transparency and accountability for public dollars. Seventy-six cents out of every dollar is spent on public education in this province as a provincial taxpayer contribution. We are committed to investing in our operating of our public schools, investing in the capital reconstruction of our public school infrastructure, in investing, in a meaningful way, for the employer pension sharing, in investing in educational property tax credits, in eliminating the educational support levy property tax.

So I can, I guess, put our record on the line as a government in terms of supporting and investing in public education. We will, as this process moves forward, reap the benefits of this bill and other actions that this Government has taken in terms of investing in our public school system and addressing public school agenda items that have not been addressed in the past.

Mr. Gerrard: I thank the minister for his comments. As I understand it, there is enough variability in what may happen over the next several years, three years in particular. The minister has mentioned that it really is somewhat unknown at the moment, and we will all wait and see what the results are.

Mr. Chairperson: Clauses 1 and 2—pass. Shall clauses 3(1) to 5 pass?

Mr. Gilleshammer: I have an amendment under clause 5.

Mr. Chairperson: We are going to pass them clause by clause until we get to 5 then.

Clause 3(1)—pass; clause 3(2)—pass; clause 4—pass. Clause 5.

Mr. Gilleshammer: I would like move an amendment.

THAT *the proposed section 5, as set out in section 5 of the Bill, be amended by striking out "or" at the end of clause (c), by adding "or" at the end of clause (d) and by adding the following after clause (d):*

(e) 10 or more resident electors of a school division or school district involved requesting that land be transferred from one school division or school district to another, or that land that is not in a school division or school district be added to that school division or school district.

If I could speak to the resolution.

Mr. Chairperson: We are just going to see if it is in scope or in order.

The amendment is in order. Debate may proceed.

Mr. Gilleshammer: The whole idea of a board of reference is to have available to the public some remedies when there is a concern about the division boundaries. The Board of Reference, as it is presently constituted and legislated, has worked extremely effectively across the province of Manitoba. There has not been an abuse of it, there has not been an overuse of it. It becomes an adjudicative body, which provides help to divisions to resolve some of their boundary difficulties.

The changes that the minister and the Government are making in this legislation severely restricts the use of a board of reference. I think by adding this particular section that groups of people who perhaps want their land transferred to another school division so that their children may attend another school, can be accommodated by this. This is more in keeping with

the historic reason for having a board of reference, and I would urge the minister to accept this.

Rather than having the narrow, narrow Board of Reference that is going to be in place after the passage of this bill, I think this allows for people to speak when boundaries need to be changed. It is part of the democratic process which has worked well. I personally know of, and I am sure the minister does, boards of reference that have been struck in the past that have worked very effectively, and this would seem to be a very friendly amendment to this particular bill.

Mr. Chairperson: It has been moved by Mr. Gilleshammer, that the proposed section 5—

An Honourable Member: Dispense.

Mr. Chairperson: Dispense. Is the committee ready for the question?

Some Honourable Members: Question.

Mr. Chairperson: The question before the committee is the motion moved by Mr. Gilleshammer.

Is it the pleasure of the committee to adopt the amendment?

Some Honourable Members: Yes.

Some Honourable Members: No.

Voice Vote

Mr. Chairperson: All those in favour of adopting the amendment, please say yea.

Some Honourable Members: Yea.

Mr. Chairperson: All those opposed, please say nay.

Some Honourable Members: Nay.

Mr. Chairperson: In my opinion, the Nays have it.

* * *

Mr. Gilleshammer: Mr. Chairman, I recognize that the minister and the members of the committee have the majority. I am disappointed that the minister did not speak to this resolution. I think, as I have indicated, it would be in keeping with the democratic process that we have enjoyed in this province, and there should be some apparent reason for rejecting it.

Mr. Chairperson: The amendment is defeated.

Shall clause 5 pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

Voice Vote

Mr. Chairperson: All those in favour of passing clause 5, please say yea.

Some Honourable Members: Yea.

Mr. Chairperson: All those opposed, please say nay.

Some Honourable Members: Nay.

Mr. Chairperson: In my opinion, the Yeas have it. Clause 5 is accordingly passed.

* * *

Mr. Chairperson: Shall clauses 6 to 7(3) pass?

Mr. Gilleshammer: Mr. Chair, I have a further amendment.

* (21:50)

Mr. Chairperson: Which clause is your amendment for? *[interjection]* Order, I am having trouble hearing Mr. Gilleshammer. Which clause are you amending?

Mr. Gilleshammer: It should be in front of you. It is clause 6.1.

I would like to move

THAT *the following be added after section 6 of the Bill:*

6.1 *Subsection 7(2) is amended by striking out "except after a review by and the receipt of a recommendation from the review commission" and substituting "unless the review commission has conducted a review and made a recommendation, and then only if the minister exercises his or her powers within three years after receiving the recommendation of the review commission".*

Mr. Chairperson: I am ruling that this amendment is out of order based on *Beauchesne's* rule 698(8)(b): "An amendment may not amend sections from the original act unless they are specifically being amended in a clause of the bill before the committee."

Mr. Laurendeau: Mr. Chair, there is one thing that *Beauchesne's* does not state, and that is that this committee has the ultimate power by leave to do it.

Mr. Chairperson, in the past this committee has seen fit to make amendments to legislation when they saw that it was a good amendment. I am sure now that the minister has had an opportunity to review this and has had an opportunity to study it, that he is very supportive and would consider giving leave of the committee to deal with this matter.

Mr. Chairperson: Is there leave of the committee?

Some Honourable Members: No.

Mr. Chairperson: Leave has been denied.

Your attention, please. Shall clauses 6 to 7(3) pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

Mr. Gilleshammer: Just let me consult with my legal counsel here before we go any further. My next amendment would be after section—

Mr. Chairperson: Will the committee come to order. I cannot hear Mr. Gilleshammer, and I would like to.

Mr. Gilleshammer: My next amendment will be with section 8.

Mr. Chairperson: Shall clauses 6 to 7(3) pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

Voice Vote

Mr. Chairperson: All those in favour of passing clauses 6 to 7(3), say yea.

Some Honourable Members: Yea.

Mr. Chairperson: All those opposed, say nay.

Some Honourable Members: Nay.

Mr. Chairperson: In my opinion, the Yeas have it. Clauses 6 to 7(3) are accordingly passed.

* * *

Mr. Chairperson: Clause 7(4)—pass. Shall clause 7(5) pass?

An Honourable Member: Pass.

Some Honourable Members: No.

Voice Vote

Mr. Chairperson: All those in favour of passing clause 7(5), say yea.

Some Honourable Members: Yea.

Mr. Chairperson: All those opposed, say nay.

Some Honourable Members: Nay.

Mr. Chairperson: In my opinion, the Yeas have it. Clause 7(5) is accordingly passed.

* * *

Mr. Chairperson: Shall clauses 7(6) to 7(10) pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

Voice Vote

Mr. Chairperson: All those in favour of passing clauses 7(6) to 7(10), please say yea.

Some Honourable Members: Yea.

Mr. Chairperson: All those opposed, say nay.

Some Honourable Members: Nay.

Mr. Chairperson: In my opinion, the Yeas have it.

* * *

Mr. Gilleshammer: Yes, I have an amendment moved by myself

THAT section 8 of the Bill be struck out.

Mr. Chairperson: I need to go back and state that Clauses 7(6) to 7(10) are accordingly passed. I need your motion in writing.

It has been moved by Mr. Gilleshammer

THAT section 8 of the Bill be struck out.

Sorry, Mr. Gilleshammer, I need to decide whether it is in the scope or not.

Mr. Gilleshammer: Well, I would like to have a moment to help you in your consideration. Under section 9.3, the Validation of Manitoba Regulation 61/02, it states that the School Division and School District Amalgamation (2002) Regulation, Manitoba Regulation 61/02, made by the minister and confirmed by the Lieutenant Governor in Council in the School Districts Amalgamation (2002) Confirmation Regulation, Manitoba Regulation 63/02, in accordance with section 7 is validated and declared to have been lawfully made, and everything done pursuant to that regulation is validated and declared to have been lawfully done.

Clearly, this clause was added to the bill out of some nervousness on the part of the Government that the test of using the Norrie report had not been met. Many people believe that for whatever reasons the courts decided that

the minister and the Government could use the Norrie report as the validation of the fact that they have met the test of the prerequisite. Now that the courts have ruled on that, this would seem to be redundant to the legislation, and, from time to time, we are advised by Leg Counsel and others that the parts of legislation that are redundant should not be in a bill. I think this is an opportunity to clean up this bill and just have this particular section deleted in that it is no longer relevant.

* (22:00)

Mr. Chairperson: I am ruling that your amendment to clause 8 is out of order because, according to *Beauchesne's* 698(6), an amendment to delete a clause is not in order, as the proper course is to vote against the clause standing part of the bill.

Clauses 8-10.

Some Honourable Members: Yes.

Some Honourable Members: No

Mr. Chairperson: We have an amendment, so we are going to have to go clause by clause.

An Honourable Member: Well, we have an amendment, too.

Mr. Chairperson: Well, we will see who gets to theirs first.

Clause 8.

Some Honourable Members: Yes.

Some Honourable Members: No.

Mr. Chairperson: Does Mr. Gilleshammer have an amendment to clause 8? Is there another amendment to clause 8?

Mr. Gilleshammer: No, I thought the first one that I gave was sufficient, and we are prepared to vote on it.

Mr. Chairperson: We already disallowed it, so there is no vote. But, if you want to vote on clause 8, we can do that now.

Voice Vote

Mr. Chairperson: All those in favour of clause 8, please say yea.

Some Honourable Members: Yea.

Mr. Chairperson: All those opposed, say nay.

Some Honourable Members: Nay.

Mr. Chairperson: In my opinion, the Yeas have it.

Mr. Cummings: May the committee have a show of hands on that vote?

Formal Vote

Mr. Chairperson: A recorded vote has been called for. A count-out vote has been requested.

A COUNT-OUT VOTE was taken, the result being as follows: Yeas 6, Nays 3.

Mr. Chairperson: I declare the clause to be passed.

* * *

Mr. Chairperson: Clause 8—pass; clause 9(1)—pass. Clause 9(2). No?

Voice Vote

Mr. Chairperson: All those in favour of clause 9(2), say yea.

Some Honourable Members: Yea.

Mr. Chairperson: All those opposed to clause 9(2), say nay.

An Honourable Member: Nay.

Mr. Chairperson: In my opinion, the Yeas have it. Clause 9(2) is accordingly passed.

* * *

Mr. Chairperson: Shall Clause 10 pass?

An Honourable Member: I have some amendments.

Mr. Chairperson: I think we both have amendments.

Mr. Caldwell: Mr. Chair, I would move

THAT *the proposed subclause 12.2, as set out in section 10 of the Bill, be renumbered as subsection 12.2(1), and that the following be added as subsection 12.2(2):*

Time for making subsequent regulations

12.2(2) The power to make regulations under subsection (1) may only be exercised on or before August 1, 2003.

Mr. Chairperson: The amendment is in order.

Mr. Caldwell: Mr. Chair, this amendment is in response to the public hearings that we have sat through the last two days. The trustees have made the point that there was a sense of unease about having a power that did not have a time-specific end point. This clarifies the fact that these powers are only sought for the period of the amalgamations that are before us today. That puts clarity and should resolve the unease that some trustees placed before us in these hearings.

Mr. Gilleshammer: Well, Mr. Chairman, I am pleased that the minister listened to trustees. We would also like some evidence that he listened to parents. There was considerable angst expressed by parents who are faced with uncertainty about where their children may go to school next year, what programs might be available to them in future years, and I would hope that the minister would have an amendment which would address some of those issues.

Mr. Chairperson: It has been moved by Mr. Caldwell

THAT *the proposed section 12.2, as set out—*

Some Honourable Members: Dispense.

Mr. Chairperson: Dispense.

Voice Vote

Mr. Chairperson: All those in favour of the amendment to 12.2.(2), please say yea.

Some Honourable Members: Yea.

Mr. Chairperson: All those opposed, say nay.

An Honourable Member: Nay.

Mr. Chairperson: In my opinion, the Yeas have it. 12.2(2) is accordingly passed.

* * *

An Honourable Member: I have an amendment, Mr. Speaker.

Mr. Chairperson: We have two amendments.

Mr. Caldwell: Mr. Chair, I move

THAT *the proposed subclause 12.2(c)(i), as set out in section 10 of the Bill, be amended by adding "as a result of the formation, continuation, amalgamation, or dissolution of one or more new or former divisions" after "pupils".*

Mr. Chairperson: I declare the amendment in order.

Mr. Caldwell: Mr. Chair, this amendment limits the clause on disruption so that it only applies to disruptions caused by change of boundaries and will not limit the ability of the new boards to make decisions as they see fit on programs and services in their jurisdiction.

Mr. Gilleshammer: Can the minister give further clarity to this? I gather he is saying that this is going to prevent school boards from making decisions which would be disruptive to students. Am I reading him correctly?

Mr. Caldwell: Mr. Chair, the trustees expressed concern that this clause allowed the minister to interfere in almost any decision that could be considered a disruption. This clarifies and limits that by stating that the disruptions caused by change in boundaries is the concern and will not limit the ability of the new boards to make decisions on programs and services whatsoever.

Limiting it only to those disruptions clearly related to a change in boundaries and the creation of a new division is the intent of this amendment. Clarity is the purpose. Again, Mr.

Chair, this amendment does limit the powers of the minister to intervene in local decision making which was a concern expressed by trustees during our public hearing process.

Mr. Chairperson: It has been moved by Mr. Caldwell

THAT *the proposed subclause—*

An Honourable Member: Dispense.

* (22:10)

Mr. Chairperson: Dispense.

All those in favour of the amendment—

Mr. Laurendeau: If you could just give us a moment, Mr. Chair, seeing as we have just received this rather than us just talking on and on and carrying this debate ad nauseam. I think if you gave us just a moment to have a small discussion so that we could give this a fair opportunity; otherwise, I can keep talking. I am giving you a chance.

Mr. Chairperson: Is it the will of the committee to recess for a couple of minutes? [*Agreed*]

The committee recessed at 10:09 p.m.

The committee resumed at 10:14 p.m.

Mr. Chairperson: Mr. Laurendeau, did you wish to speak?

Mr. Laurendeau: No, I was just waiting till—

Mr. Chairperson: Mr. Gilleshammer? No. Okay.

It has been moved by Mr. Caldwell

THAT *the proposed subclause 12.2(c)(i)—*

An Honourable Member: Dispense.

Mr. Chairperson: Dispense.

as set out in section 10 of the Bill, be amended by adding "as a result of the formation,

continuation, amalgamation, or dissolution of one or more new or former divisions" after "pupils".

Voice Vote

Mr. Chairperson: All those in favour of the amendment, please say yea.

Some Honourable Members: Yea.

Mr. Chairperson: All those opposed, please say nay.

An Honourable Member: Nay.

Mr. Chairperson: I declare that the amendment is carried.

* * *

Mr. Caldwell: I move

THAT *the proposed subclause 12.2(c)(ü), as set out in section 10 of the Bill, be amended by adding "or former" after "new".*

Mr. Chairperson: The amendment is in order.

Mr. Caldwell: There were trustees, Mr. Chair, that expressed concern with regard to their fiscal years. This clause allows us to change the fiscal year of a former division as well as a new division if in fact everything is not in place by July 1. We had a presentation in fact tonight on that concern.

Voice Vote

Mr. Chairperson: All those in favour of the amendment, please say yea.

Some Honourable Members: Yea.

Mr. Chairperson: All those opposed, please say nay.

In my opinion, the Yeas have it. The amendment is accordingly passed.

* * *

Mr. Chairperson: We are still on clause 10. Are there further amendments?

Mr. Gilleshammer: I have a further amendment. I would move

THAT *section 10 of the Bill be amended by adding the following after the proposed sub-section 12.3(12):*

Access to equivalent courses and support services

12.4 A student in a new division must have access in the new division to courses and educational support services that are equivalent to those that the student received in the former division.

Mr. Chairperson: It has been moved by Mr. Gilleshammer

THAT *section 10 of the Bill—*

An Honourable Member: Dispense.

Mr. Chairperson: Dispense.

An Honourable Member: Mr. Chair, could I speak to it?

Mr. Chairperson: We have to decide if it is in order first. I got ahead of myself.

An Honourable Member: Well, I would ask if I could speak to it to give some greater clarity to it.

Mr. Chairperson: Well, I got ahead of myself. I am ruling that the amendment is in order. Debate may proceed.

Mr. Gilleshammer: Mr. Chair, I think this is the core of everything we have heard over the last few days. The minister has made some amendments now responding to what he heard from trustees, at least partially. This amendment, I think, would respond to the parents who have come forward, and I do not think anyone in this room cannot help but be impressed by the manner in which they presented themselves and the content of what their presentation was.

They care very deeply for their children. They want the best education possible for their children. They want to preserve what they see as the best of the Transcona-Springfield division at

this time. This would, I think, allow parents to have comfort around the quality of education that their children will receive. I think if the minister has been serious about many of his comments that he has made on education and the need for access to education and the need to accommodate children and these parents that he would give his support to this resolution. Thank you, Mr. Chair.

Mr. Chairperson: Are you ready for the question?

The question before the committee is: It has been moved by Mr. Gilleshammer

THAT *section 10*—

An Honourable Member: Dispense.

Mr. Chairperson: Dispense

Is it the pleasure of the committee to adopt the amendment?

Some Honourable Members: Yes.

Some Honourable Members: No.

Voice Vote

Mr. Chairperson: All those in favour, please say yea.

Some Honourable Members: Yea.

Mr. Chairperson: All those opposed, please say nay.

Some Honourable Members: Nay.

Mr. Chairperson: In my opinion, the Nays have it.

The amendment is defeated.

* * *

Mr. Chairperson: Are there any further amendments on clause 10?

Clause 10 as amended.

Voice Vote

Mr. Chairperson: All those in favour of passing clause 10 as amended, please say yea.

Some Honourable Members: Yea.

Mr. Chairperson: All those opposed, please say nay.

Some Honourable Members: Nay.

Mr. Chairperson: In my opinion, the Yeas have it.

* * *

Mr. Chairperson: Clause 10 as amended—pass; clauses 11 to 14—pass; clauses 15 and 16—pass; clauses 17 to 20—pass.

Mr. Caldwell: I have 22(2). Sorry, I am not there yet.

Mr. Chairperson: There is an amendment coming at 22(2). Are there any other amendments? We will do a clause by clause starting with 21(1).

Clause 21(1)—pass; clause 21(2)—pass; clause 21(3)—pass; clause 22(1)—pass. Clause 22(2). We have amendments.

* (22:20)

Mr. Caldwell: Mr. Chair, I move

THAT *subsection 22(2) of the Bill be amended by striking out "each of the next two years" and substituting "the next fiscal year".*

Mr. Chairperson: The amendment is in order.

Mr. Caldwell: Again, Mr. Chair, the representations that have been made to this committee, as I indicated early in the first night, were having an influence on my thinking on this matter. We felt it was prudent to shorten the period of time during which the minister will review amalgamating division budgets to two years, budgets made in '02 and '03 for '03 and '04, and budgets made in 2003-04 for the years 2004-05.

Mr. Gilleshammer: I have an amendment on 22(2).

Mr. Chairperson: We need to deal with this one first.

Is the committee ready for the question?

Some Honourable Members: Question.

Mr. Chairperson: The question before the committee is—I already read it.

Voice Vote

Mr. Chairperson: All those in favour of the amendment, please say yea.

Some Honourable Members: Yea.

Mr. Chairperson: All those opposed, please say nay.

The amendment to clause 22(2) is accordingly passed.

* * *

Mr. Gilleshammer: I have an amendment.

THAT *subsection 22(2) of the Bill be amended by adding "*, if the minister has advised the division by no later than January 15 of the current fiscal year of the provincial funding that the division is to receive for the next fiscal year," *at the end of the part before clause (a).*

Mr. Chair, if I could speak to that.

Mr. Chairperson: We need to see if it is in order first. The motion is in order.

Mr. Gilleshammer: In his efforts to micro-manage school divisions, he has left a very, very small window of opportunity for school divisions to finalize their budgets. It is already a problem.

Sometimes the provincial funding announcement is not announced until late January or even early February. The minister is going to take it upon himself to look at the budgets of amalgamated school divisions, then suggest or mandate change to those budgets and send it back to the division. The division is under time pressure to have the budget to the municipal governments, so that they can make their decisions.

This would allow school divisions and school trustees a more defined time period whereby they have an opportunity to set their budgets. The guideline has always been that the

funding announcement should be out by the middle of January.

This would put a little pressure on departments and Treasury Board to have those decisions made, and the minister could make a more timely announcement which would be advantageous to him, advantageous to the school divisions, and I would urge him to accept this amendment.

Mr. Chairperson: Is the committee ready for the question?

An Honourable Member: Question.

Mr. Chairperson: The question is moved by Mr. Gilleshammer

THAT *subsection 22(2)–*

An Honourable Member: Dispense.

Mr. Chairperson: Dispense.

Voice Vote

Mr. Chairperson: All those in favour of the amendment, please say yea.

Some Honourable Members: Yea.

Mr. Chairperson: All those opposed, please say nay.

Some Honourable Members: Nay.

Mr. Chairperson: In my opinion, the Nays have it. The amendment is accordingly defeated.

* * *

Mr. Chairperson: Clause 22(2) as amended—pass. Shall clause 22(3) pass?

Mr. Gilleshammer: This is not a very wordy amendment but an important one.

THAT *subsections 22(3) and (4) of the Bill be struck out.*

This part of the bill gives the minister special powers to revise budgets of school

divisions. These are duly elected people empowered to make budgets, and they should have the freedom to do that without the interference or the guidance of the minister.

Mr. Chairperson: The amendments to clauses 22(3) and 22(4) are out of order based on *Beauchesne's* section 698(8)(b): "An amendment may not amend sections from the original Act unless they are specifically being amended in a clause of the bill before the committee."

It is also out of order because the amendment may not seek to amend more than one clause of a bill.

Mr. Gilleshammer: Well, I accept your first ruling, Sir, but I question your second one that was provided by those fine civil servants we all spoke of a little earlier, not a big issue but maybe something the adviser to you should take a serious look at.

Mr. Chairperson: I am advised it is Manitoba practice not to amend more than one clause of a bill at a time.

Mr. Laurendeau, did you want to speak?

Mr. Laurendeau: Yes, we will challenge your ruling on that, Mr. Chair.

Mr. Chairperson: The ruling of the Chair has been challenged.

Voice Vote

Mr. Chairperson: All those in favour of sustaining the ruling of the Chair, please say yea.

Some Honourable Members: Yea.

Mr. Chairperson: All those opposed, please say nay.

Some Honourable Members: Nay.

Mr. Chairperson: In my opinion, the Yeas have it. The ruling of the Chair is sustained.

* * *

Mr. Chairperson: Shall clause 22(3) pass?

Some Honourable Members: Pass.

Some Honourable Members: No.

Voice Vote

Mr. Chairperson: All those in favour of clause 22(3), please say yea.

Some Honourable Members: Yea.

Mr. Chairperson: All those opposed, say nay.

Some Honourable Members: Nay.

Mr. Chairperson: In my opinion, the Yeas have it. Clause 22(3) is accordingly passed.

* * *

Mr. Caldwell: I have an amendment for 24, as soon as you call it.

Mr. Chairperson: Clause 22(4)—pass; clause 23(1)—pass; clause 23(2)—pass. Shall clause 24(1) pass?

Mr. Caldwell: I move

THAT *the version française of section 24 of the Bill be amended by striking out "Division scolaire de Red River Valley" wherever it occurs and substituting "Division scolaire Vallée de la Rivière-Rouge".*

Mr. Chairperson: It has been moved by Mr. Caldwell

THAT *the French version—*

An Honourable Member: Dispense.

Mr. Chairperson: Dispense. I rule that this amendment is in order.

Mr. Caldwell: It is just clarity.

Voice Vote

Mr. Chairperson: All those in favour of the amendment, please say yea.

Some Honourable Members: Yea.

Mr. Chairperson: All those opposed, say nay. It is passed unanimously. The amendment is accordingly passed.

Ladies and gentlemen, we are going to take a break. We have to rewrite an amendment. We will reconvene. Hopefully, this will not take more than five to ten minutes. How long shall we recess for? Ten minutes? *[Agreed]*

The committee recessed at 10:30 p.m.

The committee resumed at 10:43 p.m.

Mr. Chairperson: I will call the committee to order, please. Is there leave to revert back to 24(1)?

An Honourable Member: No.

An Honourable Member: Yes.

Mr. Chairperson: We have a problem. We have an amendment, and we now know how to properly proceed on the amendment.

Okay. I would like to explain that the amendment, originally I said it was in order. Now I have been advised that it is not in order, and, therefore, we have to do this again.

An Honourable Member: Is that our amendment?

Mr. Chairperson: The minister's amendment, and I need leave to go back to 24(1) to reintroduce the amendment. *[Agreed]*

Mr. Caldwell: Mr. Chair, subsequent to the leave, I need to ask unanimous consent to withdraw the first motion that was moved.

Mr. Chairperson: Is there unanimous consent for the minister to withdraw his motion? *[Agreed]*

Mr. Caldwell: Mr. Chair, I move

THAT *the French version of subsection 24(1) of the Bill be amended by striking out "Division scolaire de Red River Valley" wherever it occurs*

and substituting "Division scolaire Vallée de la Rivière-Rouge".

Mr. Chairperson: The amendment is in order.

It has been moved by Mr. Caldwell

THAT *the French version of subsection 24(1)–*

An Honourable Member: Dispense.

Mr. Chairperson: Dispense.

Mr. Caldwell: This is to clarify the French.

Voice Vote

Mr. Chairperson: All those in favour of the amendment, please say yea.

Some Honourable Members: Yea.

Mr. Chairperson: All those opposed, please say nay. The amendment is accordingly passed.

* * *

Mr. Chairperson: Clause 24(1) as amended–pass. Clause 24(2).

Mr. Caldwell: Thank you to my colleagues who are around the table on both sides of the House.

I move

THAT *the French version of subsection 24(2) of the Bill be amended by striking out "Division scolaire de Red River Valley" and substituting "Division scolaire Vallée de la Rivière-Rouge".*

Mr. Chairperson: The amendment is in order.

It has been moved by Mr. Caldwell

THAT *the French version–*

An Honourable Member: Dispense.

Mr. Chairperson: Dispense.

Voice Vote

Mr. Chairperson: All those in favour of the amendment, please say yea.

Some Honourable Members: Yea.

Mr. Chairperson: All those opposed, say nay.

Some Honourable Members: Nay.

Mr. Chairperson: The amendment is accordingly passed.

* * *

Mr. Chairperson: Clause 24(2) as amended—pass; clause 25—pass; clause 26—pass; clause 27—pass; enacting clause—pass; title—pass. Shall the bill, as amended, be reported to the House?

Some Honourable Members: No.

Voice Vote

Mr. Chairperson: All those in favour of reporting the bill, please say yea.

Some Honourable Members: Yea.

Mr. Chairperson: All those opposed, say nay.

An Honourable Member: Nay.

Mr. Chairperson: In my opinion, the Yeas have it.

The bill as amended shall be reported to the House.

* * *

Mr. Chairperson: That concludes the business before the committee. What is the will of the committee?

Some Honourable Members: Committee rise.

Mr. Chairperson: Committee rise.

COMMITTEE ROSE AT: 10:50 p.m.

WRITTEN SUBMISSIONS PRESENTED

Re: Bill 14

Members of the Legislative Committee, thank you for the opportunity to present to your

committee. I was scheduled to present on Tuesday the 25th of June and have been rescheduled to Wednesday the 26th of June, but, unfortunately, I am unable to attend due to prior commitments. Please accept my written presentation instead.

I am Glen Anderson, a teacher and a parent of preschool children who will certainly be enrolled in the public school system in the near future. I am heartened by some of your members' interest in hearing from Manitoba parents on issues affecting their children in the Manitoba public school system.

As you are aware, in April of the past year, the regulations came into effect that created new school division boundaries, trustee numbers, ward boundaries and mechanisms for elections. These changes started on the path to an improved economy of scale for school divisions in Manitoba.

The last time the provinces looked at changing school division boundaries on a large scale was about 50 years ago. Much has changed in the last 40 to 50 years. Most provincial departments and organizational systems are not the same as they were 50 years ago. I do not imagine that the jurisdictions or regions for provincial health, parks or highways are organized the same way they were 46 years ago. As set out in the Constitution, education is also a provincial responsibility, and many of the reasons for school division boundaries are not the same as they were 46 years ago. Demographics have changed; the student population has changed; there have been many changes in program delivery and delivery costs; technology has changed; the property tax base has changed.

Surely one of the goals of the public school system should be to improve the delivery of public education. Having 54 school divisions in a province with approximately 180 000 students surely creates duplication of administrative costs that detract from classroom expenditures. If provinces such as Nova Scotia also with approximately 180 000 students can run a public education system with seven divisions and Alberta with approximately 500 000 students can be administered by 63 divisions, it is certainly time for Manitoba to embark on

reducing the number from 54 divisions. However, the government needs to continue the process.

The students of this province deserve equal access to education programs and services, not one that is divided into far too many school divisions that then are required to raise 40 percent of their operating costs. Having so many school divisions with such varied abilities to raise money or the will to raise money for operating budgets simply detracts from the concept of equal access to education due to duplicity in administration and variation in taxation abilities and/or will.

The regulatory changes made last April started to address my concerns, and I congratulate the Government for starting to move on reducing the inequities due to unnecessary duplication of administrative costs, but there is still more work to be done. School divisions should continue to be amalgamated, especially where students enrollments are low. Certainly school divisions with enrollments of less than 2000 students have a considerably more difficult time providing the same programs as divisions with enrollments far exceeding this number. No doubt there has been some disagreement with past amalgamations, and there will be more with future amalgamations, but change causes one to do exactly that. To change is to change one's perspective and create new resolutions to problems confronting the new divisions. I am confident that the new trustees, parents and communities in these new divisions can use the mechanisms available to them under much more realistic economies of scale to resolve problems confronting them.

The one aspect of Bill 14 that does concern me is section 178, part 1, which deals with budget consultations. The requirement for each Manitoba school board to present its proposed budget at an open meeting is a very positive and transparent step, and I applaud the Government for this initiative. However, I would also suggest one amendment in that the presentation of the proposed budget should be in the same format as the FRAME budget. This would be a much clearer and consistent process that would allow the public to compare the proposed allocation to those from previous final budgets which have to

be in the FRAME format. One can appreciate the difficulty in interpreting budget proposal formats that may vary from division to division or, in fact, from year to year. A consistent practice and one that is already a department requirement for final budgets is most certainly more transparent and clearer than one in which variation can exist.

Thank you.

A. Glen Anderson

* * *

Please consider this correspondence as opposition to Bill #14. I am a resident of Springfield municipality who wishes to speak out about this undemocratic legislation. As a past member of the Schools Parent Council which many parents and children rely and expect good decisions be made in their behalf democratically. I believe this bill takes away that right. The very right of the people it serves. Say no to Bill #14.

Susan Choquette

* * *

Introductory Comments

On behalf of the Board of Trustees of the Duck Mountain School Division No. 34, I thank you and respect the opportunity to present Division concerns and views on Bill 14, The Public Schools Modernization Act.

With the impending passage of the legislation for school division amalgamation, Duck Mountain School Division No. 34 ceases to exist and becomes a part of the Mountain View School Division. As a valued participant with our cooperating partners Dauphin Ochre School Area No. 1 and Intermountain School Division No. 36, there is a need to present division concerns regarding the intent of Bill 14.

It is also necessary to inform the committee of the difficulty of our Board, during such a busy time of the school year, to prepare a statement expressing trustee views in a comprehensive presentation on a subject as important as Bill 14.

Furthermore, division trustees have been heavily engaged in working with three other divisions to create a smooth transition toward successful amalgamation and takeover of two schools by Frontier School Division.

Is this Legislation Really Necessary?

Currently, section 7(1) of The Public Schools Act provides the Minister with the authority, by regulation to amalgamate two or more school divisions. Such amalgamations are to occur after necessary public consultation has taken place. Therefore, the Minister of Education Training and Youth already had the power to initiate the appropriate legislation to conclude the amalgamations as announced on November 8, 2001.

The Duck Mountain School Division Board, although not initially in favour of amalgamation, acted responsibly and cooperated with its partners under the pretence that amalgamation would be enacted as per current regulations already in place. Bill 14 is, in essence, redundant.

Proposed Regulation 61/2002 covers the fact of establishment, name, boundaries, ward structure and identifies the number of trustees allowed.

In the case of Duck Mountain School Division, which is being partitioned or divided through amalgamation and the announced takeover, decisions will be required on equitable distribution of assets and liabilities. There is opportunity for the Minister to address this issue by reinstating the Board of Reference.

The scope of Bill 14 extends far beyond authorizing current amalgamations. It authorizes increasing the power of the Minister of Education Training and Youth in requiring, where the Minister deems necessary, revision to amalgamating school division budgets.

As a consequence of this piece of Bill 14, this would result in an inequitable treatment of boards; some boards would be subjected to more control than others.

Because Bill 14 would expand the Minister's role in the day-to-day operation of school

boards, such legislation erodes the local control and local autonomy of school boards. A board's role as representative of its electorate and community at large would be undermined. What impact would this have on accountability and prudent fiscal management of locally raised division revenue?

The effect of Bill 14 and its intended increase in ministerial powers is not congruent with the Education Agenda for Manitoba. Priority #2 focuses on: Strengthening Links Between Schools, Parents and Communities.

Since a portion of the budgetary planning corresponds with division and school planning, this is reflected in the budgetary allocations for programming, staffing and educational supplies and materials. With the increase in ministerial scrutiny of division budgets, whereby revisions may be required in accordance with the Minister's assessment, local autonomy, trustee credibility with the community would result in a negative public view and general erosion of public opinion of a trustee's role.

Section 22 of Bill 14: requiring newly amalgamated Boards to submit their budgets to the Minister for review, and could result in revisions as directed by the Minister.

- This is a two-tiered system affecting newly amalgamated school boards.
- This constitutes an erosion of local authority and diminishes their legitimacy as a local taxing level of government.
- Board accountability to their communities would be diminished.
- Boards are held fiscally responsible for their budgeting through existing laws requiring annual auditing of their books. Is it necessary to have another form of scrutiny?

Recent concerns about financial accountability, as observed in some school divisions, can be more effectively addressed through recommendations of the Provincial Auditor. If this was the motivation for increased ministerial involvement in the budget process, there are checks and balances in existence in local communities and municipal government bodies. Consequently there is no reason for the ministerial control that Bill 14 would impose.

Bill 14 – Section 16 – New Legislation to Public Schools Act 174.1

The effect of this section of Bill 14 would further enhance the Minister's regulatory control over administrative costs, while eroding the fiscal responsibilities and role of local boards.

Recent guidelines and directions from Education Manitoba advised and subsequently required long-range planning for school divisions. Division budgets would reflect the long range planning and could transmit to increases in certain administrative expenditures. Nevertheless, the aspect of accountability mirrored in the planning process and related budgetary allocations would be a direct result of division vision, goals and objectives. The precursor to such planning is consultation and implementation of Minister's priorities for Manitoba Education.

The Minister's authority over such expenditures may exclude local issues and a general understanding of the educational and operation needs of the School Division. Again, the uniqueness of partner divisions amalgamating into Mountain View School Division may transmit into necessary administrative costs. Section 16, giving the Minister regulatory authority to prescribe administrative budgets, may result in arbitrarily imposed revisions based on a lack of information of the circumstances and situations characteristic of a geographically expansive division such as Mountain View School Division.

Consequently, the view of Duck Mountain School Division No. 34 is that section 16 be amended to support greater stability and local control over administrative costs.

Board of Reference Section 7(5)

The existing regulation referring to the "Right of Appeal" in Public Schools Act be retained.

In light of the fact that the "Right of Appeal" has seldom been used. It is a fundamental aspect of our democratic flavour and should be respected as an integral aspect of the society in which we live.

Elimination of the Right of Appeal denies basic democratic right accorded by current Public Schools Act legislation.

Interim School Boards

Establishment of interim school boards until the responsibility of amalgamating boards comes under the umbrella of a newly elected board is a requirement and a vital part of smooth transition.

Ministerial authority to establish such boards denies amalgamating boards to determine make-up of the interim board. Recent experiences in the formation of Mountain View School Division confirms the harmony, cooperation elected responsibility of amalgamating boards.

Such decisions were responsive to the needs and representation of the amalgamating partners and the communities they represented. Locally determined representation is proven procedure in preventing disruptive actions on pupil education.

The language of this section 12.2 specifically parts "c" and "d", broaden the scope of the Minister's authority and impacts on what should be a part of the local decision-making process.

The general consensus of the Duck Mountain School Division Board is that section of Bill 14 be removed.

In conclusion, the current regulations of The Public Schools Act governing amalgamation provide the necessary authority to authorize amalgamations. It is imperative that the decision-making powers granted local schools boards through the Public Schools Act be protected. Historically, elected trustees have represented their ratepayers as fiscally responsible officials.

School trustees have valued their role as elected representatives to provide a quality education and maximize the opportunity for all children.

I trust the Law Review Committee will give serious consideration to this presentation as well as those presented before and subsequent to this. Traditionally, the policies and direction of local

trustees have evolved from universal belief that our greatest resource is in our young people, therefore children come first within the resources available to School Boards through provincial and locally raised revenue.

John Pshebniski
Superintendent
Duck Mountain School Division No. 34

* * *

L.E.A.D. – Leadership in Education Accountability Dialogue – is a group composed of parents, residents and community organizations who strongly support the public school system and locally elected school boards. We believe that local boards should reflect the ethnic and cultural diversity of the communities they serve. We have made proposals to the Winnipeg #1 School Board and to Minister Caldwell that we believe will make school board elections more democratic. The Public Schools Act should provide equal opportunity to all communities within a division to have representation on the Board.

L.E.A.D. is concerned that the proposed changes to The Public Schools Act compound the existing roadblocks in the way of Aboriginal and minority candidates seeking to represent their constituencies.

1. Changes to s.s. 9(6)(b)(I), 24(1) and 57(1)(c) reduce the number of trustees within a division from 11 to 9, except in northern and Franco-phone divisions. L.E.A.D recommends that the Winnipeg School Division #1 be added to the list of exceptions. The average number of electors per ward in all other divisions in Winnipeg is 12,000; in Winnipeg #1, the average is 44,000. This number is larger than many federal, provincial and city ridings. (See attached table). This means those candidates without the backing of a political party or wealthy supporters face a Herculean task in their bid to represent their local communities. In Winnipeg #1, all three trustees in each ward are often residents in the same part of the ward and there are communities which have never been able to elect their own trustee, even when their candidate received overwhelming support in their ward. The fact

that the largest school division in the province is restricted to 9 trustees makes residents of Winnipeg #1 second class citizens. The *Public Schools Act* already mandates equality of representation within a division; it is also imperative that citizens of each division have equality of representation.

2. L.E.A.D presented to Minister Caldwell a proposal to include in the changes to the *Public Schools Act* a provision for the orderly review of the number of wards and trustees in each school division. All other levels of government require a periodic review of boundaries by a disinterested external body in order to ensure that equal representation is achieved. We urge the Committee to amend the act further to provide for the establishment of an external body to review the distribution of resident electors within each ward of each school division periodically.

3. The proposed revisions to the act, we believe, eliminate the possibility of a division electing all of its trustees at large. The logical extension of this progressive measure to eliminate the inequalities inherent in an "at large" system of government is to provide for a one-ward, one-trustee system. In all other levels of government, the election of more than one representative for each constituency was eliminated over a century ago. It is time that the school divisions become at least as democratic and accessible as our other forms of government.

4. The proposed repeal of ss. 9(4)(f) and 9(10)(e) appears to eliminate the right of appellants pursuant to s. 57 to notice of a hearing that they themselves requested and the right to receive notification of the decision of the Board of Reference. Section 57 provides that, on the petition of 10 resident electors, the Board of Reference initiates a process that eventually results in consideration of the electors' request. The appeal of these sections means these petitioners are not entitled to notification of hearing or decision, and may not have the opportunity to present their position to the Board. L.E.A.D strongly urges that these sub-sections remain in the Act.

Amendments to the *Public Schools Act* are long overdue and we applaud the government's

efforts to improve it. However, improvements should never be made at the expense of curtailing democracy and we suggest that the changes we recommend be made in order to protect the rights of all citizens to equal representation.

In summary, L.E.A.D is proposing that the Winnipeg School Division #1 change from a three-ward system with three trustees in each ward to a **one-ward-one-trustee** system. This will allow the number of electors per ward to drop from 44,000 to a number that is closer to that of other divisions in Winnipeg. We believe that the changed system will provide greater demographic representation and allow for more commitment of mutuality between the trustee and the residents they represent. It will also allow trustees the opportunity to get to know their constituencies better and increase opportunities for unrepresented communities to be represented on the school board. In effect, this proposed system will mirror all other levels of government with one representative per constituency.

1998 Election Data

School Division	# of Voters	# of Trustees	# of Wards	Average # of Voters Per Ward
Winnipeg School Division #1	131,396	9	3	43,799
River East	47,209	8	3	15,736
St. James	45,696	9	3	15,232
St. Vital	40,548	7	0	n/a
Seven Oaks	33,659	8	2	16,830
Fort Garry	31,417	9	4	7,854
St. Boniface	31,313	7	3	10,438
Assiniboine South	27,882	7	3	9,294
Transcona	20,828	6	2	10,414

Specific Examples of Inequitable Representation

- Winnipeg School Division Ward 3--North End area: 45,257 voters
- Assiniboine South School Division Ward 3--Tuxedo/Charleswood area: 5,756 voters
- Fort Garry School Division Ward 1--5,349 voters