

**Third Session - Fortieth Legislature**  
**of the**  
**Legislative Assembly of Manitoba**  
**Standing Committee**  
**on**  
**Social and Economic Development**

*Chairperson*  
*Ms. Nancy Allan*  
*Constituency of St. Vital*

**Vol. LXVI No. 3 - 6 p.m., Monday, May 26, 2014**

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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Fortieth Legislature**

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**LEGISLATIVE ASSEMBLY OF MANITOBA**  
**THE STANDING COMMITTEE ON SOCIAL AND ECONOMIC DEVELOPMENT**

**Monday, May 26, 2014**

**TIME – 6 p.m.**

**LOCATION – Winnipeg, Manitoba**

**CHAIRPERSON – Ms. Nancy Allan (St. Vital)**

**VICE-CHAIRPERSON – Mr. Drew Caldwell  
(Brandon East)**

**ATTENDANCE – 11 QUORUM – 6**

*Members of the Committee present:*

*Hon. Messrs. Allum, Bjornson, Hon. Ms.  
Irvin-Ross, Hon. Messrs. Struthers, Swan*

*Ms. Allan, Messrs. Caldwell, Ewasko, Mmes.  
Mitchelson, Stefanson, Mr. Wishart*

*Substitutions:*

*Mrs. Rowat for Mrs. Stefanson at 6:05 p.m.*

*Hon. Mr. Kostyshyn for Hon. Ms. Irvin-Ross at  
6:52 p.m.*

**APPEARING:**

*Hon. Jon Gerrard, MLA for River Heights*

**PUBLIC PRESENTERS:**

*Bill 63–The Advanced Education Administration  
Amendment and Council on Post-Secondary  
Education Repeal Act*

*Mr. Hugh Grant, University of Winnipeg Faculty  
Association*

*Mr. Ken Guilford, private citizen*

*Mr. Eric Johnstone, University of Winnipeg*

*Mr. Thomas Kucera and Ms. Linda Guse,  
University of Manitoba Faculty Association*

*Ms. Bilan Arte, Canadian Federation of  
Students, Manitoba*

*Mr. Zach Fleisher, private citizen*

*Mr. Rorie McLeod Arnould, University of  
Winnipeg Students' Association*

*Ms. Lauren MacLean, Red River College  
Students' Association*

*Bill 23–The Cooperative Housing Strategy Act*

*Mr. Ken Guilford, private citizen*

*Bill 37–The Public Schools Amendment Act  
(Connecting Schools to the Internet)*

*Mr. Ken Guilford, private citizen*

*Bill 58–The Manitoba Institute of Trades and  
Technology Act*

*Mr. Ken Guilford, private citizen*

*Mr. Craig Stahlke, Pembina Trails School  
Division*

**WRITTEN SUBMISSIONS:**

*Bill 58–The Manitoba Institute of Trades and  
Technology Act*

*Paul Holden, Winnipeg Technical College*

*Bill 63–The Advanced Education Administration  
Amendment and Council on Post-Secondary  
Education Repeal Act*

*David T. Barnard, Council of Presidents of  
Universities in Manitoba*

*Laura Rempel, University of Manitoba Graduate  
Students' Association*

**MATTERS UNDER CONSIDERATION:**

*Bill 23–The Cooperative Housing Strategy Act*

*Bill 37–The Public Schools Amendment Act  
(Connecting Schools to the Internet)*

*Bill 58–The Manitoba Institute of Trades and  
Technology Act*

*Bill 63–The Advanced Education Administration  
Amendment and Council on Post-Secondary  
Education Repeal Act*

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**Madam Chairperson:** Good evening. Will the Standing Committee on Social and Economic Development please come to order.

Before the committee can proceed with the business before it, it must elect a new Vice-Chairperson. Are there any nominations?

**Hon. Andrew Swan (Minister of Justice and Attorney General):** I nominate Mr. Caldwell.

**Madam Chairperson:** Are there any other nominations?

Mr. Caldwell has been nominated. Hearing no other nominations, Mr. Caldwell is elected Vice-Chairperson.

This meeting has been called to consider the following bills: Bill 23, The Cooperative Housing Strategy Act; Bill 37, The Public Schools Amendment Act (Connecting Schools to the Internet); Bill 58, The Manitoba Institute of Trades and Technology Act; Bill 63, The Advanced Education Administration Amendment and Council on Post-Secondary Education Repeal Act.

How long does the committee wish to sit this evening?

**Mr. Swan:** Why don't we just sit until the work of the committee is complete?

**Madam Chairperson:** Agreed? *[Agreed]*

We have a number of presenters registered to speak tonight as noted on the lists of presenters before you. On the topic of determining the order of public presentations, I will note that we have one out-of-town presenter in attendance marked with an 'asterick' on the list, and also have Ken Guilford presenting in both standing committees this evening. With this consideration in mind, in what order does the committee wish to hear the presentations?

**Mr. Swan:** We're prepared to have the out-of-town presenter go first.

**Madam Chairperson:** Agreed? *[Agreed]*

Before we proceed with presentations, we do have a number of other items and points of information to consider.

First of all, if there is anyone else in the audience who would like to make a presentation this evening, please register with staff at the entrance of the room.

Also, for the information of all presenters, while written versions of presentations are not required, if you are going to accompany your presentation with written materials, we ask you to please provide 20 copies. If you need help with photocopying, please speak with our staff.

As well, I would like to inform presenters that in accordance with our rules, a time limit of 10 minutes has been allotted for presentations, with another five minutes allowed for questions from committee members.

Also, in accordance with our rules, if a presenter is not in attendance when their name is called, they

will be dropped to the bottom of the list. If the presenter is not in attendance when their name is called a second time, they will be removed from the presenters' list.

The following written submissions have been received and distributed to committee members: Paul Holden, Winnipeg Technical College, on Bill 58; David T. Barnard, Council of Presidents of the Universities in Manitoba, on Bill 63; and Laura Rempel, University of Manitoba Graduate Students' Association.

Does the committee agree to having these submissions appear in the Hansard 'transcript' of this meeting? *[Agreed]*

Prior to proceeding with public presentations, I'd like to advise members of the public regarding the process for speaking in committee. The proceedings of our meetings are recorded in order to provide a verbatim transcript. Each time someone wishes to speak, whether it be an MLA or a presenter, I first have to say the person's name. This is the signal for the Hansard recorder to turn the mics on and off.

Thank you for your presentation. We will now proceed with public presentations.

We will be proceeding as the bills are listed on the order sheet, so we will be proceeding with Bill 23, The Cooperative Housing Strategy Act, and the first—I will now call upon the first presenter, Darcy Penner, Canadian Community Economic Development Network—oh, excuse me.

I now seem to have things in order. We will proceed with the out-of-town presenter, but before we proceed with the out-of-town presenter, Mr. Ewasko.

#### **Committee Substitution**

**Mr. Wayne Ewasko (Lac du Bonnet):** I'd just like to announce that we're having a substitution, Mrs. Rowat for Mrs. Stefanson.

**Madam Chairperson:** You'll have to fill a form out.

For the committee's information, Mrs. Rowat will be substituting for Mrs. Stefanson.

#### **Bill 63—The Advanced Education Administration Amendment and Council on Post-Secondary Education Repeal Act**

**Madam Chairperson:** I would like to ask our first presenter to proceed to make her presentation, Lisa

McGifford, the University of Winnipeg Faculty Association.

**Floor Comment:** I'm not Lisa McGifford, but I am with the University of Winnipeg Faculty Association. I think the—or—reservation—the appointment was made for the association.

**Madam Chairperson:** One moment please, sir. Could you please state your name so that I can say your name?

**Mr. Hugh Grant (University of Winnipeg Faculty Association):** I'll happily do that. My name is Hugh Grant. I'm also not the Hugh Grant you think I am. So I'm not Lisa McGifford, but it's Hugh Grant, the University of Winnipeg Faculty Association.

**Madam Chairperson:** Thank you very much. We just want to confirm that you are presenting on behalf of Lisa McGifford.

**Mr. Grant:** I am.

**Madam Chairperson:** Thank you very much. You may proceed.

**Mr. Grant:** I apologize, part of the problem of going first is not knowing all the set protocols, so if I'm behaving inappropriately, please let me know.

I came to speak to—about Bill 63 and to appeal that the third reading of the bill be delayed until there's been appropriate consultation on this topic.

I don't know if Bill 63 has been very hastily and, as such, a badly written bill, or if it's one designed to be vague in order to obscure some insidious agenda. I want to be generous and assume it's the former, that the bill has no inappropriate intentions and yet the bill is just badly drafted.

I can just cite two examples I want to make. I'm quite familiar in teaching at a university with the purple prose of undergraduates at many times, but I was expecting somewhat better in a piece of legislative drafting. And, for example, section 2(2)(a) refers to, quote, the "seamless and coherent linkages across the post-secondary education and advanced learning system." Frankly, I don't know what that means, and in the absence of some sort of substantive definition or direction in terms of the kind of linkages that wish to be created, there's some rather flowery language but it's short on substance. So in some instances it's more form than substance.

A second example is in section 2(3)(c), the minister, I quote, "is to develop, administer, monitor and evaluate government support and programming

related to post-secondary education." Now, the only problem with that is that earlier in the bill, program is formally defined as meaning a credit—a series of credit courses at a university. And so, if you took that definition and inserted it into here, it's quite plausible for someone to interpret this as saying the minister shall develop university programs, which I don't think is the intent of the bill. So there's areas where the language is unclear and it opens up questions about interpretation.

\* (18:10)

What I want to say very briefly, and I know the University of Winnipeg and others will address this more formally, but is—it's—what's really an issue is the relationship between university autonomy and the role of the government in setting the direction for universities. And I guess you don't need me to come and tell you what the long history of universities. In the Western world, we trace it back to at least the 12th century, and these are places of research and teaching where a community of scholars gets together in terms of the creation, the dissemination and the preservation of knowledge. And we've always taken it quite seriously to allow a certain autonomy and distance from prevailing governments in order to achieve those ends.

In a current context, no one's coming forward to argue that universities should be places—the ivory tower that's detached from the societies around them, and yet I have to remind you of the writing of Harold Innis and others who warned against the present-mindedness of universities, that we need places of reflection where we can think about things over the longer term free from the immediate needs of the present period. And that's part of why we entrust these institutions with that preservation and protection of knowledge. No one's saying that they have the right to go off willy-nilly and do whatever they like, and yet we have to respect the terrain over which they kind of exist. I would suggest to you that, anytime that we create universities as merely tools of public policy—merely tools—it's an impoverished vision of the role of post-secondary education.

Why is this institutional autonomy important? I'm speaking as a faculty member where I sense my academic freedom and my ability to say and research the sorts of things that I think are important are secondary in a sense to the institution's own autonomy, and so we often talk about academic freedom in two senses: one, the independence of the institution, and, secondly, the independence of the

faculty member within that institution to speak freely about what's important. I want to give you an example of why I think university autonomy is important, and I want to cite—I would invite you to look at the bill in front of you and tell me what the vision of the post-secondary education system is in that bill.

And, when I look at it, first of all, I see not a single acknowledgement to the fact that universities are places of research. So throughout it's this perception that all that happens it's an area of teaching, and the intrinsic relationship between teaching and research, which has been important—an important domain of universities for such a long time, is not even stated there. I would suggest to you, if the time comes that a university professor merely selects the textbook and stands beside the projector while using the clicker to change the PowerPoint slides, we might as well close all these institutions and just shutter the doors in that sense.

Secondly, I would invite you just to look at how the role of the advisory council is defined in 10.11(2)(b), and one would suggest it's hastily constructed because it's extremely vague. And the one concrete area that the bill states refers to, quote: the needs of students and the Manitoba labour market. No question that's an important aspect of the post-secondary education system, but for that to be highlighted strikes me as a strange thing to emphasize. It's not about vocational training. It's never been in universities. We have professional schools, which we try to influence with a liberal arts education. But this idea that we should highlight first, domestically, the needs of students; what we want to highlight is the needs of the people of Manitoba. And, secondly, it's not just about the labour market and it's not just about vocational training, and, hopefully, we'll think about the role of liberal arts and other things when it comes to universities.

The only other thing I can say is, in that vision of a post-secondary education, one would think there'd be some reference to a national perspective and an international perspective. We have a danger in this province of becoming too provincial in our attitudes, and we need to look beyond these walls and to embrace that larger community.

Not knowing what time I have, let me just say then what's wrong with this bill. Clause 2(d) acknowledges that the minister must—quote, must have regard for the autonomy of institutions. But

nowhere is that defined, and, in fact, if you go to section 2(6)(b), it simply enumerates such things as grading, academic standards and making appointments. And so there needs to be clarification as to what is the scope of the government's regulatory authority and what is the domain of institutional autonomy, and, in the absence of that being specified in this bill, it invites the minister to encroach upon every aspect of university governance. We've seen that in terms of funding; we've seen it in terms of setting tuition. Again, I'm not suggesting whether this is a warranted encroachment or not, but we now see in this bill talking about an extension to the definition of the university's mandate and most—of greatest concern, down to the micromanaging of university programs. All of those things—this bill opens the door for intervention in all of those areas which we can debate as to what's appropriate. I think this bill needs more consultation, more consideration. Take the summer, take the fall, meet with the people engaged in universities from faculty to students to alumni, and come back with a better bill. Thank you.

**Madam Chairperson:** Thank you very much for your presentation.

Do members of the committee have questions for the presenter?

**Hon. James Allum (Minister of Education and Advanced Learning):** Thank you, Dr. Grant, for coming out. Of course, I would expect you to do some fine critical thinking on the bill that's put forward, and I appreciate the insights that you've provided tonight. I think you know that I'm an academic in my own right, a liberal arts degree at that. I'm a historian in my first incarnation as a professional, so, in my view, the most important aspect of protecting the autonomy of the university, of protecting your autonomy as an academic is front and centre in this bill in the same manner that it was in the former COPSE act. In addition to that, I would just briefly say that our objective is to create a system within the Manitoba context that works for students, that serves the best interests of Manitobans at the same time. It's not, to me, a problem if you're asking our institutions to work co-operatively and collaboratively together more effectively in order to produce the best outcomes we can for students and for the province of Manitoba.

**Mr. Grant:** I don't dispute that at all. I don't dispute that there's been overlap and waste. I remember 10 years ago when there were three continuing

education departments from Red River, University of Winnipeg and University of Manitoba within about a two-block radius of each other downtown. It's how that's to be accomplished. It's the kind of signals and incentives to provide with the institutions. Listen, no one since the beginning of publicly funded universities, no one is going to argue universities have complete autonomy, because the way in which they're funded shapes and manages a lot of what they do, but it's—to clarify—I trust you completely as a minister. I'm not sure I trust the next one or the next one, and so I want to see it down in writing.

**Hon. Jon Gerrard (River Heights):** Yes, I think you said something very important and that is that whatever is in this bill has to last successfully through good ministers and bad ministers and, you know, maybe in terms of—give a comment on what sort of safeguards you think are essential at times when we might have a bad minister in the future.

**Mr. Grant:** Can I appeal to your professional stature and say that, you know, I've often tried to encourage people to think about a model of the hospital where you might like to argue that physicians should be in charge of the important resource allocation decisions about a patient's care, and so that when you look at the operation of a hospital, it's really that important professional group that should have an important voice, not the only one but an important voice in it. And so it's—I, you know, I think there's some parallels in terms of how governments act towards quasi-public and private hospitals and the kind of funding—the kind of funding mechanisms and allocation mechanisms that try to provide appropriate incentives. And yet pretty much—now I'm getting in dangerous ground here about things I don't know, but try to leave the day-to-day operations of the institution itself to those administrators and professionals, and, unfortunately, I think the position of the university professor maybe never was, but is certainly no longer parallel to the position in terms of the health-care operations.

\* (18:20)

**Mr. Wayne Ewasko (Lac du Bonnet):** I'd like to say thank you to Dr. Grant for coming and giving us your presentation. To your knowledge, was the University of Winnipeg Faculty Association consulted on this bill before it was drafted or tabled?

**Mr. Grant:** I understand there was a brief—there was a meeting with the faculty associations that the minister invited them to sort of give them a briefing

on the bill itself, but it's been a very short to the time framework.

**Mr. Ewasko:** So was that after the fact, after the bill was drafted?

**Mr. Grant:** It was my understanding there were still some things being worked out, but the gist of the bill was presented.

**Mr. Ewasko:** Thank you, Dr. Grant.

**Madam Chairperson:** Thank you very much. Thank you.

### Bill 23—The Cooperative Housing Strategy Act

**Madam Chairperson:** We are now going to proceed with Bill 23, seeing no other out-of-town presenters, and the first presenter will be Darcy Penner from the Canadian Community Economic Development Network.

Mr. Penner, Darcy Penner, the Canadian Community Economic Development Network? Mr. Penner's name will drop to the bottom of the list.

Ken Guilford, private citizen. Mr. Guilford?

**Mr. Ken Guilford (Private Citizen):** Yes.

**Madam Chairperson:** Mr. Guilford, do you have any materials for presentation?

**Mr. Guilford:** No, I haven't. I haven't had time because I was in the hospital.

**Madam Chairperson:** That's just fine. You can proceed with your presentation.

**Mr. Guilford:** Okay, what I would like to do if we can, I'd like to point out the bill and—37—the bill amends The Public Schools Act—

**Madam Chairperson:** Excuse me, Mr. Guilford, we would like to ask you to present to Bill 23. We are now presenting to Bill 23.

**Floor Comment:** What happened to 37?

**Madam Chairperson:** Well, we just—the process for committee hearings is that we hear the out-of-town speaker first. So that speaker speaks first and then we go back to the proceedings as they are listed in order. So Bill 23 is the first piece we'd like to ask you to speak to. Thank you very much. Yeah, no worries.

**Mr. Guilford:** Oh, okay. We'll try this again, and I'm reading the first page, the explanatory note what the bill's all about. And we cannot take time to go on to read the rest of the bill, but I don't have that kind

of time, sorry. I'm sure you've all read it before  
[inaudible]

Okay, this bill requires the minister to develop of a co-operative housing strategy and review it at least every five years. The minister is to consult when developing and reviewing the strategy. In addition, the minister must report annually on the progress made and the activities undertaken in relation to implementing the strategy.

I strongly agree. I think it's a very good bill and I would like to see it pass, and I understand there's one more—first action [inaudible] one more action in the House. You know, it's passed by then.

That's it. I'm in a hurry, so I don't have time.

**Madam Chairperson:** Thank you very much, Mr. Guilford.

Do members of the committee have questions for the presenter?

**Hon. Peter Bjornson (Minister of Housing and Community Development):** I just want to thank you, Ken. I really appreciate you taking the time to be here to let your opinion be heard on this bill. Thank you.

**Mr. Guilford:** If I can do this, I'd also like to compliment Drew Caldwell, for electing him vice-president of this council. Thank you.

**Madam Chairperson:** Thank you, were there any other questions?

That concludes the list of presenters that I have before me on this particular piece of legislation. But we're—[interjection] Yes, at the end.

#### **Bill 37—The Public Schools Amendment Act (Connecting Schools to the Internet)**

**Madam Chairperson:** So we are now going to proceed. Mr. Guilford, this is your very lucky day because now you're going to get to present to Bill 37.

**Floor Comment:** There you go.

**Madam Chairperson:** There you go.

**Mr. Ken Guilford (Private Citizen):** Okay. The bill amends the public acts—The Public Schools Act to enable school boards to enter into cost-sharing agreements to establish or improve Internet services in Winnipeg—in, yes, Winnipeg schools, in schools. When selecting partners, school boards are to give—partner—priorities to partnering with other school bodies.

And I would say this is very good and I compliment the people that brought it forward and I hope that we pass it, again.

**Madam Chairperson:** Thank you—

**Mr. Guilford:** One thing I'd like to do is—where did he go? He went through [inaudible]

Okay. Yes, what—okay. That's all about Jon—Mr. Gerrard. Okay, I'm done.

**Madam Chairperson:** Thank you very much for your presentation.

**Hon. James Allum (Minister of Education and Advanced Learning):** I just want to thank you, Ken, for coming and participating in this session tonight. I know that you're a strong advocate for good work in our communities, and I appreciate you taking the time to come out and appear before the committee tonight.

**Mr. Guilford:** Thank you very much.

**Madam Chairperson:** Any other questions for the presenter?

Thank you very much for your presentation this evening, Mr. Guilford.

#### **Bill 58—The Manitoba Institute of Trades and Technology Act**

**Madam Chairperson:** We are now proceeding to Bill 58, and the first speaker on the list is, once again, Mr. Ken Guilford. So, Mr. Guilford, you may proceed with your presentation whenever you're ready.

**Mr. Ken Guilford (Private Citizen):** Yes, well, if I can get her the page, then I'll be okay. They're sticking.

**Madam Chairperson:** Bill 58.

**Mr. Guilford:** Yes, I got it, but I can't get the page [inaudible]

Okay, this bill continues the entirety known as Winnipeg Technical College, in which a good man, Harvey Harapiak [phonetic]—did we ever honour him? Because he deserves a lot of energy, a lot of award. Did we ever honour him? I amend that—I would like to amend this to say that Harvey Harapiak [phonetic]—should be made an award for him. Can I do that?

**Madam Chairperson:** Well, Mr. Guilford, it's on the record now. We appreciate your comments, and thank you very much. You may proceed with your—

**Mr. Guilford:** The institute will continue to provide high school and post-secondary education and training fields, technology, vocational training and adult learning. Another very good bill. Thank you.

Who's the NDP around here?

**Madam Chairperson:** Thank you, Mr. Guilford.

**Hon. James Allum (Minister of Education and Advanced Learning):** Ken, just, once again, thank you for participating tonight. I heard your suggestion. We'll take that under advisement. You're certainly recognizing a fine individual.

**Madam Chairperson:** Is there any other questions?

**Mr. Wayne Ewasko (Lac du Bonnet):** I would just like to say thank you, Mr. Guilford, for taking the time today and giving your presentation to the committee tonight.

**Mr. Guilford:** Okay. Thank you. What happened to your buddy here?

**Madam Chairperson:** The next presenter on the list is Craig Stahlke, Pembina Trails School Division.

Mr. Stahlke, you can start with your presentation at any time.

**Mr. Craig Stahlke (Pembina Trails School Division):** The chair of our board, David Johnson, was going to be attending as well. He had some comments to make, but he's been delayed with another commitment, so he hasn't arrived yet.

The Pembina Trails School Division and its legacy school divisions, Fort Garry and Assiniboine South, were founders of the Winnipeg Technical College, formerly called the South Winnipeg Technical Centre, in conjunction with the then-St. Vital School Division.

The purpose of the Winnipeg Technical College was to provide technical and vocational education to students of the three school divisions. Following the amalgamation of school divisions in 2002, St. Vital School Division, now at that—now part of Louis Riel, withdrew from the governance of the Winnipeg Technical College, leaving Pembina Trails as the sole governing school division of the Winnipeg Technical College.

\* (18:30)

Since its beginning in 1985, there has always been a significant adult training component at the Winnipeg Technical College, in addition to the high school student component. For Pembina Trails

School Division, the Winnipeg Technical College has been the division's only high school dedicated for technical and vocational education just as Tec Voc is for Winnipeg and Kildonan-East is for River East Transcona.

Bill 58 would terminate the Winnipeg Technical College and convert it to the Manitoba Institute of Trades and Technology. The institute, as its primary focus, will have vocational training for adults, while the mandate of the institute will continue to include technical and vocational training for high school students, including those in Pembina Trails. The new model will remove, though, Pembina Trails from a governance role—neither will it create an environment which is appealing and appropriate for high school students.

The governing board of the Winnipeg Technical College had been made up of members selected by the board of trustees of the founding school divisions. Effective in 2008 and pursuant to section 49(2.1) of The Public Schools Act, a new governance agreement was concluded between the Pembina Trails School Division, the governing board of the Winnipeg Technical College, and the government of Manitoba. In this agreement, the governing board would be comprised of seven persons appointed as follows: three who are sitting trustees of the Pembina Trails School Division board of trustees; two designated by the minister who would be officials of Manitoba Education; and two community members, one appointed by the board of trustees and one appointed by the province. And that's the current board right now.

Section 4(2) of Bill 58 provides that the Lieutenant Governor-in-Council will appoint the members of the governing board of the institute and designate the chair of the governing board. Bill 58 does not outline any particular criteria nor qualifications which prospective governing board members must possess to be eligible to be a member of that governing board. Even though the institute will continue to be the only school which will serve as Pembina Trails School Division's technical and vocational education school, Bill 58 would remove the automatic right to have any Pembina Trails School Division representation on the governing board of the institute.

The division recognizes that the governing board should be comprised of members who possess differing backgrounds of skills, perspectives and experiences so that the governing board is

well-rounded and equipped to address broad variety of matters which will come before it. Within that context, the Pembina Trails School Division believes that the governing board should continue to have three sitting trustees of the Pembina Trails School Division who are appointed by the board of trustees until such time as a new comprehensive school in Waverley West is approved, constructed and operating.

The founding school divisions had made financial investments in the capital development of the Winnipeg Technical College from the very beginning and throughout its existence, investments including direct financial contributions, contributions in-kind with significant potential value, Pembina—namely, the Pembina Crest school, and surplus distributions foregone so that they can be invested back into the Winnipeg Technical College. The amount of these investments cannot be determined with absolute precision, as an element of estimation would be required, but they are not minor.

The article in the current governance agreement which provides that the assets become the property of the Pembina Trails School Division—and that's the assets of the Winnipeg Technical College—in the event that the college discontinues its operations or the governance agreement is terminated was included in the agreement by all three parties so that the division had access to funds and other resources to replace the Winnipeg Technical College with facilities for technical and vocational education to best meet the division's student needs. Bill 58 would extinguish the division's right to those assets and leave us without resources to provide our own facility.

Our experience with the Winnipeg Technical College has led this division to conclude that students are most likely to choose and thrive within a technical and vocational educational program when that program is located within a comprehensive high school dedicated exclusively to the education of high school students. In addition, though the division sees an important role for the institute in the technology and vocational education of high school students by allowing high school students to attend, and, in the case of Pembina Trails, such supplementary courses which are not or cannot be offered in a comprehensive high school setting, the division is actively advocating for the approval and the construction of a comprehensive high school in Waverley West, which would include academic,

technical and vocational education for our high school students.

A new high school in Waverley West is the division's top priority in our five-year capital plan. Were that approval granted today, and I know that it won't be, it would take—likely take as long as four years before the doors could be opened. So there will continue to be reliance on the institute to provide technical and vocational education to Pembina Trails School Division students for the foreseeable future.

Following the opening of a new comprehensive high school in Waverley West, the division will continue to have students taking courses at the institute, which are supplementary to those being taken in a comprehensive high school. Consequently, the division recommends that members of the governing board should continue to include representatives from the public school system, who possess the knowledge, perspectives and interest of the public school system with respect to technical and vocational education for high school students.

We further recommend that one of the three members be a sitting trustee of the Pembina Trails School Division, as we expect that the largest proportion of high school students attending the institute after our comprehensive school opens will still come from Pembina Trails School Division.

Section 4(3) and 4(4) of Bill 58 prescribe that the term of office for a governing board member is five years, limited to two terms, for a total of 10 years and, presumably, including any partial term served. The view of the division is that the five-year terms may be a bit long, and consideration should be given to reducing the length of the term to possibly four years. If the terms remain limited to two terms, that would allow an individual to be a member of the board for a maximum of eight years, plus, presumably, partial term served. Bill 58 does not expressly address the issue of partial terms.

The specific amendments which Pembina Trails School Division is respectfully requesting be included in the bill—in Bill 58 are: (1) provide that Pembina Trails Schools Division shall appoint three sitting trustees as members of the institute governing board until such time as a comprehensive high school is approved, constructed and operating in Pembina Trails; (2) provide that—

**Madam Chairperson:** Mr. Stahlke, 30 seconds.

**Mr. Stahlke:**—provide the following—that following the opening of a comprehensive high school, the

'governing'—governing board continue to include representation on the public school system, including (1) being a trustee from Pembina Trails; (3) provide the term of office be limited to four years; and (4) provide an acknowledgement that Pembina Trails had made a real, significant financial contribution to the development, construction and operation of the technical college and, upon discontinuation or termination, material assets to have been transferred to the division to meet our students' needs.

**Madam Chairperson:** Thank you, Mr. Stahlke.

**Mr. Allum:** Mr. Stahlke, first of all, thank you for coming tonight. I appreciate you taking the time to appear before committee, and I certainly want to thank you or, more directly, Pembina Trails, for the very real and significant contribution that your division has made to Winnipeg Technical College over the years.

I think you know that under this legislation we contemplate a strengthening of the relationship between Pembina Trails and the new MITT, and I think, frankly, if you look at the letter from the president of Winnipeg Technical College now, he makes that very point. We want to continue to work together, continue to make sure that we have the opportunity to operate MITT as a hybrid institution that serves both high school and adult learners in order that they can get the kind of education they need to go out and get a good job.

Thank you for coming.

**Mr. Ewasko:** Thank you, Mr. Stahlke, for coming and giving your presentation.

My question to you is, how do you feel—earlier on in your presentation, you mentioned how you felt that the amendments to the—or the new bill would possibly discourage students from attending the high school at the new MITT, and can you expand on that a little bit?

\* (18:40)

**Mr. Stahlke:** First of all, we continue to see value in MITT providing courses to our students. We believe, though, that the organization and the structure of a comprehensive high school would be, as other school divisions in greater Winnipeg have, would be much more effective in terms of providing the broader scope of technical and vocational education to students than is currently being provided by the college or that we perceive being provided by MITT. I'm not denigrating the role that MITT has to play,

we just see a comprehensive high school, from our perspective, as being much more effective and more appropriate.

**Mr. Ewasko:** Thank you, Mr. Stahlke, for that answer. When the minister's department was looking at the—creating the new bill and changing the name over, did you actually—did they sit down with Pembina Trails and have consultations over this?

**Mr. Stahlke:** No, not to my knowledge. I certainly wasn't involved.

**Madam Chairperson:** Seeing no further questions, thank you for your presentation.

**Bill 63—The Advanced Education Administration  
Amendment and Council on  
Post-Secondary Education Repeal Act  
(Continued)**

**Madam Chairperson:** We will now move, as a committee, to Bill 63, and the first presenter is Mr. Ken Guilford, private citizen. You may begin your presentation.

**Mr. Ken Guilford (Private Citizen):** Okay, what I would like to say is you think I'm going to read all this, you guys are crazy. I'll leave that alone for somebody else. You got homework.

What I would like I say is I am very honoured to have Mr. Ewasko here. And I come from Clearwater, which is close to Pilot Mound, which is 130 miles from here. I live in the Pembina Trails School Division. I am now residing in Winnipeg, Manitoba. I am very happy to be in Winnipeg, Manitoba, amongst all my friends, and I am very, very busy. I am a community activist, community associate, community facilitator, whatever, whatever, and I sit on many boards.

And I feel—in talking with different people, I feel this is a very good bill, and I would like to have it passed unanimously, please.

**Madam Chairperson:** Thank you very much, Mr. Guilford, for your presentation.

**Hon. James Allum (Minister of Education and Advanced Learning):** Well, one final time, Mr. Guilford, thank you so much for coming here tonight and for participating before the committee.

**Floor Comment:** No, it won't be final.

**Mr. Allum:** No, I'm sure we'll see you again and I look forward to it, my friend.

**Mr. Wayne Ewasko (Lac du Bonnet):** Once again, thank you, Mr. Guilford, for taking the time and coming up and putting a few words on the record.

**Floor Comment:** What I would like to say is—

**Madam Chairperson:** Mr. Guilford.

**Mr. Guilford:** —that I embarrassed myself. I thought the speaker was Mr. Ewasko. I'm sorry, Mr. Ewasko. What was the name of the last speaker? I'd like to know, please.

**Madam Chairperson:** The name that you—excuse me, Mr. Guilford, you wanted to know what the name of the last speaker was?

**Mr. Guilford:** The last presenter, yes.

**Madam Chairperson:** Yes, the last presenter was Craig Stahlke, and he is with the Pembina Trails School Division.

**Floor Comment:** Pembina Trails schools?

**Madam Chairperson:** Pembina Trails School Division. Thank you, very much. *[interjection]* You know what, we will get the clerk to help you. We'll get that information to you. *[interjection]* Sure. Thank you. Thank you so much. Thank you.

Our next presenter is Eric Johnstone, the University of Winnipeg. You may start your presentation. Thank you.

**Mr. Eric Johnstone (University of Winnipeg):** So, my name is Eric Johnstone. I am here as a vice-chair of the board of regents for the University of Winnipeg and representing the University of Winnipeg. Thank you for the opportunity to speak to the committee this evening.

These prepared comments have been developed through discussion and debate between the board of regents, the university administration and an ad hoc committee of the board made up of individuals representing external regents, the senate, administration and faculty. In addition, individuals representing the university have had discussions related to the proposed bill with Minister Allum, government representatives and members of the 'coest-secondary' community in Manitoba.

So the University of Winnipeg is a dynamic institution. It dates back to 1871. We are an urban campus recognizing the responsibility attached with being on Treaty 1 land and in the heart of the Metis nation.

The university has a focus on students, academic excellence, accessibility and sustainability. And in partnership with the senate, the board of regents is responsible to protect both the university's history and legacy, along with safeguarding its unique characteristics for the betterment of students, faculty, the community and Manitoba.

So we understand the government's objectives of this bill is to repeal the COPSE act and to transfer the responsibilities of the council to the minister. The university supports these efforts to streamline the process of approvals for post-secondary institutions in Manitoba.

As we understand, the government's objectives to the bill—excuse me. We've reviewed the bill and through the lens of the stated objectives and in reading the proposed legislation have identified certain possible ambiguities in the language. And to assist in achieving the bill's objectives and at the same time clearing up some of the ambiguities, the university would request the following two changes be made.

The first being subsection 2(4) where we proposed to delete the existing wording and replace it with wording which is consistent with the existing mandate of the council under the COPSE act so that the subsection would read: The mandate of the minister is to plan and co-ordinate the development of a post-secondary education system in the province and that promotes excellence in and accessibility to education, supports co-ordination and integration of services and facilities and promotes fiscal responsibility. This revision to the wording achieves the objective of directly transferring responsibilities of the council to the minister without introducing new concepts which may be available to future governments who are not directly involved with setting the stated intent of the legislation. As subsection 2(4) is currently drafted, there is a significant impact to the traditional responsibility of the university board and senate by transferring to the minister the authority to determine the institution's mandate.

While this suggested amendment would be consistent with the stated objectives of transferring the former COPSE responsibilities without transferring mandate setting authority to the minister if intending to proceed with the concept of ministerial mandate setting authority, then the university would propose an alternative suggested amendment to subsection 2(4), being that the amendment would

add to the existing wording of subsection 2(4) the phrase: and consistent with the authority of the institution to determine courses and programs of study, so that the new subsection reads: The minister may in consultation with universities and colleges and consistent with the authority of the institution to determine courses and programs of study, develop a mandate for each university and college.

This suggested amendment clarifies the ambiguity concerning the interpretation of mandate and the scope of the minister's authority so that it honours the autonomy of the institution enshrined within their incorporating statutes.

The second proposal that we would like to put forward is subsection 2(6)(a). So consistent with the foregoing we would also request that subsection 2(6)(a) of the bill be amended by adding the phrase: and where applicable the discretion of senate to consider and determine all courses and programs of study, so that the paragraph reads as follows: In carrying out his or her role and responsibilities the minister must have regard for the respect of autonomy of educational institutions and where applicable the discretion of senate to consider and determine all courses and programs of study.

The bill currently provides that the minister is to have regard for the respective autonomy of the institution and under paragraph (b) that the minister is not to interfere with the right to formulate academic policies and standards. However, the bill does not define whether the authority determine courses or programs of study as incorporated within the concept of academic policies.

The incorporating statute in our case, The University of Winnipeg Act, does provide that within the concept of academic policies the authority determine courses and programs of study. This revision to the wording of the proposed bill removes the potential ambiguity and potential conflict with the provisions of The University of Winnipeg Act. This is necessary because otherwise section 11(1) of the bill would potentially override the clarification otherwise provided by The University of Winnipeg Act as that section 11(1) provides that if a provision of this act or regulation is inconsistent or in conflict with the provision of another act, the provision of this act or regulation prevails. So, arguably, clarification from The University of Winnipeg Act is of no assistance in clarifying the amended legislation.

I'm supported here this evening by—with Mr. Colin Morrison, general counsel and university secretary, and we are happy to respond to any questions or comments the committee may have.

**Madam Chairperson:** Thank you very much, Mr. Johnstone.

\* (18:50)

**Mr. Allum:** Thank you, Mr. Johnstone, for joining us here tonight. I think you know that I have great affinity for the University of Winnipeg. I taught there at one point and—for seven years part-time—and I would leave my office at City Hall and whip over and teach class once a week, and that was one of the best experiences in my life. And, in addition, I have a kid who is just about to finish third year at the University of Winnipeg now. So I want you to know that university means a great deal to me.

We don't envision that the former role of the senate changes in any way under this particular changes to the act, and I might add that it's been the university, under Dr. Axworthy over the many years, has made a wonderful mandate around being a community institution, and not just be an ivory tower, but to be open to all those around it in particular, but to newcomers and Aboriginal residents. In the mandate, we simply want to make sure that that wonderful vision is reflected, and so that's really what we're after here in talking about the mandates of institutions. But I do thank you for your views and your observations. They're duly noted.

**Mr. Johnstone:** So we have great faith in the minister's commitment and support of the University of Winnipeg. Our concern is specifically in the language of the way that the act is written, as we do believe that it changes—substantively changes the nature of responsibilities under COPSE versus what is being transferred. And our concern is a forward-looking concern as opposed a current concern once it is enshrined.

**Mr. Ewasko:** I would just like to thank Mr. Johnstone for coming and giving his presentation tonight.

**Hon. Jon Gerrard (River Heights):** One of the concerns is that you—this—there may be a variety of ministers who serve under this act. And the concern would be to make sure that there is a framework that will protect against the abuse of the situation, and I think what you're suggesting is that this should be clarified now rather than waiting for a, you know, an unfortunate situation to occur in the future.

**Mr. Johnstone:** So, again, our—we have great faith in the current minister's support for the university, and, as you have mentioned, our concern in the language, which does not take away our overall support of the proposed bill, is in future looking, in that there is a substantive transfer of responsibilities and autonomy that is taken away from the university.

**Madam Chairperson:** Thank you very much.

#### Committee Substitution

**Madam Chairperson:** I would just like to inform the committee that we have a membership substitution, and effective immediately: the Honourable Ron Kostyshyn will be substituted for the Honourable Kerri Irvin-Ross.

\* \* \*

**Madam Chairperson:** I'd also like to inform the committee that we have an additional speaker to Bill 63; Lauren MacLean from the Red River College Students' Association will be speaker No. 8 this evening.

I'd like to invite Linda Guse, the University of Manitoba Faculty, to make her presentation.

**Ms. Linda Guse (University of Manitoba Faculty Association):** Yes. I'm Dr. Linda Guse, executive director of the University of Manitoba Faculty Association. I am going to hand over your 20 copies. There we go. And I'm requesting that the committee permit Dr. Thomas Kucera, who's the current vice-president of the association and next week will be the president of the association, to make the formal presentation after which we would both be available for questions.

**Madam Chairperson:** Does the committee agree? *[Agreed]*

Thank you very much. You can proceed with your presentation, Mr. Kucera.

**Mr. Thomas Kucera (University of Manitoba Faculty Association):** Honourable Chair and committee members, a fundamental principle of university governance is that the university must have the autonomy to make its own academic decisions. These decisions should be made by academics themselves acting through institutions of collegial governance and deciding all proposals on the basis of academic merit. Failing this, universities risk becoming the creatures of the government of the day, the private sector, or other non-academic entities that do not necessarily share the university's

fundamental goals of the transmission and creation of knowledge and the capacity to think critically about the world.

Prior to 1996 and the passing of The Council on Post-Secondary Education Act, post-secondary institutions in Manitoba had the autonomy to establish their own mandates, develop programs and allocate resources accordingly. Government oversight on the financial side was exercised indirectly through the University Grants Commission. This arrangement reflected a high regard for the principle of university autonomy. The COPSE act was therefore seen as an interference with university autonomy. Among other things, it gave the minister the right to set a framework of priorities within which the council had to operate. It also gave the council unacceptable rights to influence university programing. That said, the existence of COPSE at least reaffirmed the need for some form of buffer between the universities and the government. The act was also couched in language that implied a consistent deference to the university's academic autonomy.

In UMFA's view, the proposed Bill 63 exacerbates all the negative aspects of the COPSE act while eliminating whatever was of value in it. Post-secondary education is now essentially subject to ministerial power. The minister is now empowered to lead the development of post-secondary education in Manitoba. There is no buffer institution between the government as funder and the university which must make program and other decisions that are consistent with its academic mission.

The overall content of the bill unfortunately calls into serious question the sincerity of the one passing reference to the university's autonomy. Indeed, the explicit stipulation that the provisions of Bill 63 override any other legislation threatens to erode the powers of the university's board of governor and senate as provided under The University of Manitoba Act.

UMFA finds the following details of the bill to be especially problematic. Section 2(4) of Bill 63 gives the minister the right to determine the mandate of any university. The government would gain the power to determine what sort of institution any post-secondary institution will be, a decision that can be made on purely political grounds after a merely formal consultation. By contrast, the COPSE act gave COPSE the duty of advising and assisting in

this task, language that at least implied deference to the continued relative autonomy of the institutions.

Section 9.7(1) states the minister will have direct control over any significant changes to or abolition of existing programs or implementation of new programs. This control goes beyond those programs funded by the government to include the entire curriculum of any post-secondary institution no matter what the source of funding.

Section 9.7(3) contains a list of factors that the minister must consider when deciding whether or not to approve a new program proposal. One priority is the ease of transfer credit from other institutions, an issue which impacts the academic integrity and standards of the university. Currently, decisions as to transfer credits are the prerogative of the university senate. The list finishes with entitling the minister to approve a program or not on the basis of any matter at all that he or she considers to be relevant. This is a blank cheque for government interference.

Section 11.1 stipulates that where the amended Advanced Education Administration Act conflicts with existing statutes the new act will prevail. Given that the new powers granted directly to the minister, existing powers granted to the board and senate under The University of Manitoba Act will be threatened. The board's power to establish and maintain any colleges, schools, institutes, faculties, departments, chairs and courses of instruction as it sees fit and its right to determine upon and provide for the establishment of or the abolition of or any changes in faculties, departments, chairs, lectureships, bursaries, scholarships, fellows and prizes will be subjected to ministerial control.

Moreover, The University of Manitoba Act gives to the university senate a range of powers over academic affairs. Among these are the power to consider and determine all courses of study and all matters relating thereto, the power to recognize courses of studies that are given in any college or institution in the province not affiliated with the university and admit students who have taken such courses of study to examinations of the university. Under the new legislation these would be academic matters over which the minister would have control.

\*(19:00)

We repeat, Bill 63 intends that any conflict between it and any other act will be resolved in favour of the amended Advanced Education Administration Act. As a result, academic decisions

will be made directly by the minister and his or her staff rather than the board of governors and senate of the University of Manitoba. In our respectful view, granting the minister such powers has the effect of destroying the university's academic autonomy and making it directly subject to the political priorities of whatever government happens to be in power. This is not in the interest of Manitobans, who deserve access to high-quality post-secondary education.

But the potential for unacceptable government intervention is greater yet. The proposed section 11.2(1) allows the government to make regulations respecting the form, content and timing of proposals by universities and colleges to establish, modify or cease providing programs of study, the factors to be considered in approving a proposal and the terms and conditions which can be placed on an approval. This power was not present in the COPSE act. It gives the government of the day carte blanche, without any legislative debate, to impose any restriction whatsoever on the autonomy of Manitoba's post-secondary institutions. In our view, this is the final nail of the—in the coffin of university autonomy in Manitoba.

In the 2014 Budget Address, the provincial government described Bill 63 as an effort to smooth the paths between programs and between institutions while merging COPSE into the Department of Education and Advanced Learning. However, such goals must be pursued with proper respect for the relative autonomy of Manitoba's institutions of post-secondary education. Instead, Bill 63 represents a radical enhancement of the government's power to control directly the academic development of Manitoba's post-secondary institutions. If Bill 63 passes, it will be difficult for universities in Manitoba to recruit and retain faculty given that the government will have seized control over all academic matters.

By turning the universities directly into instruments of government policy, it seriously erodes the academic integrity of these institutions. As such, it can only undercut the access of Manitobans to first-class education and to the benefits of research carried out by properly autonomous institutions. The government needs to withdraw Bill 63 and make substantial revisions to its provisions that will address the serious flaws identified here today not only by me, but some of the other presenters.

Thank you for the opportunity to present our concerns.

**Mr. Allum:** Dr. Kucera, Dr. Guse, thank you so much for coming here tonight. I think you have provided a very interesting critique of the bill.

I have to say that I don't exactly share your interpretation necessarily. Our government is committed to maintaining a quality, accessible, affordable post-secondary education system. That was our calling card when we were first elected in 1999, and nothing in this bill changes that. And we're continuing to make sure that students have the opportunity, that there are no wrong doors for them and they can go through and get a good education and continue to live right here in Manitoba.

I completely respect the autonomy of the University of Manitoba, the University of Winnipeg, all of our post-secondary institutions. And I think the bill, to me, in my interpretation of it, reflects what COPSE had in place but removes that arm's-length complication that allows us to go on and build a post-secondary sector and institutions that we can all be proud of.

But thank you tonight for coming tonight, I greatly appreciate it.

**Mr. Gerrard:** You know, I—just to—would—I thank you for your presentation. I'd like to give you a chance to expand upon one of the very concerning points that you raised, that this bill may make it more difficult to recruit and retain faculty.

**Mr. Kucera:** If I'm permitted to use a personal example, in my own department we have been active—we have been fortunate to be able to recruit several new members over the last couple of years, in particular to address a very obvious gap in the teaching and research areas that we covered. And the—our ability to attract two very fine candidates last year was directly tied to the fact that we were able to tell them that they were being brought in to develop this new aspect of our program.

The—education is an ongoing process. Development of adequate educational procedures is an ongoing and, indeed, a lifetime process, and the ability to participate in that on a daily basis, on a regular basis, is an essential part of the university procedure.

**Mr. Ewasko:** Thank you, Dr. Kucera and Dr. Guse, for coming today, as well, and sharing your presentation. I hear that you have many hesitations in regards to this bill, and I thank you for bringing some of those amendments forward, in addition to just pulling the whole bill entirely.

As you know, you know, the minister has exercised his right to bypass the COPSE process anyways in regards to the continuing fees that the proposal the U of M had brought forward anyways. So I'm not seeing that the previous legislation was stopping anybody from going above and beyond that policy and those procedures in the first place.

So I guess my question to you is: Had the University of Manitoba Faculty Association ever been contacted prior to this amendment being brought forward, or the bill?

**Ms. Guse:** On April 23rd, the faculty associations of the four universities in—well, St. Boniface, University of Winnipeg, Brandon, University of Manitoba, were called to a meeting with Minister Allum and his staff to discuss the disbanding—dismantling of COPSE. And so we did attend that meeting. At that meeting we were told that this was just barely a substitution, that the minister would be taking over and the minister's office would be taking over COPSE's roles, and it would just—really, there wasn't too much to it. The rest of that meeting, there was further discussion about that.

There was also a great deal of discussion, and Minister Allum had to leave—we appreciated the time he could spend with us; it was apparently a very difficult day for him. And we continued to meet with two staff. And we talked about—we asked a number of questions about where things would be going for university education in the province of Manitoba. Would small programs be shut down? Would there be a method of evaluating them? What would the universities' roles—would be—and on and on.

At the end of that meeting, I think it's fair to say that all four faculty associations left with very serious concerns. At that point, UMFA took a very close look at the proposed legislation. We went back into the history of when COPSE came into play. We looked at the concerns then. So, in short, because I'm being wound up here, yes, but I think that having to look—looking at the act gave us much more insight into what the potential problems could be, aside from assurances that they wouldn't happen.

**Madam Chairperson:** I just want to inform the committee that we are out of—we are actually over the time limit for questions.

Thank you for your presentation, Dr. Guse and Dr. Kucera.

**An Honourable Member:** Ask for leave of the committee to ask some more questions?

**Madam Chairperson:** Is there leave of the—is there leave for more questions? *[Agreed]*

**Mr. Ewasko:** So thank—and thank you, Dr. Guse, for that answer.

Now, we're talking about approximately a month ago, and you had stated the four post-secondary institutions that attended that meeting. So University College of the North, to your recollection, was not invited necessarily to that meeting?

**Ms. Guse:** They weren't attending. I don't know whether they were invited.

**Mr. Ewasko:** Okay, that's very interesting.

And so another question, in regards to separate meetings that you've possibly have had with other faculty associations from other post-secondary institutions throughout the province, have you had a chance to—I know that the minister's department had asked for you all to come together and have a meeting April 23rd, which is, you know, just a little over a month ago. So have you had a chance to meet with other faculty associations on this bill?

**Ms. Guse:** No, we have not had a meeting with all faculty associations. We certainly have been in contact by email and I think one faculty association by phone.

**Mr. Ewasko:** And thank you, Dr. Guse, again.

\* (19:10)

Just, basically, I'm hoping that some of the thoughts and ideas put forward by you and the previous speakers are being heard loud and clear by the minister's department, and there is a great deal of authority being transferred over right to the minister's department. And when we're talking about programs and speciality programs and then having the minister's department have the final say over those programs, it definitely does take the onus off the professionals. And I don't necessarily like to say the grassroots professionals, but that's exactly who it's being taken away from.

So I thank you very much for the presentation tonight.

**Mrs. Leanne Rowat (Riding Mountain):** Through your presentation you talked about the potential of losing autonomy, losing the opportunity to make decisions. Do you have any idea of other jurisdictions having similar legislation being brought forward and having similar concerns and actually realizing some of the concerns that you've raised?

**Ms. Guse:** We haven't done a comprehensive survey of legislation across Canada. We have contacted Dr. Jim Turk, executive director of the Canadian Association of University Teachers, and he has been in touch with the media raising great concern about this. It's our understanding, but we haven't looked into it directly ourselves, that similar legislation came forward in Ontario and that that has led to universities there having to set their priorities for their own programs, but with the worry that they are then going to lose programs that aren't in their top five. But, again, these are things we need to look into further.

**Madam Chairperson:** Thank you very much for your presentation.

The next presenter is Bilan Arte, Canadian Federation of Students, Manitoba. You may continue with—or you may make your presentation. Thank you. Proceed with your presentation.

**Ms. Bilan Arte (Canadian Federation of Students, Manitoba):** Before I begin, I just wanted to say good evening to members of the committee as well as members of the audience. I wanted to thank the committee members for hearing us out today

As mentioned, my name is Bilan Arte, and I'm the chairperson for the Canadian Federation of Students in Manitoba. I'm not here as an individual. I'm here on behalf of over 44,000 members from across Manitoba and actually from every university in our province.

Before I start with our remarks tonight, I wanted to set the stage a little bit with something that's been mentioned quite often in the room tonight, and this is our government's commitment to an accessible, high-quality and affordable post-secondary education system in our province. I think that in many respects, currently Manitoba has the third-lowest tuition fees in the country. We are, arguably, one of the most successful provinces to pursue an education and, in fact, I moved from Alberta to Manitoba particularly for that reason. Because as somebody coming from a low-income background from an immigrant family, it was much more possible for me to actually see through my dream of pursuing a post-secondary education at the University of Manitoba rather than at the University of Calgary which is where I was and which is where I completed high school.

That being said, as well in this province we almost for a decade had a tuition fee freeze, and what we see most recently with the proposal that I think

was well projected by this government and by the minister, to increase drastically continuing fees for graduate students at the University of Manitoba. I think in many respects that that commitment has been showcased. But with Bill 63 and with The Advanced Education Administration Amendment and Council on Post-Secondary Education Repeal Act—which is a very long title—we have the opportunity, I think, to have a substantive discussion on the way in which our post-secondary education sector in Manitoba and the direction that it's taking and the policies that surround it, I can actually effect and ensure that we're continuing down the road to be trail blazers, to set that accessibility standard so that we can see our province really taking the lead on manner of accessibility and affordability in our country.

And so what you'll notice with my remarks tonight is that in many respects—and as we see there are many similarities between Bill 63 and the existing Council on Post-Secondary Education Act. I'm going to be mentioning both persistent and new issues contained in this bill. I'm hoping that we can have further discussion and debate, and I'm going to recommend some amendments to create, hopefully, a more stronger and comprehensive piece of legislation.

However, before I begin, I do want to underscore that it is very important and I think it is a point of pride in this province, we do have legislation that looks at ensuring the accessibility and affordability of our post-secondary education system. However, I do believe that it could be stronger.

So firstly, as our federation and member local student unions in the province have pointed out in previous years—and spoken to—this bill continues to leave out a substantial number of students from legislative tuition fee protections. It continues to differentiate between classifications of students dependent on program stream and nationality. So, for example, this bill continues to allow the practice of unregulated, specialized program fee increases previously referred to in the COPSE act as professional program fees.

The term replacement has gone without a definition of the term at the beginning of the document and it makes it very difficult to understand what exactly is meant by specialized. And so we're recommending a clear definition of the term specialized because the change in the word from professional to specialized poses risks to increasing

the number of programs that might, over the next couple of years, apply for a specialized program designation and thereby increase tuition fees for said programs and negatively affect the accessibility of those programs to students coming from those low- to middle-income backgrounds.

As well, in regards to the nationality of students, the legislation continues to explicitly exclude international student differential fees from any types of protection. So this leaves, in particular, groups of students vulnerable to massive and unpredicted fee increases based on solely the whim of said institution, and that really hinders the participation of international students from, again, those lower to middle-income socio-economic backgrounds.

It should be noted that Manitoba today is the only province in Canada that extends basic health care to international students, and so we believe that we must continue to lead in our equitable treatment of students by providing them with regulated fee levels. A tuition fee regulation that discriminates against different groups of students does not actually provide truly an affordable and accessible education for all.

Other notable issues with the bill is the continued lack of protection for students against new and increasing auxiliary fees or any other non-course-related fee. So, traditionally and currently, institutions have introduced and used these types of fees as a measure to contravene legislated fee protections. So we're recommending that any fee related to the pursuit of post-secondary education be considered a course-related fee and thus subject to a least 'uninflationary' caps.

A substantial change that's proposed in this act, which many of the speakers tonight have talked about, is to repeal the Council on Post-Secondary Education and replace it with an advisory committee whose membership really remains ambiguous. So we would recommend the specific language that names major stakeholders in post-secondary education, explicitly students and faculty representation, be included in the final draft in this legislation. And this would guarantee that student representatives have an opportunity to work in tandem with government and ensure that those most affected by this bill in Manitoba, students, would have an active role in shaping the post-secondary education sector and thus the education that we are receiving.

Students are concerned about language in this bill, as well, that would formally set a direct link

between educational programming and a relatively unstable labour market. Through the use of labour market forecast in the past, we've seen—and that that has resulted in a saturation of graduates from particular fields. So these graduates have experienced an inability to find related employment, sometimes being forced to go back to school to be trained in another sector or taking on precarious, low-paying work just to pay on their student debt and to make ends meet.

Additionally, language on increasing efficiency and 'constitutional' programming raises concerns about the loss of academic integrity in our public institutions when we're talking about—particularly when we're talking about making sure that these needs meet the needs of business interests and not the public. And so my question would be, then, when did business, corporate or private interests begin to take 'prevedence'—precedence or even mentioned at all over the university as a public institution of study, learning and critical thought, and, in fact, has been mentioned tonight with the ability to set its own direction with respected academic mission? We believe, as students, that this direction would hurt the quality of education and institutional autonomy of knowledge in Manitoba post-secondary institutions.

So, if I were to summarize those recommendations, the amendments that we would recommend that this committee consider tonight are, firstly, to ensure that all students, regardless of program or nationality, are included and should have their fees protected under this bill; that all fees with regards to fees that are mentioned, auxiliary fees or non-course-related fees by institutions, be regulated under this bill in an equal manner; that there be legislated student and faculty representation on the advisory committee; and that academic programming should be driven by the pursuit of knowledge within those institutions and not for-profit or business interests that exist outside of them.

In conclusion, we believe that accessible, affordable and high-quality post-secondary education is a key driver in Manitoba's economic and social success. In order to remain competitive and be recognized as a leader in post-secondary education, it's time that we take action. This government has the opportunity to strengthen this bill to meaningfully invest in our students and the future economic drivers of our province. And so we're hopeful and we're welcoming debate and discussion on our recommendations, and we look forward to working together to building stronger legislation.

Thank you.

**Madam Chairperson:** Thank you very much.

**Mr. Allum:** Thank you, Madam Chair and Ms. Arte.

\* (19:20)

Of course, it's always great to see you, and it comes as no surprise that you should offer such an articulate presentation. We certainly take your recommendations seriously, and I know your time here in Manitoba may well be growing short, so, on behalf of all of us on the committee here, well done for the work you've done on behalf of students here in Manitoba and congratulations going forward and best of luck on behalf of all students across Canada.

**Mr. Gerrard:** One of the important areas that you talked about was the critical need to have students on the advisory council or whatever body was there having [*inaudible*] Can you just tell us a little bit more about your vision and why that's so important?

**Ms. Arte:** So, currently, student associations of the federation have an opportunity to present on an annual level to the Council on Post-Secondary Education. However, we believe a better vision for that process to function might be to actually have students included in the decision-making process. And so, as many of us know as student representatives who work within our own institutions in different capacities, whether that's on senate or the board of governors, we have an opportunity to not only be the ones that are presenting our case but to be the ones as well that are actively involved in shaping that vision at an institutional level.

I think that student representatives on a provincial council or education committee, however that functions or whatever that ends up being named, would have a really important perspective and a vision to bring to the table and would be very useful to have as active and equal members of this committee structure so that we can actively participate in the process rather than sort of being members of the presenting bodies.

**Mr. Ewasko:** Thank you, Bilan, for your presentation. It's nice to see you again. I echo the sentiments of the minister in wishing you luck and good fortune in your future when you—in your future endeavours after this coming—after this year, of course.

You mentioned earlier about how you were very much supportive of the minister exercising his not quite right yet but on asking the university to go back

with the proposal and have those discussions with students. Has the Canadian Federation of Students actually have had that right with the minister's department and had that sit-down chat about this bill and about different things that you saw that were either strengths or weaknesses to it?

**Ms. Arte:** We haven't had opportunity to meet with the minister directly on these recommendations, and so this would be the first time that we've had an opportunity to present them.

**Mr. Ewasko:** Thank you for that.

**Madam Chairperson:** Thank you very much for your presentation.

I would like to call Zach Fleisher to make his presentation. You can proceed.

**Mr. Zach Fleisher (Private Citizen):** So I'd like to echo the thoughtfulness and the thankfulness that my colleague, Ms. Arte, displayed there, especially to all sitting MLAs who have come out to be part of this process. I think it's an incredibly important part of the democratic process, especially when their favourite hockey team is about face off in about half an hour by last count. So we'll go with that.

I'm wearing a couple of hats here, but I'm registered as a private citizen. On June 8th I'll be taking over as chairperson for the Canadian Federation of Students, Manitoba, and building upon the incredible work that Ms. Arte has done and especially being able to work and having an open relationship with the minister present. I think that's an incredible aspect of the job that I'm quite thankful to be heading into. It's much better than having a poor relationship with that minister, and so I do thank the minister present for helping with that relationship and helping build it over the past year.

I'm also ending my term as a student representative of the United Church of Canada on the board of regents at the University of Winnipeg, so, instead of going into an extensive list of concerns that I have with the bill, I'd like to just say on the record that I echo the concerns of both Ms. Arte and Mr. Eric Johnstone previous.

I think that the bill itself—it's not a perfect bill and I think that there's a lot of room to improve it. One of the things that I really do take issue with is the advisory council that is replacing COPSE in some ways. My understanding is that a lot of the COPSE staff will be moving directly into the minister's office. So they're not reducing staff in that

sense, but having, I think, within the term, within the bill, it's loosely termed as a five-member committee that it's not specified where they're coming from, and my understanding is that that hasn't been iterated where this membership is consisted of. And one of the concerns brought up before is that many of these members would be from the business community.

And I'd like to remind and—or at least iterate my point around this is that the role of the university is not to meet the labour needs or the market needs; we already have technical colleges for that and that's outlined in the governing laws around those colleges. Rather, universities should be a thought—or should be a place where we breed critical thinkers and not only preparing them for the job market ahead, though that is a major aspect of it, but also allowing them to improve our society over the long term. So, with that in mind, I would ask the minister to consider not only the labour needs but also the societal needs at large and to reconsider that aspect of the bill.

One positive experience that we've had with COPSE in the past has been a twice regular meeting. I understand for the folks at Red River that's been a once annual meeting. And I'm concerned that within the scope of this new council that there's no legislation talking about having regular meetings with students and student representatives. As a student myself and I'll be a student next year as well, it seems to be an internal process; I'm concerned that there's no room for these meetings here and that they're not legislated in that sense. And, of course, you know, we've had a positive working relationship with the current minister and we've appreciated his open-door policy, the frequency in meetings, but without legislating that, there's no way to ensure that that will be—that will continue to happen should this government change hands or should the minister move on to another portfolio.

And so I—in presenting my recommendations and my concerns with the bill, I would say that it would be best to have a legislated number of meetings with student representatives, and as well pushing to—I would like to push to have a seat for a student representative on that council, seeing, you know, out of—this is not a selfish endeavour, but I think that the representative or chairperson from the Canadian Federation of Students would make an excellent legislated representative on that council, especially because they currently represent students at all five major universities in Manitoba and they also currently have positive working relationships

with the Red River College and the Red River College Students' Association.

So, if I can make an additional recommendation, I would say in addition to legislating the number of meetings, I would say provide students an opportunity to be on the decision-making body itself. I can speak to that as a positive experience within my own academic career. Having served on the board of regents for three years, it's probably the reason that I'm here presenting to this committee and playing an active part in our democratic process.

And finally, I want to bring up a current event that happened a couple weeks ago where the University of Manitoba graduate students—or not the graduate students, but the graduate—the faculty of graduate studies, and they brought forward a fee increase proposal I think of over 327 per cent; maybe someone can clarify with the numbers there. And the current minister, and I think he—I think you made the right mood—the right move, but they quashed the proposed increase under the guise of that there had not been enough consultation with the students.

And in a similar vein, until that occurs at this committee, I don't think it's appropriate for this government to move forward. My understanding and my sense is that the faculty associations, the university administrations and the student associations feel the same way in that sense.

And so I would encourage this—the government to move forward to reconsider the bill, and, of course, you know, there's a lot of issues about it and we'd love to talk to you about it.

**Madam Chairperson:** Thank you.

**Mr. Allum:** Well, Mr. Fleisher, thank you for coming tonight. A nice piece of critical thinking on your part. I see that we're still training students in that most important function that you just described.

It's worth pointing out that the former Council on Post-Secondary Education, the former board, didn't include any student representation at all. The advisory committee as contemplated could possibly include student representation, so I think you're a lot further along with this piece of legislation than you would have otherwise been in the past.

That advisory committee—the former board did a lot of programming approval and didn't spend much time on the strategic direction of the post-secondary system. This advisory committee is intended to think about the strategic direction of the post-secondary

system, inclusive of students, 'including' of—inclusive of faculty and, of course, of all those who have a stake in the future of our educational system. It's a minimum of five, not limited to five and, therefore, I expect to have the best and the brightest of Manitoba's community on board to talk and think and work together for the benefit of students here in Manitoba. But thanks for coming here tonight.

\* (19:30)

**Mr. Fleisher:** In response to that, Mr. Allum and—Mr. Minister Allum, I do really appreciate the sincerity there.

And my recommendation stands true, that we legislate and we clearly articulate who is on this advisory committee. I understand that there have been issues in the past with COPSE in that sense, and as a former COPSE chair, I know that you understand this better than anyone here. Therefore, I would recommend, and I hope—my hope is that the committee chooses to re-examine this bill—but my hope is that we set a clear criteria of who that—who constitutes membership of this committee, as well as enshrining them in that sense. Because, as I mentioned before, we're fortunate to have ministers currently who are open to our suggestions, but we need to make sure that that act and that ability is enshrined for future generations.

**Mr. Gerrard:** You had mentioned the importance of putting, you know, in legislation, something about the council having regular meetings with students?

**Floor Comment:** Yes.

**Mr. Gerrard:** Okay. Tell me, sort of, how often and what you would put in legislation if you were to write it.

**Mr. Fleisher:** Is a tough question, because, you know, we'd love to have a monthly meeting with you folks, but I think a fair estimate would be a quarterly meeting. But to clarify—

**Madam Chairperson:** Mr. Ewasko—oh, Mr. Fleisher.

**Mr. Fleisher:** But to clarify, that's not the position of the Canadian Federation of Students at this current time, but it's just my personal opinion.

**Mr. Ewasko:** And thank you, Mr. Fleisher, for coming and giving your presentation today, as well.

You did mention how, you know, you're very much appreciative of the minister's department having these open-door policies for being able to

come in and have conversations with him and for him to hear your questions and concerns and that.

So, with that, have you had a chance to actually sit down with the minister and talk to him specifically about Bill 63? And did he consult with, you know, with yourself, as upcoming chairperson of the Canadian federation for students or on the board of regents that you were sitting on as well?

**Mr. Fleisher:** I can only speak to the board of regents' aspect of it, because I was a full-time student during the last year and was not intrinsically involved or heavily involved with the activities of the federation in that sense, so I wouldn't have been at any meetings. But my—I would say that the answer is the same as Mr. Johnstone had—would have answered, as well, in that we weren't consulted directly.

**Madam Chairperson:** Thank you very much for your presentation this evening.

I would now call on Rorie McLeod, and it is listed incorrectly on your sheet of paper. Mr. McLeod is with the University of Winnipeg Students' Association.

You may proceed with your presentation

**Mr. Rorie McLeod Arnould (University of Winnipeg Students' Association):** Well, good evening. I face the rather unenviable task of being the 11th person to say roughly the same thing to you. So I'll try not to reiterate any of the points that have been previously made, but highlight some particular ways in which I feel that, as the president of the student association, our organization might be somewhat marginalized by this legislation.

I'd like to reiterate, before I do that, the points made by Bilan Arte are, you know, seminal to this conversation. This legislation should be expanded to protect both international students and students pursuing professional programs.

We around this table and this NDP government acknowledges the fact that public education is a public good, that we are here not only for ourselves but for the betterment of our communities. One of the best ways we can ensure that all citizens, whether they come from marginalized economic backgrounds, privileged economic backgrounds, northern communities or southern communities, are able to access our institutions, is by fully funding them.

I'm perfectly aware that this government has increased the funding for post-secondary education twofold. Since the 1999 levels, when this government took office, to today, we've seen an extraordinary increase, and we're thankful for that. We think that an increase to fully funded education has been the standard position of the Canadian Federation of Students—would be a trend-setting position for the country, but for this province and for the people around this table, we could really set the benchmark. So that is what we're looking at when we talk about affordability for post-secondary institutions.

To shift a little bit, I want to talk about the ways that I think that the student associations would be affected. One of the facts that's been raised by Zach and others is that student associations have representations on the board of regents and the senate at their respective institutions. I myself sit on the board of regents as well as the senate executive at the University of Winnipeg. The issue that I think has been raised—and I know that this has perhaps been disputed by Minister Allum—whether or not this actually removes agency from board of regents or academic governing bodies. But, in our opinion, it comes very close to doing that. And the issue that it raises for us is that that is the only body with which we have agency to intimately and directly affect the course of our institutions. We use those seats to direct not only the institutional direction but also how programmings are formulated.

Recently, the student association at the University of Winnipeg has proposed an indigenous requirement, which would mandate all students to take some form of indigenous studies before they graduated. Now, if programs were determined by the minister's office, or at least if they had veto power by the minister's office, we would not be in a position to do that. Now, something tells me that this bill was drafted for the government in question, but I must say that while we enjoy a great relationship with this government, while we have been satisfied with the level of consultation by this government, we know that that is not always going to be the case. It certainly was not always the case throughout the 1990s.

So how could we fix that? Well, first of all, I would echo Zach's point: representation on the advisory body is critical. Five members is not enough. If we can, hopefully, put forward student reps, legislated student reps, on that, that would ideal for us. And, secondly, is that I think while this

process is great, I'm going to anticipate Mr. Ewasko's question, which is that, no, we haven't been consulted on this and, yes, we would love to sit and talk about it. Well, we have sat in a room with Minister Allum many times in the past two months; we were a little bit concerned at some of the wording in this legislation, and we'd love an opportunity to talk about it further.

So, if you have any questions, I'd be happy to take it now.

**Mr. Allum:** Well, Mr. McLeod, I am thrilled that you're here tonight, and, again, like your predecessor, is a very articulate presentation.

As I—you heard my comment about the advisory committee before, on the program approval piece that's come up a few times tonight. That will be established in—through regulation and will be done in collaboration and consultation with each of the institutions. It will be designed to protect their interests and protect programming interests of each of the universities. There is no intention to compromise the responsibilities in historic and traditional roles of senates. In fact, what we're trying to do is streamline the system to remove a lot of the red tape and a lot of the busy work association—associated with the program approval process formally under the Council on Post-Secondary Education.

You know, you—we've had the chance to speak on a number of occasions, and I don't expect that to stop at all. The advisory—membership of the advisory committee is still to be determined, but I think you can be confident in knowing that there'll be student representation on that committee. Thank you for coming tonight.

**Mr. Ewasko:** Thank you, Mr. McLeod, for coming and giving your presentation tonight, and I thank you for answering my well-thought-out question ahead of time as far as whether you were consulted or not.

What is your opinion as far as for the University of Winnipeg Students' Association on the point that the minister's put into the bill on duplication of programs and services where he has—he will have the right to take a good look at those programs and possibly add or subtract some of those duplication of services that are throughout our various post-secondary institutions in this wonderful province of ours?

**Mr. McLeod Arnould:** It's an excellent question. I think that it's not as simple as being good or bad.

There—the bill contains language around the duplication of services, and I think that there's a legitimate point to be made that we may not want to duplicate two programs at two different institutions in exact same fashion. I can imagine some of my colleagues at the University of Winnipeg disagreeing with that heartily, but I think that, from an efficiency perspective, there may be a point where we want to generate some streamlining of students to one school or another, but what I think is really key is that we don't want to define certain schools as teaching schools and other students as research schools. And I don't think that's the intention of the bill here. The University of Winnipeg students are fortunate enough to enjoy a diversity of options.

\* (19:40)

I know that Dr. Mavis Reimer has done an excellent job at the university providing really unique and interesting forms of graduate programs to differentiate themselves from the programs currently taught at the University of Manitoba.

And so I anticipate that it's probably in the best interest of everybody to ensure that we're not teaching the exact same thing at different institutions, and I believe that COPSE has already spoken on this matter.

I, myself, you know, I'm all for efficiency, I'm all for finding solutions, but I'm—and I'm pretty confident that we'll be able to do that in a matter that works for all institutions, even small ones, as we move forward.

**Mr. Gerrard:** Yes, thank you, Rorie, for your presentation.

One of the things that you said was that our association might be marginalized by this legislation. And I think that what you're talking about is the fact that you have some input in terms of what happens at the University of Winnipeg, and you're sort of feeling that the power may be shifting to the advisory council and the minister and that you might have less input. Is that what you're trying to say? *[interjection]*

**Madam Chairperson:** Mr. McLeod.

**Mr. McLeod Arnould:** Thanks. Part of my job is to imagine the dystopic. We anticipate the possible consequences of legislation.

I'm anticipating, as colleagues before me have, an advisory council dominated by business interests 15, 20 years down the line, not in the next two or three years, of course. But I'm anticipating that—

and that's something that we have seen become pre-eminent across the country—we've seen post-secondary education become increasingly dominated by those willing to pony up the cash and create a school in their own name. And, while that's fine in some respects, in other respects it compromises the integrity of the academic mission.

I think my particular point was in reference to the fact that we are allowed to vote on, to reject, to voice our concerns to things at a local level, and some of those decisions are best preserved at the local level.

**Madam Chairperson:** Thank you. Seeing as we are almost out of time, we appreciate very much your presentation this evening.

I will now call on Lauren MacLean from the Red River College Students' Association.

You can proceed with your presentation.

**Ms. Lauren MacLean (Red River College Students' Association):** Thank you. And good evening everybody. I'm Lauren MacLean. I'm the president of the Red River College Students' Association, and that's who I'm here representing today, as college students from Red River.

So I saw this bill on Friday when my exec team met with Jon Gerrard and it was brought to our attention. So the—my comments about this bill are coming from—comparing it to the COPSE act that is still in force, as well as The Colleges Act and The Degree Granting Act, and a few other acts that I've had the pleasure of reading.

So a couple comments, and the one would be that this bill does not seem like a vast improvement over the COPSE act. In fact, it seems like a lot of sections of the COPSE act copied and pasted in a different order to make it appear different with a couple of additions. And I would like to go through the comments that we have for them and different amendments that we would propose in a little bit more technical fashion.

The first one being that we went through, and there seems to be a division between parts of the bills that reference colleges and universities and parts that reference just universities. In the original COPSE act that is—still in force—is that it says that it takes ownership and it takes responsibility for The Colleges Act. This amendment does not. It does not say that. It doesn't actually reference The Colleges Act at all, Bill 63. And so that is, kind of, it creates a

question in our mind as to where will the colleges end up. It's just parallel? Is it separate? That's something that we just have a question about. And so in this, if you look at the definitions at the beginning for a tuition fee, it defines tuition fee in respect to the university. Now comparing that to The Colleges Act, it also doesn't necessarily define explicitly what a tuition fee is for colleges, in my reading. So that was just a concern that we had.

Next concern would be at section 2.4 for the mandates, that has been brought up by a lot of people presenting tonight, and, in this particular section as well, we see the words that the minister may. The word "may" seems to pop up a lot in this bill. And where I see may, I also see may not.

And, if there's a choice, the legislation has a lot of latitude, and I can see that while a minister who has the bright and sunny outlook and has that idea, that for a real strong vision for post-secondary, the may, may be enforced. But, if the minister in power does not have that same outlook, the may not, may be enforced. And that's something that I have a really hard time grappling with.

The developing a mandate is new from what I've read in the COPSE act and The Colleges Act and that kind of thing, and, in my opinion, it's bad economics. I'm a business student and an accounting major, so the business is always the first thing in my mind, and, when I think of private business, the government getting into the mandate of a business is not a good thing. It's reducing your free market; it's reducing the true economics of it. And whether that limits the academic thing as well, I think, also is limiting to institutions.

And the—so they should be able to—the institutions should be able to continue creating their own mandate for their own institution, and the Province should be there to be build the bridges between the institutions by facilitating ease of credit transfers.

I'm thinking of an example such as the Alberta credit transfer system. Online it has a really great ease of access for students to be able to go and empower their own education and to see which institutions will help that get that education.

Also, what works for one institution doesn't work for all the institutions, and I see that it's going to be happen and consult with all the institutions—in consultation with all the institutions, and I'm very happy to hear that. I just want to echo that point that it doesn't—it's not a one-size-fits-all job.

I would now like to point your attention to section 2.6 of the bill. And I think the problem—or the question that we had about this is that the wording in section 2.6(a) is that you must have regard for the respective autonomy of educational institutions. Now this is purely a wording issue that can result in several interpretations, and that is the educational institutions. The definitions—there is not definition in this bill for educational institutions.

If we look at The Colleges Act, institution is defined as—or an institution is defined as a university, college or institution that receives a grant under section 2.7(1). I believe that is from the colleges—27.1, I believe it's from The Colleges Act. And, if you looked at The Degree Granting Act, institution is defined as a assembly of natural persons, a corporation or a partnership. And those are vastly different definitions, and so where does this act fall on that?

If we're saying that we must have regard for the respect of autonomy of educational institutions the way this bill is worded, we must have a regard for the respect of autonomy of nothing, and that's alarming to me because it's—there is a lot of ambiguity there and that's something that I'd greatly like to see clarified in a very big way.

Again, if you look at part b there's another may there. A little bit of discomfort there from the students over here. Will not interfere with is a much more positive wording that I would be super behind—that we will not interfere with the basic right of a university or college to formulate and so on and so forth.

The next point that I would like to bring up is section 10.3 through 10.5; those are relating to course-related fees. In my reading, this is almost identical to what's in the COPSE act, and it is in my—in the students' association's opinion, inadequate. If you look at our friends in Alberta, in the past year or two they have seen increases of over 700 per cent on their course-related or ancillary fees, and all the students there were left reeling, trying to pay for this when it was rather unexpected for a year gap.

And, when we brought to this COPSE in September, their response was don't worry about it, we've got that one, we make sure all the institutions can prove this. You know, accounting student, I really like my policy. I really like to make sure that things such as fee increases are regulated, tuition fee increases are already regulated—awesome job on that. To make this regulated as well, there has been no

improvement from what I can read here—looking at this objectively. That's what I'd like say there: No improvement.

Get to the next section. And the next section I'd like to mention is section 10.9; that is the guidelines for specialized degree programs. This is, again, a language issue. You'll notice that it says the minister may in consultation with the universities dot, dot, dot.

Talking about degree programs, Red River College also offers degrees, and to say that you will only consult with the universities about specialized degree programs is leaving Red River College out of the table. As a student, again, it's just a language thing, but, in the future, should any other colleges get degree granting privileges, this bill would also prevent them from being at that table in the future.

\* (19:50)

On to the next one. I would just like to point out as well in section 10.9(3) is part (e), it says if the program is one with high graduation rate—and now we're talking about the guidelines to report on specialized degree approvals and that kind of thing—in order to approve your higher tuition rate is the way I'm reading this, is that you—high graduation rate and one with an average income earned by graduates is sufficient to pay back the debt. This, again, is using the wrong measures of success, in my opinion, and the students' association's opinion, to measure whether or not it's acceptable to pay back your debt. Using something as an employment rate post-grad in Manitoba is a much more effective measure of success for students and the ability to pay back that. Average income afterwards is moderately subjective, and looking at the graduation rate—and actually the graduation rate says nothing about whether or not they have an ability to pay it back after they graduate. It simply says, yoo-hoo, you made it through school. You can go out into the real world now and that's it. If you look at the graduation—or the post-graduate employment rate, it gives us a lot better picture of who's getting employed and therefore has money to pay back the government.

And I then would like to move on to my next amendment that I would propose. This is talking about the advisory committee, section 10.11—

**Madam Chairperson:** Excuse me. You have one minute left for your presentation.

Thank you.

**Ms. MacLean:** Okay, I'm pretty sure this is my last one.

All right. This one is that, if you look at the wording—again, another may in here: the committee may, at the minister's request, if they so choose, advise the minister on points (a), (b), (c), (d). These points do not line up, in my reading, to the COPSE act right now, and they don't seem to line up with the spirit of the bill. It's kind of something else going on over here that does influence what goes on with administering credit—or transfer of money and credit transfers and that kind of thing, but it's not a direct advisory thing, which makes the minister still the main, sole person on this with his own staff to be advised on this. In the students' association's opinion, we're looking for a bill that helps all students in Manitoba registered today and in the future because, as I'm acutely aware in my own job representing students, the decisions we make today will affect many students in years to come, and that having the trust in a whole committee as opposed to one minister is something that we can buy into a lot more than just the one point of contact to make many, many, many, many decisions.

**Madam Chairperson:** Thank you, very much.

**Mr. Allum:** Well, Ms. MacLean, you could not have done any better as the final presenter for the evening. I think you did a really terrific job. A few points of clarification for you only. The announcement on COPSE's roll into—to the department occurred on, with the budget, on March 6th, so it's—it hasn't been a surprise. I'm sorry that you didn't really realize that until Dr. Gerrard brought it to your attention.

Colleges aren't currently covered by the tuition legislation and never have been, so nothing's changed in that regard and, of course, the act doesn't reference The Colleges Act. The Colleges Act remains in force just as it always has and always will be.

So, from those points of view, you know, we—what we're trying to making sure is that your education and those of your colleagues at Red River remain one where you get a quality education that's also affordable and where there's no wrong door for you, so that there are credit articulation agreements between our institutions to ensure that no door is closed to you and that you can go on and develop the kind of profession and the kind of career that you want to, so you can stay here and raise a family and have a good life here in Manitoba.

So I thank you for your observations tonight. It's been nice to meet you before and I look forward to more discussions in the future.

**Mr. Gerrard:** Thanks, Lauren. You made the observation that in Alberta it's very easy to transfer credits and that it would be desirable to have a similar situation here.

Do you think that the fact that COPSE has been there has been an impediment and that this will actually make a difference, or do you think that it's other factors which are probably more important and Alberta has moved ahead?

**Ms. MacLean:** As a student, I like the Alberta system because it allows me as a student to empower my own education and to find my own routes to finishing my education, and that's the only comment that I was trying to make there. Whether or not you actually can easily credit your—transfer your credits, I haven't had experience in, so that was just the ease of being able to use it and it interfaces there.

From what I have seen as a student in the past three or four years in this—in the system, I guess you could say, is inaction on as—on a provincial level to facilitate credit transfers. It's still at an institution-to-institution level, which is good, but it makes it very hard, as a student, for me trying to figure out what my best place is in the educational system, to find my education. And that's what makes it very, very difficult, and I think that's a great opportunity for the advanced education and literacy department to step in there and really take that initiative.

**Mr. Ewasko:** Thanks, Ms. MacLean, for coming and giving your presentation today. Very insightful and very—evidence of your critical thinking, even though this—you just saw this bill on Friday. You've brought forward quite a few glaring points that our—that maybe the minister's department will take a look at from your student association's point of view.

And so, with that, I thank you again for coming out tonight and doing a great job.

**Madam Chairperson:** Thank you very much for your presentation.

\* \* \*

**Madam Chairperson:** We now have—on Bill 23, I would like to call Darcy Penner's name again. He dropped to the bottom of the list, so I am calling Mr. Darcy Penner. Mr. Darcy Penner? He will be removed from the list.

That concludes the list of presenters I have before me. Are there any other persons in attendance who wish to make a presentation?

Seeing none, that concludes public presentations.

In what order does the committee wish to proceed with clause-by-clause consideration of these bills?

**An Honourable Member:** As they are listed.

**Madam Chairperson:** As they are listed? *[Agreed]*

**Bill 23—The Cooperative Housing Strategy Act**  
*(Continued)*

**Madam Chairperson:** Thank you. So we will proceed with Bill 23.

Does the minister responsible for Bill 23 have an opening statement?

**Hon. Peter Bjornson (Minister of Housing and Community Development):** Yes. Thank you, Madam Chair. A brief statement regarding Bill 23.

In November of last year, this legislation was introduced to establish a legal mandate for the government to develop and implement and monitor co-operative housing strategy to promote, stimulate, and sustain co-operative housing in Manitoba. And, by introducing this act, Manitoba is the first province in Canada to develop a legislative requirement for a co-operative housing strategy, and we believe that there's certainly untapped potential in a variety of types of housing co-operatives appealing to individuals and families in Manitoba, in addition to the non-profit model that has served Manitobans well. There are equity and limited equity housing co-ops that can be found in other jurisdictions. We're now seeing these models starting to emerge here.

This is a unique and exciting development because housing co-operatives offer a unique set of advantages to their members, such as increased resident participation and control relative to a conventional rental, land lease, or condo. It offers affordable ownership opportunities and opportunities to serve on a board or a volunteer committee.

So this act will create a statutory framework to guide activities that will support the development of the segment of the housing market over time, with particular emphasis on sector diversification and support for innovative financial and governance models.

Since I've become Minister of Housing and Community Development, I've had several productive meetings with the volunteers and leaders who are working to establish housing co-ops in their communities, and it's an inspiration to see the people come together under the co-operative banner in order to make positive change in their communities in the face of the challenging housing market realities facing many Canadians today.

So, Madam Chair, The Cooperative Housing Strategy Act recognizes the participatory nature of the co-operative sector, which is why consultation about the strategy with housing co-operative members, co-operative sector representatives, and others is required under this act, and the legislation commits the government to developing a co-operative housing strategy that will aspire to support the diversification of the sector through a range of co-operative housing types, promote the model to populations seeking housing options, and better serve the individuals and families who wish to live co-operatively and improve housing choices in Manitoba communities.

And that concludes my statement. Thank you.

**Madam Chairperson:** Does the critic from the official opposition have an opening statement?

\* (20:00)

**Mrs. Bonnie Mitchelson (River East):** Thank you very much, Madam Chair, and I look forward to some interesting times ahead. It appears that after 14 years, the government is now legislating itself to do public consultations around a housing strategy, which, to me, seems passing strange, given that we have heard several presentations from bills in the Department of Education tonight that indicate that the government has done absolutely no consultation with any of the stakeholders before introducing a significant piece of legislation—or significant pieces of legislation that will certainly impact both students and academics and those that run our universities and our colleges. And so I'm hearing a government speaking out of both sides of their mouth tonight when I hear one minister talking about legislating his department to do public consultations on a strategy around housing when there's been absolutely no consultation, and we heard it from presenter after presenter tonight that the Department of Education has no respect for those that are within the education system.

So I—with those few comments, I'm prepared to move ahead with clause by clause of a bill that really, quite frankly, I question because I don't understand why the government has to legislate a public consultation process. Governments should be able to do that, and is expected, quite frankly, to do that on a regular basis. It's not something that needs legislation. So—but I do look forward to going clause by clause through the bill.

**Madam Chairperson:** During the consideration of a bill, the table of contents, the preamble, 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*]

We will now proceed to clause-by-clause consideration of the bills.

Bill 23.

Clauses 1 and 2—pass; clause 3—pass.

Shall clause 4 pass?

**An Honourable Member:** No.

**Madam Chairperson:** Mr. Bjornson.

**Mr. Bjornson:** I do have an amendment that I'm proposing to clause 4, and I'll put it on the record.

I move

*THAT Clause 4 of the Bill be amended by replacing everything after the principle "Consultation" with the following:*

**Cooperative Advantage:** To promote cooperative housing, it is necessary to profile the advantages of the member and community benefits specific to housing cooperatives, a distinct type of housing.

**Diversification:** To stimulate the cooperative housing sector, it is necessary to diversify the sector to include a variety of financial and organizational models for cooperative housing, such as

(a) residential housing provided by housing cooperatives on a not for profit basis;

(b) residential housing provided by housing cooperatives on a for profit basis, including on the basis of full, limited or shared equity member participation; and

(c) residential housing provided by housing cooperatives with multiple classes of membership shares and a diverse membership base.

**Innovation:** To sustain the cooperative housing sector, it is necessary to increase public awareness of

(a) the variety of financial and organizational models for cooperative housing; and

(b) innovative uses of cooperative housing to fulfill housing needs, such as the need for workforce, student or urban housing.

**Madam Chairperson:** It has been moved by Minister Bjornson

*THAT Clause 4 of the Bill be amended by replacing everything after the principle "Consultation" with the following:*

**Cooperative Advantage—**

**An Honourable Member:** Dispense.

**Madam Chairperson:** The amendment is in order.

The floor is open for questions.

Is the committee ready for the—oh, Mr. Caldwell.

**Mr. Drew Caldwell (Brandon East):** I'd like to thank the minister for the amendments. Very, very important amendment.

In my home community in Brandon, the Western Manitoba seniors housing co-operative just completed a 55-plus-55-unit co-operative housing project in Brandon for seniors. It's the largest such project ever undertaken in Brandon, and it's been very successful, and this sort of amendment would help facilitate and give guidance to further development in the co-operative sector. So I'd like to thank the minister for the amendments. It will be very well received in Brandon.

**Madam Chairperson:** Amendment—pass.

Shall clause 4 pass as amended?

**An Honourable Member:** No.

**Madam Chairperson:** Mrs. Mitchelson.

**Mrs. Mitchelson:** I move

*THAT Clause 4 of the Bill be amended by adding the following at the end:*

**Measurable Outcomes:** The strategy must contain quantifiable outcomes and goals so that the activities that are implemented to promote, stimulate and sustain cooperative housing can be objectively evaluated, and any changes needed to improve the strategy's effectiveness can be made in a timely manner.

**Madam Chairperson:** It has been moved by Mrs. Mitchelson

*That Clause 4 of the Bill be amended by adding the following at the end:*

**Measurable—**

**Some Honourable Members:** Dispense.

**Madam Chairperson:** The amendment is in order.

The floor is open for questions.

**Mr. Bjornson:** I thank the member for bringing it to the table, but if you look at section 9(1), it does talk about the need to prepare a report on the progress made and activities undertaken in relation to implementing the strategy in the previous year, so I don't think that this particular amendment would be necessary.

**Mrs. Mitchelson:** But I would beg to differ with the minister. A report to the Legislature does not necessarily include measurable outcomes. What's the value for the dollars that we've invested and what has positive impacts that we see on the housing market as a result of the strategy being implemented? So I believe it's something that strengthens the bill and does hold government accountable for the strategy that it's implementing.

**Madam Chairperson:** Is the committee ready for the question?

**Some Honourable Members:** Question.

**Madam Chairperson:** Shall Clause 4 as amended pass?

**Some Honourable Members:** Yes.

**Some Honourable Members:** No.

#### Voice Vote

**Madam Chairperson:** All those in favour of the amendment, please say aye.

**Some Honourable Members:** Aye.

**Madam Chairperson:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**Madam Chairperson:** In my opinion, the Ayes—Nays have it.

\* \* \*

**Madam Chairperson:** Clause 4 as amended—pass; clauses 5 through 7—pass.

Shall clauses 8 through 12 pass?

**An Honourable Member:** No.

**Madam Chairperson:** Mr. Bjornson.

**Mr. Bjornson:** I would like to move an amendment

*THAT Clause 8 of the Bill be amended by adding "and that it includes information about various types of cooperative housing and information about how to establish and govern housing cooperatives" after "website".*

**Motion presented.**

**Madam Chairperson:** The amendment is in order.

The floor is open for questions.

**Some Honourable Members:** Question.

**Madam Chairperson:** Question.

Amendment—pass; clause 8 as amended—pass; clauses 9 through 12—pass; table of contents—pass; enacting clause—pass; title—pass. Bill as amended be reported.

\* (20:10)

#### Bill 37—The Public Schools Amendment Act (Connecting Schools to the Internet)

*(Continued)*

**Madam Chairperson:** Does the minister responsible for Bill 37 have an opening statement?

**Hon. James Allum (Minister of Education and Advanced Learning):** Just very quickly, Madam Chair, the bill provides school boards with the opportunity to enter into cost-sharing agreements that they—for the provision of Internet schools to services. This is an authority that they currently don't have and it's something that I've been told as minister since the first point that I got my appointment that would be very well received.

**Madam Chairperson:** Thank you.

Does the critic from the official opposition have an opening statement?

**Mr. Wayne Ewasko (Lac du Bonnet):** And I would concur with the minister that I think that this bill is going to be openly accepted, to about a third of the school divisions, though, within the province, because I think when the minister will take a good look at all of the divisions throughout the province, I think a third have already moved in this direction or have access to broadband and—or Internet services. And I think there's about a third that this bill is actually going to be able to help. And then there's a third that this bill is not going to be able to help whatsoever. So it is interesting that he is publicizing this bill, as far as, you know, helping all public schools, but, in fact, you know, really, it's one third of the school divisions or schools within those school divisions are going to benefit from this bill. And I think there's more work that needs to be done yet, so thank you, Madam Chair.

**Madam Chairperson:** Clause 1—pass.

Shall clause 2 pass?

**Some Honourable Members:** Pass.

**An Honourable Member:** No.

**Madam Chairperson:** No? So clause 1 was accordingly passed. Now we're on clause 2.

**Mr. Ewasko:** I move

*THAT Clause 2 of the Bill be amended in the proposed section 73.1(1) by striking out "With the approval of the minister, a" and substituting "A".*

**Madam Chairperson:** It has been moved by Mr. Ewasko

*THAT Clause 2 of the Bill be amended in the proposed subsection 73.1(1) by striking out "With the approval of the minister, a" and substituting "A".*

The amendment is in order. The floor is open for questions.

Question? Is the committee ready for the question?

**Some Honourable Members:** Question.

**Madam Chairperson:** The question before the committee is as follows: Shall the amendment pass?

**Some Honourable Members:** Yes.

**Some Honourable Members:** No.

### Voice Vote

**Madam Chairperson:** All those in favour of the amendment, please say aye.

**Some Honourable Members:** Aye.

**Madam Chairperson:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**Madam Chairperson:** In my opinion, the Nays have it.

In my opinion—or, sorry, excuse me—the amendment is accordingly defeated.

\* \* \*

**Madam Chairperson:** Clause 2—pass; clause 3—pass; enacting clause—pass; title—pass. Bill be reported.

### Bill 58—The Manitoba Institute of Trades and Technology Act (Continued)

**Madam Chairperson:** Does the minister responsible for Bill 58 have an opening statement?

**Hon. James Allum (Minister of Education and Advanced Learning):** Madam Chair, this bill seeks to provide a new and innovative type of educational institution here in Manitoba by becoming a hybrid to serve both high school and post-secondary students. The great advantage of the Manitoba Institute of Trades and Technology will be to be agile, be able to serve the community province-wide and ensure that students get the kind of education they need to go on and get a good job here in Manitoba.

**Madam Chairperson:** Thank you.

Does the critic from the official opposition have an opening statement?

**Mr. Wayne Ewasko (Lac du Bonnet):** With the name change of Winnipeg Technical College to Manitoba Institute of Trades and Technology, I see that there's some bodies or stakeholders that possibly was not consulted with on this change, and there is some factors within the bill that I see, you know, possibly inhibiting those students that participated in other school divisions from participating as they had in the past. So I would like to see, in addition to an amendment that we're bringing forward, the minister go back before third reading and have a consultation

with those people or stakeholders that were maybe left out of the consultation process.

**Madam Chairperson:** We thank the member.

Clauses 1 and 2—pass; clause 3—pass.

Shall clause 4 pass?

**Mr. Ewasko:** I'm proposing the amendment to Bill 58

*THAT Clause 4(5) of the Bill be struck out.*

**Motion presented.**

**Madam Chairperson:** The amendment is in order. The floor is open for questions.

**Mr. Ewasko:** The reason why we are proposing to strike clause 4(5) out of the bill is that 4(5) states that even though—in 4(3) it states that "Each board member is to be appointed for a term of not more than five years", and then clause 4(4) states that two terms only—"A board member is eligible to serve no more than two consecutive terms", and clause 4(5), which was in the bill, which I'm proposing to strike out, states that "A board member continues to hold office until he or she is re-appointed, the appointment is revoked or a successor is appointed."

I feel that the first two previous clauses, 4(3) and 4(4), cover that and stipulates a turnover of board members. So, with that, that's why I'm proposing the amendment.

**Madam Chairperson:** Shall the amendment pass?

**Some Honourable Members:** Yes.

**An Honourable Member:** No.

**Voice Vote**

**Madam Chairperson:** All those in favour of the amendment, please say A—

**Some Honourable Members:** Aye.

**Madam Chairperson:** —aye.

All those in—opposed, please say nay.

**Some Honourable Members:** Nay.

**Madam Chairperson:** In my opinion, the Nays have it.

The amendment is accordingly defeated.

\* \* \*

**Madam Chairperson:** Clause 4—pass; clauses 5 and 6—pass; clauses 7 through 9—pass; clauses 10

through 13—pass; clauses 14 through 17—pass; clauses 18 through 20—pass; clause 21—pass; clauses 22 through 24—pass; clauses 25 through 29—pass; clauses 30 and 31—pass; table of contents—pass; preamble—pass; enacting clause—pass; title—pass. Bill be reported.

\* (20:20)

**Bill 63—The Advanced Education Administration  
Amendment and Council on  
Post-Secondary Education Repeal Act  
(Continued)**

**Madam Chairperson:** Does the minister responsible for Bill 63 have an opening statement?

**Hon. James Allum (Minister of Education and Advanced Learning):** The—this bill seeks to repeal the Council on Post-Secondary Education with the direct intent to develop a co-ordinated and integrated post-secondary education system. The bill contemplates and says quite clearly that it respects the autonomy of the—of each of the post-secondary institutions here in Manitoba, and we will continue to do so. Moreover, the bill seeks to provide energy around credit transfer arrangements between universities and colleges so that there are no wrong doors for students going forward. It protects student affordability around tuition and around fees, and it is intended to continue the government of Manitoba's intention to provide a quality, accessible and affordable post-secondary education system here in Manitoba.

**Madam Chairperson:** Does the critic from the official opposition have an opening statement?

**Mr. Wayne Ewasko (Lac du Bonnet):** I do.

Looking at the—at Bill 63 and listening to the presentations today, it seems that there was no consultations in regards to Bill 63 that is—that was supposed to be happening in regards to taking the council on post-secondary and moving it right into the department. It seems that there are various clauses within the bill that is giving the minister quite the degree of power over said post-secondary institutions in the province in regards to programs and various other courses and that that are taught throughout the province. And I don't believe that taking some of those grassroot-initiated programs, the powers, those experts in those fields taking them out of the loop is appropriate, and I think I heard very loud and clear that there is many, many amendments that have been proposed by those

institutions that, again, did not necessarily get a voice and they're being affected directly.

So, with that, I'm hoping that the minister is going to listen to those bodies that—or those people that showed up today to give presentations to the committee tonight, and I look forward to him accepting the amendments that I bring forward.

**Madam Chairperson:** We thank the member.

Due to the structure of this bill, the Chair would like to propose the following order of consideration for the committee's consideration.

With the understanding that we may stop at any point where members have questions or wish to propose amendments, I propose that we call the bill in the following order: schedule A, pages 2 through 19, called in blocks conforming to pages; schedule B, pages 20 through 22, called in blocks conforming to the pages; bill clauses, page 1, called in a block conforming to the page; the enacting clause, page 1; the bill title.

Is that agreed as an appropriate order of consideration for Bill 63? [*Agreed*]

We will begin with schedule 1, pages 2 through 19, clause 1 and 2—pass; clause 3—pass; clauses 4 and 5—pass; clauses 6 through 8—pass.

Shall clauses 9 and 10 pass?

**Some Honourable Members:** Pass.

**Some Honourable Members:** No.

**Madam Chairperson:** Shall clause 9 pass?

**Some Honourable Members:** Pass.

**Madam Chairperson:** Shall clause 10 pass?

**Some Honourable Members:** Pass.

**Some Honourable Members:** No.

**Madam Chairperson:** Great, so clause 9 is accordingly passed.

**Mr. Ewasko:** I propose the amendment to Bill 63

*THAT Clause 10 of the Bill be amended in the proposed subsection 10.8(1) by striking out everything after "must not exceed" and substituting "the tuition fee for the program for the previous academic year as adjusted by the change, if greater than zero, in the consumer price index as calculated in accordance with the following formula, rounded to one decimal place:*

$$\% \text{ change} = 100 \times (A - B)/B$$

In this formula,

A is the average of the 12 monthly consumer price indexes for the 12-month period ending on December 31 of the calendar year before the academic year for which the tuition fee increase is being calculated begins;

B is the average of the 12 monthly consumer price indexes for the 12-month period preceding the 12-month period described in A."

**Madam Chairperson:** It has been moved by Mr. Ewasko

*THAT Clause 10 of the Bill be amended in the proposed subsection—*

**An Honourable Member:** Dispense.

**Madam Chairperson:** The amendment is in order.

The floor is open for questions.

Committee ready for the question?

**Some Honourable Members:** Question.

**Madam Chairperson:** Shall the amendment pass?

**An Honourable Members:** Aye—

**Some Honourable Members:** No.

**An Honourable Member:** —or yes.

#### Voice Vote

**Madam Chairperson:** All those in favour of the amendment, please say aye.

**Some Honourable Members:** Aye.

**Madam Chairperson:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**Madam Chairperson:** In my opinion, the Nays have it.

The amendment is accordingly defeated.

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**Madam Chairperson:** Clause 10—pass.

Shall clause 11 pass?

**Some Honourable Members:** Pass.

**An Honourable Member:** No.

**Madam Chairperson:** Mr. Ewasko.

**Mr. Ewasko:** I propose amendment to Bill 63

*THAT Clause 11 of the Bill be amended by striking out the proposed subsection 10.11(6).*

***Motion presented.***

**Madam Chairperson:** The amendment is in order.

The floor is open for questions.

**Mr. Ewasko:** As I had mentioned in the previous bill, I feel that a couple clauses in regards to stating that a advisory committee in regards to terms seems to be fine, but then when we get to as far as the appointment continues in clause 10.11(6), "After a member's term expires, the member continues to hold office until he or she is re-appointed, the appointment is revoked or a successor is appointed", again, I just see that this is being redundant. And once the member's term expires, there should have been some sort of succession planning or something along those lines for a reappointment and that the member, after the couple terms, should not continue.

**Madam Chairperson:** Shall the amendment pass?

**Some Honourable Members:** No.

**Voice Vote**

**Madam Chairperson:** All those in favour of the amendment—[*interjection*] Well, obviously, my hearing is better than yours.

All those in favour of the amendment, please say aye.

**Some Honourable Members:** Aye.

**Madam Chairperson:** All those opposed, please say nay.

**Some Honourable Members:** Nay.

**Madam Chairperson:** In my opinion, the Nays have it.

The amendment is accordingly defeated.

\* \* \*

**Madam Chairperson:** Clause 11—pass; clauses 12 and 13—pass; clauses 14 and 15—pass.

We will now consider schedule B, pages 20 through 22, clauses 1 through 3—pass; clauses 4 and 5—pass.

We will now consider the bill clauses, page 1, clauses 1 through 3—pass.

We will now consider the remaining items in the bill, page 1, enacting clause—pass; title—pass. Bill be reported.

That concludes the business before the committee.

The hour being 8:28, what is the will of the committee?

**Some Honourable Members:** Committee rise.

**Madam Chairperson:** Thank you. Committee rises.

**COMMITTEE ROSE AT:** 8:28 p.m.

**WRITTEN SUBMISSIONS**

Re: Bill 58

Esteemed Members of the Standing Committee on Social and Economic Development:

On behalf of the Governing Board, staff and students of Winnipeg Technical College, thank you for the opportunity to make a submission regarding Bill 58, The Manitoba Institute of Trades and Technology Act.

The Manitoba Institute of Trades and Technology Act will establish Winnipeg Technical College as M.I.T.T. – a unique institution in Manitoba; a standalone hybrid organization that will provide both secondary and post-secondary skills training under one roof.

Under the new legislation, M.I.T.T. will have the capability to act as both a school division and a post secondary institution. It will be able to attract and support those students in Manitoba and beyond that have a passion and desire to move forward with vocational education and ultimately with a career in technology and the trades. Bill 58 will allow M.I.T.T. to offer provincially-recognized Senior Years Technology Education Program diplomas, post-secondary certification and diplomas, as well as Apprenticeship training. A focus on laddering, articulation, and job placement will open doors to great jobs and higher education for students.

Students will experience a seamless transition: From high school through post-secondary trades and technical training, directly into jobs in their field of study, or on to higher education with our institutional partners. Dual credits earned while in high school will be applied towards post-secondary certification and ultimately diplomas and degrees. Significantly enhanced co-op placements and practicums with industry partners will provide essential job experience that will give students a significant advantage. Graduates of M.I.T.T. will be well positioned to enter the workforce, or if they choose, take advantage of pathways to college diplomas, Red Seal certification and applied degrees.

For example, a high school student with a keen interest in information technology chooses M.I.T.T. to begin a pathway towards a Network and Computer Technology Certificate. In grade 11, she attends M.I.T.T. full time to simultaneously complete her academic compulsory credits plus the required Network and Computer Technology core credits. While in grade 12, the student chooses to specialize in either the Micro Computer Systems stream or Network Systems Administration stream. Upon graduation, she has not only earned her high school diploma, she has received a Network and Computer Technology Certificate and is qualified to work in the IT field. In addition, she will have completed up to seven courses, nearly 50% of the credit hours required to complete the Network Security Diploma Program in partnership with the University of Winnipeg. When the remaining required credits are completed towards the Network Security Diploma, the student may then choose to go on to an applied degree program at a partner institution, leading to a career in IT Management.

As evidenced by the above example, one of the greatest benefits of the new legislation will be the fact that high school students will be able to complete up to one full year of post-secondary programming thus reducing significant costs to the student. The labour market also benefits from the access to graduates at an earlier stage.

It is important to note that the Manitoba Institute of Trades and Technology Act will benefit domestic and international secondary and post-secondary students. By offering Provincially-recognized certificates and diplomas, M.I.T.T. will be better able to attract international students to its programs, adding to the strength and cultural diversity of Manitoba's workforce.

Most notably, Bill 58 enhances M.I.T.T.'s ability to partner with First Nations, Metis, and Inuit communities and people, organizations, and businesses, to attract Aboriginal students and develop new training to meet their distinct needs. For example, programs such as the recently announced Northern Trades Training Program will provide excellent opportunities for Aboriginal, Metis, and Inuit students from Northern Manitoba to not only train for well-paying, high-demand jobs in the trades at M.I.T.T. and partner institutions, but also to work in their home communities in the North.

The new legislation will also allow M.I.T.T. to greatly strengthen long established relationships

with Pembina Trails and Louis Riel school divisions. M.I.T.T. will remain the principal provider of technical and trades training for Pembina Trails School Division, and will offer enhanced programming and new opportunities for their students. In addition, M.I.T.T. will expand its partnership with the Division scolaire franco-manitobane and forge new relationships with divisions all across the Province.

Bill 58 also allows the new M.I.T.T. to reinforce and improve on our partnerships with post-secondary institutions in Manitoba. The legislation has received very favourable response among partners such as Red River College, Assiniboine Community College, University College of the North, University of Winnipeg, and the University of Manitoba as it opens the door to more students moving into further post-secondary education. There is great excitement around the potential for MOUs and articulation agreements, which will bridge students into apprenticeship, diploma, and degree programs at these institutions.

Under the legislation, M.I.T.T. will work closely with industry partners to develop new and innovative programming based on the labour market and the specific needs of employers. The value of training directly linked to industry needs is immeasurable. As the Province works toward its goal of training 75,000 new workers, M.I.T.T. will be a key player in achieving this goal by delivering just-in-time training for the jobs of the future. Stackable credentials will give students the flexibility to earn a certification, enter the workforce and return as needed for additional education and advanced credentials, as demonstrated by the example of the student completing the Network and Computer Technology Program. Students will gain experience and knowledge while advancing into higher paying jobs, and employers will benefit from the job skills their employees acquire at M.I.T.T.

The same premise can be applied to a program such as Industrial Welding. Upon graduation, students will have earned a high school diploma, an Industrial Welding certificate from M.I.T.T., and achieved their level one Apprenticeship accreditation, better preparing them to enter the workforce. Alternately or in the future, an individual may choose to complete level two and three Apprenticeship at an institution such as Assiniboine Community College, leading to Red Seal certification.

In closing, the new Manitoba Institute of Trades and Technology will offer a practical choice for students pursuing trades and technical training. From short term certificate programs to two year diploma programs, high school Apprenticeship options, and pathways to Red Seal certification and applied degrees, the options at M.I.T.T. are diverse. Students will benefit greatly from M.I.T.T.'s strong partnerships with educational institutions, industry, and government, its firm understanding of the needs of the labour market, and its high quality, rigorous academic programming. Ultimately, students will be exceptionally well positioned for continuous learning, advanced training, maximum earnings and fulfilling careers. The Manitoba Institute of Trades and Technology Act is an effective approach that is advantageous not only to students and employers, but also to secondary and post-secondary partners, and to all Manitobans across the Province.

Thank you,

Paul Holden,  
President & CEO  
Winnipeg Technical College

Re: Bill 63

On behalf of the Council of Presidents of Universities in Manitoba (COPUM), I would like to take this opportunity to raise a couple of points of concern with Bill 63 as currently drafted. While we understand the need to make improvements to the post-secondary system, and feel that the movement of the functions of the Council on Post-Secondary Education into government may be helpful in this regard, it is important that this is balanced with the need to respect and protect the autonomy of universities to operate.

When the Province introduced Bill 2 - The Protecting Affordability for University Students Act (Amendment to The Council on Post-Secondary Education Act) in June 2012, it included a commitment to provide universities with an annual funding plan that would include a three-year forecast of the grants COPSE proposes to make to universities for operating purposes, a provision that was an important factor in our institutions' support of Bill 2. Bill 63 repeals this section of The Council on Post-Secondary Education Act, which is of concern. When Bill 2 was introduced in 2012, the commitment to the universities in Manitoba was that we would be given a longer-term funding forecast

that would allow institutions to properly plan for the future. The absence of the language from section 18 of The Council on Post-Secondary Education Act in Bill 63 is of concern and COPUM would like to see this included in Bill 63. Providing for a multi-year commitment for funding is a very important element in ensuring that universities can engage in effective, longer-term planning to ensure that our students' and communities' interests are best served.

I would also like to raise concerns with clause 9.7(1) of Bill 63. While this is similar to clause 14.2 of The Council on Post-Secondary Education Act, it greatly extends the powers of the Minister of Education and Advanced Learning beyond what was the authority of the Council. As currently written, clause 9.7(1) would give the minister control over a university or college establishing, making significant modifications to, or ceasing to provide a program of study, a service or a facility, even if such programs, services facilities are funded by sources beyond those provided by the provincial government. This provision is far stronger than the current language in The Council on Post-Secondary Education Act. This is of concern to COPUM as we view this as an infringement on our autonomy. We would therefore ask that Bill 63 be amended to remain consistent with current legislation and limit the authority of the Minister to provincial funding. This is of particular importance as our institutions are called upon to develop new services, facilities and revenue streams to support our work that are outside of the grants provided by government.

On behalf of COPUM, I would like to thank the committee in advance for its consideration in adopting these amendments.

Sincerely,

David T. Barnard, Ph.D.  
Chair, Council of Presidents of Universities in Manitoba

Re: Bill 63

Bill 63 is of great importance to the 3700 graduate students at the University of Manitoba. The process we experienced earlier this month with the Council on Post Secondary Education (COPSE) on the University of Manitoba's proposal to increase continuing fees for graduate students highlighted areas for improvement. COPSE in its current form doesn't legislate consultation with students. It was only at the request of Minister Allum that the

Faculty of Graduate Studies consulted the UMGSA. Graduate students rallied opposition within the week designated to respond to a complex fee issue that would have negatively impacted many students. If the Minister did not share his public support for the University to withdraw its proposal, graduate students would still be fighting this proposal. There are issues with the COPSE process, but we also see issues with Bill 63.

1. We are concerned that Bill 63 gives the Minister powers that COPSE did not have and essentially gives a government office control over the academic programming of the university (i.e. Section 2(4) mandate).
2. We recommend on-going, proactive and meaningful student representation in issues that impact students and the University of Manitoba through government structures.
- a. Bill 63 doesn't mention the make up of the proposed Education Advisory Committee. The Advisory Committee should have student representation and have designated power, not just advisory capacity at the Minister's

discretion. They should be required to publicly state their recommendations to increase transparency and accountability.

3. Clarification is needed in regards to how proposed efficiencies and centralization of decision-making, specialized degree programs, and differential fees mentioned in Bill 63 could impact quality, affordable education. There is a need to clearly define the scope of these definitions and regulate fee increases to maintain affordability for all students.

Thank you for considering our concerns that relate to autonomy, meaningful, student participation and accountability of both the government and university. We are committed to affordable and quality education in Manitoba and are prepared to work with you on this issue in the future. Please let me know if you have any questions.

Thank you kindly,

Laura Rempel  
 President  
 University of Manitoba Graduate Students'  
 Association (UMGSA).

The Legislative Assembly of Manitoba Debates and Proceedings  
are also available on the Internet at the following address:

**<http://www.gov.mb.ca/legislature/hansard/index.html>**