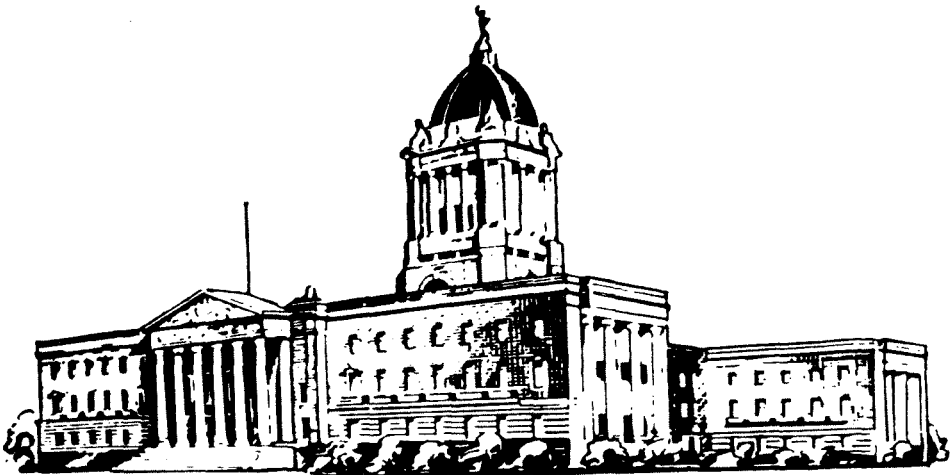




Fourth Session — Thirty-First Legislature
of the
Legislative Assembly of Manitoba
STANDING COMMITTEE
ON
PRIVILEGES AND ELECTIONS

29 Elizabeth II

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The Honourable Harry E. Graham
Speaker*



THURSDAY, 10 JULY, 1980, 8:00 p.m.

MANITOBA LEGISLATIVE ASSEMBLY
Thirty - First Legislature

Members, Constituencies and Political Affiliation

Name	Constituency	Party
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LEGISLATIVE ASSEMBLY OF MANITOBA
THE STANDING COMMITTEE ON PRIVILEGES AND ELECTIONS
Thursday, 10 July, 1980

Time 8:00 p.m.

CHAIRMAN Mr. J. Wally McKenzie (Roblin).

MR. CHAIRMAN: We have a quorum. We're dealing with two bills in committee tonight, sir, Bill No. 19, the Education Administration Act and Bill No. 99, An Act to amend The Teachers' Pensions Act.

BILL NO. 99
AN ACT TO AMEND
THE TEACHERS' PENSIONS ACT

MR. CHAIRMAN: I have one presentation before me on Bill No. 99, Mr. Gordon. Are there any other people in the room tonight who would like to make a presentation to the committee? I guess not. Proceed Mr. Gordon.

MR. W.R. GORDON: Thank you, Mr. Chairman. I am Mr. Gordon, the general secretary of the Teachers' Society and I am here in support of Bill 99. The provisions of this bill are the result of consultation and discussion between the government and the Teachers' Society. The bill incorporates all the matters that were agreed upon by the parties and these are being supported by the membership.

MR. CHAIRMAN: May I interrupt you, do you have a brief or are you just . . .

MR. GORDON: No, I'm just speaking orally.

MR. CHAIRMAN: Thank you. Proceed, Mr. Gordon.

MR. GORDON: The provisions of the bill will make it one of the better Teachers' Pensions Acts in the country, and we would also like to compliment the Minister and the government for the way in which the amendments were brought about through the consultation and through the involvement. If there are any questions, other than that, we support the bill. Thank you.

MR. CHAIRMAN: The Clerk just advises me, Mr. Gordon, and others in the committee that the sound system is new in the room and we'll try it on for size for a few moments and see if everything okay? Proceed. Any questions from the committee for Mr. Gordon? We thank you kindly for your presentation, Mr. Gordon.

MR. GORDON: Thank you.

MR. CHAIRMAN: Members of the committee, do we refer to deal with Bill 19 or 99 or how do we proceed?

MR. LAURENT L. DESJARDINS (St. Boniface): 99.

MR. CHAIRMAN: 99?

MR. DESJARDINS: 99. Page by page.

MR. ABE KOVNATS (Radisson): Mr. Chairman, are we going to be taking our time off the clock on the wall behind you, sir, or are we going to be using some other timing device?

MR. CHAIRMAN: I'm advised by the Clerk that the clock is out two hours there. We'll proceed on the Clerk's time. Okay, page by page, agreed, members of the committee? Page 1 pass; Page 2 pass; Page 3 pass; Page 4 Mr. Brown.

MR. ARNOLD BROWN (Rhineland): Mr. Chairman, I move that Clause (d) in 8(5) be struck out.

MR. CHAIRMAN: Mr. Cosens, could you explain?

HON. KEITH A. COSENS (Gimli): Yes, this applies to two employees who work with the Manitoba Association of School Trustees, Mr. Chairman.

MR. WALDING: Mr. Chairman, a point of order.

MR. CHAIRMAN: A point of order, Mr. Walding?

MR. CHAIRMAN: Mr. Chairman, I believe it's improper to accept a motion that simply deletes something. All that is necessary is for the members to vote against the amendment . . .

MR. CHAIRMAN: Mr. Cosens.

MR. COSENS: Well, that's certainly acceptable to me, Mr. Chairman.

MR. CHAIRMAN: Mr. Brown, would you make the motion then that it be deleted, or Mr. Walding?

MR. WALDING: No. Mr. Chairman, I'm saying you don't need and you shouldn't have an amendment to delete something. I think you all have to do is to call the particular section and . . .

MR. CHAIRMAN: Delete (d).

MR. WALDING: No, shall (d) pass, and those who say yes and those who say no.

MR. CHAIRMAN: Okay, clause by clause. 8(5), page 4, (a) pass; (b) pass; (c) pass; (d) pass . . .

MR. BALKARAN: No.

MR. CHAIRMAN: Page 4 as amended pass; Page 5 pass; Page 6 pass; Page 7 pass; Page 8 pass; Page 9 pass; Page 10 pass; Page 11 pass; Preamble pass; Title pass. Bill be reported pass.

BILL NO. 19
THE EDUCATION ADMINISTRATION ACT

Thursday, 10 July, 1980

MR. CHAIRMAN: Bill No. 19, The Education Administration Act, and we have some amendments to that. Page 1. Mr. Brown.

MR. BROWN: Mr. Chairman, I move that clause 1(g) of Bill 19 be amended by adding thereto at the end thereof the words and figures "but does not include any home or place to which clause 261(b) of The Public Schools Act applies".

MR. CHAIRMAN: We go page by page, Mr. Miller. Maybe our terms of reference of the committee are fairly loose . . .

MR. MILLER: I wasn't aware that you were going page by page.

MR. CHAIRMAN: Well, we've tried, Mr. Miller and . . .

MR. MILLER: Mr. Chairman, I know on 99 . . .

MR. CHAIRMAN: . . . if matters come up that we've over-spiced a couple of pages, we'll go back. It worked quite well last night and I'm sure that members of the committee will not . . . so if Mr. Cosens would explain that clause to the committee I'd be most grateful. 1(g).
Mr. Cosens.

MR. COSENS: Mr. Chairman, it's a matter of clarifying the distinction between the private school and the student who is taught at home.

MR. CHAIRMAN: Page 1 as amended pass. Mr. Walding.

MR. WALDING: Mr. Chairman, we would like you to call 1(d), "field representative". We don't have an amendment but we intended to vote against this particular reference, not so much because of the field representative but because of the powers and responsibilities. Chiefly the powers that are given to this person. We will come across it a little bit later and we wish to show our displeasure against the provisions of this part.

A. MEMBER: Question.

MR. CHAIRMAN: Question. 1(d). All those in favour of the amendment as proposed by Mr. Walding.

MR. WALDING: It is not an amendment. You are calling 1(d), Mr. Chairman.

MR. CHAIRMAN: All those in favour of 1(d) signify by raising your hands.

MR. CLERK: Five.

MR. CHAIRMAN: All those opposed to 1(d).

MR. CLERK: Three.

MR. CHAIRMAN: Then page 1 as amended pass; page 2 Mr. Brown. Oh I'm sorry it's page 3. Mr. Walding.

MR. WALDING: Under 3(2). I wonder if the Minister can explain this clause for us. It's apparently new in the Act; we're not sure quite what is intended.

MR. COSENS: Mr. Chairman, it would seem logical if the Minister of Education is to be empowered with the certification of teachers in this province that he should also have the powers of approval of the programs that lead to that particular certification and this is the substantiation that we have for this particular clause.

MR. WALDING: Can I ask the Minister what is meant by "programs", the first word?

MR. COSENS: This would be the curriculum followed by the teachers in any teacher training program in the province.

MR. WALDING: Is the Minister referring to a particular course, or is it the program as an entity?

MR. COSENS: It's a program, Mr. Chairman, the program of studies, the curriculum that is followed, I suppose that perhaps means different things to different people, but we're looking at the complete program that leads to the certification of teachers in this province, as offered by the different institutions that have teacher training.

MR. WALDING: I'm trying to understand what the Minister is getting at here, whether the present teacher education system at say, University of Manitoba, is one program and as such will be either approved or not approved by the Minister. Will the Minister have the power to approve parts of that and not approve other parts of it?

MR. COSENS: Mr. Chairman, I think Mr. Walding, on occasion, has drawn to our attention the fact that he feels that certain courses should be offered in teacher training, I believe he's alluded to certain courses in special needs or early childhood education. As this clause reads, the Minister would be empowered then to certainly delegate that those programs be mandate.

MR. WALDING: Does that mean that such a course, now we're talking about courses rather than a program, I believe, though I'm not sure.

MR. COSENS: It's a matter of semantics, Mr. Chairman, really.

MR. WALDING: Let's call it a course, at the university, would be necessary for that student teacher to take in order to get his or her certificate or would it simply mean that a particular course in special education if it were to be taught at the university, would have to be approved but it would not necessarily be mandatory in order for the teacher to get the certificate.

MR. COSENS: Well again, Mr. Chairman, we're talking about a degree in education that qualifies the teacher for certification, then a particular course or subject, depending on the terminology that one wishes to use would become part of the requirements for that particular degree.

Thursday, 10 July, 1980

MR. CHAIRMAN: Mr. Walding. I have Mr. Desjardins and then Mr. Miller.
Mr. Desjardins.

MR. DESJARDINS: Mr. Chairman, I understood it first to say that the course, the whole program, would have to be submitted to the Minister, who then might say well I don't approve of this. The Minister in his answer seemed to indicate that there's more than that, that he can say, I want this, (inaudible) . . . I think I'm too involved in partisan politics. Can he tell us in his opinion if that's satisfactory; does that give that right to the Minister, there should be something added in there for the Minister to prescribe courses?

MR. CHAIRMAN: Mr. Desjardins, you are going to have to repeat your question, I apologize.

MR. BALKARAN: I think I get the question, Mr. Chairman.

MR. CHAIRMAN: But it's not in the recording. We got another one here now. I apologize. Proceed, sir.

MR. DESJARDINS: Now I forgot my question. Does this empower the Minister to prescribe a course or just to approve courses and say, well, that's approved, that's not approved. I'm not against it, I just want to make sure that . . .

MR. CHAIRMAN: Mr. Balkaran.

MR. BALKARAN: As I read 3(2), Mr. Chairman, it's a black and white situation. The Minister either approves a program in totality or he rejects it.

MR. DESJARDINS: In totality; he can't just take one part and say, well . . .

MR. BALKARAN: It's a program.

MR. DESJARDINS: Well, it's the same thing. He says, all right, I approve except go on back and bring it back to me with this correction. Right?

MR. BALKARAN: Oh, fine, he can do that, but I don't know that I read 3(2) as saying, look, I want a certain course to be included in this program.

MR. DESJARDINS: Well, that's exactly my question. I don't read it like that either and I'm not against that, but the Minister stated that is something that he can do; and I hope he has this right, because my next question would be, what is his intention exactly on this on the retarded, will there be some kind of a probation? I hope that something will be done to be able to screen these people.

MR. COSENS: Mr. Chairman, again, I would be subject to correction by the legal counsel but I would suggest that if approval was not forthcoming, then the next question is, what is required for us to receive approval, and I would then think it would be incumbent on the Minister to say this would be required for . . .

MR. DESJARDINS: If the Minister is comfortable with that, that's his affair. I don't mind, I think he should have this right but we're preparing an Act now, there is always more than one way to skin a cat. You can say, you're not going to get any money until you do what I say and so on, but the Minister could leave himself subject to accusation of trying to be a dictator of trying to run things if it's not in there. I would much sooner see this change to give this right to the Minister to approve or to what's the word that I said before (Interjection) no, approve is one thing, but then to insist on another course (Interjection) to require. I think it would be clear and then the intention would be . . . I don't care, if the Minister is comfortable with that, as long as he has that right, but I don't like the wording.

MR. COSENS: Mr. Chairman, I think that the word "approval" is all that is required here.

MR. DESJARDINS: Because approval doesn't mean the same thing as saying I want you to have this course, it's not the same thing at all.

MR. CHAIRMAN: Mr. Miller.

MR. MILLER: Mr. Chairman, I have to part company with my colleague for St. Boniface and with the Minister. I think we're embarking on something very unique here, very different. We're going back to the Normal School eliminated quite a number of years ago, where the Minister is it, period. We moved out of the Normal School system for the training of teachers because we felt, I think correctly, that it should be done under the aegis of the university. And here we are saying that the Minister can tell the university you know, you can couch it in any terms you want, he doesn't have to approve, but once he doesn't approve, nothing happens. They keep bringing him back programs until he does approve. He will suggest to them what might get his approval.

I think it's a backward step, particularly in light of the fact that we have before us in this session a number of bills dealing with professional associations. You are going to give the licensed practical nurses authority over the standards of teaching in order to acquire their certification. You're going to give the psychiatric nurses the right, as an association, to determine the standards and the studies, and a definite say in the method of teaching psychiatric nurses in our institutions. You're going to give the registered nurses that kind of control.

What are teachers? Are they not a professional group trained and educated, and we're now saying to them, well, you may have gone to university, you may have got your B.Ed., M.Ed. and your Ph.D. and you're educated at these facilities for teacher training, but now we're just shoving that aside and, henceforth, it will be the Minister who will determine the program of studies. He'll determine the curriculum; he'll determine everything that is being done; and if he doesn't like what the Senate of the university approves in the way of a program of studies for the university, then he is not going to approve that program. Therefore, he will not certify at the end of the line, because that's the whip he holds, certification, that's the one. Without that

certification a teacher can't teach. That's the whip he holds.

I think what we're launching here is a very dangerous thing. I'm just wondering to what extent it has been thought out and I'm wondering whether the MTS has really discussed this matter in detail with the Minister and how the University of Manitoba feels about it, or Brandon, any other teacher training institution.

MR. COSENS: Mr. Chairman, I don't have the severe reservations that Mr. Miller has in this case, I think we're looking at a situation where the Minister of Education has always had the particular power in this province to certify teachers. Mr. Miller then is saying that in spite of the fact that he has that power to certify that he should have no jurisdiction over what leads to that certification, and that the government of the day should have no power to that certification. I don't see the same connection between this particular clause and the reference that he's making to certain professional bills which, in fact, are not law in this province as yet, and whether they will be or will be law in the form that he describes or not is another question, that will be decided, I suppose, by this Legislature. I don't anticipate the dire consequences that he speaks of at all. I'm rather surprised to hear that he has this severe reservation.

MR. MILLER: The autonomy of the university is something that has been talked about for many years and there have been many arguments, pro and con, but one thing we have respected in this province is the autonomy of the university. Frankly, I recognize that the Minister does indeed certify, but what he certifies is that a teacher has passed a program of studies deemed by a senate of a university and a faculty of a university to prepare that person for a teaching profession and they have granted a degree. And the Minister then certifies that that is acceptable. There is different stress now, different stress. The Minister could always have withheld certification I suppose, in theory, but he'd be darn careful not to. Not only darn careful, he'd be afraid not to because he'd have to tackle the universities.

Well now we're putting into very plain language that unless the Minister approves the program of studies, then that certification will not take place and therefore the teacher will not get the certificate. They may complete a program of study that the university offers but it doesn't lead anywhere. The Minister therefore is taking on to himself, frankly, an authority and a whip and an influence by one man which I think he shouldn't want, and I think is very dangerous. As I say, we moved away many years ago from the normal school because it was felt that it was not a good idea that the Department of Education be the training ground for teachers. This is a sort of backward way of backing into it again. I deplore it, I think it is a mistake, I think it will come back to haunt us.

MR. COSENS: Mr. Chairman, I don't think we have to pursue it at any greater length, I think Mr. Miller is firmly entrenched in his position and as I say, I think he is carrying it to the ultimate extreme. I would not

envisage such dire consequences at all, but I really feel that a government of this province must be responsible to the people it serves as well, and I say to Mr. Miller, that at some time in the future, if the citizens of this province were to say to the government of day, we are not happy with the teacher training that our teachers are receiving at this time, then Mr. Miller is saying that the government can merely throw its hands in the air and say we have no say over that, we merely certify what we receive from those institutions, and I see that almost as perhaps an abdication of responsibility.

MR. MILLER: Mr. Chairman, the Minister's portrayal of events I cannot accept. He knows and I know that the universities are sensitive to how government feels and how the public feel, and if in fact he visualizes a situation where the public of Manitoba says our teacher training institutes are not preparing teachers adequately or properly or what have you, that it isn't a matter where the government simply says, well they're sorry, there's nothing we can do about it. The fact of the matter is that the Department of Education, the Faculty of Education, through the Senate, through the Board of Governors, would soon respond, very soon respond, as they have in the past; very quickly.

I have less concern about that, about the ability to influence the universities that way than to leave it to one man, whether it be this Minister of Education or another Minister of Education. This Minister of Education may feel with all his heart that he would never do anything that would be negative, that would be bad or would hurt anybody, but he's mortal, and when you put something into legislation, it happens, it stays and other people then come in and interpret as they see it in their light.

MR. COSENS: Well, Mr. Miller does not convince me, Mr. Chairman, I still think that this is essential and should exist in the bill.

MR. DESJARDINS: Mr. Chairman, I don't think this is a debate as such, I think if you give your name you don't automatically have to invite the Minister to speak. I don't think he was too anxious to speak. I'm not saying that in criticism but I don't know, you seem to be changing the style today. Now he's pretty well said that he's not going to change his mind and I don't know if there's any point in me saying anything at all.

Well, Mr. Chairman, normally I would have no . . .

MR. CHAIRMAN: I'm at liberty, I'm only the Chairman of the Committee and I'm prepared to go any way the committee wants. If you want me to have a cross debate with the Minister, I'm prepared to . . .

MR. MILLER: On a point of order, Mr. Chairman. I think we were in order, the Minister had something to say, I had something to say, we said it. Speaking through you, we gained the mike and we had a right to say what we said.

Thursday, 10 July, 1980

MR. CHAIRMAN: I will assure you every member will be heard and heard as long as you want to debate, sir.

MR. DESJARDINS: Mr. Chairman, ordinarily I'd have no problem agreeing with Mr. Miller and I know exactly what he means. I don't think there are too many fears, not as far as I'm concerned anyway, that the Minister will start wanting to decide on the course by himself. I'm not that concerned. But for the sake of uniformity, it is true, and the Minister can say we have bills that have not been decided but we heard from three different professional groups the Minister I won't name the minister the Minister is committed to them, and if some people can decide on the education, some groups and other groups and somebody else, I don't think it's a good policy.

But my dilemma is something else and Mr. Miller wasn't here to hear the representation, he was added to this committee, and I would like to see the government, through the Minister, have the right to be able to prescribe certain courses, and I'm referring mostly to make sure that in this case, that the educator, that the teachers, who by the way we're told have been co-operating and would welcome that, would be qualified, would have some training in their course, to be able, for instance, and I'll use this example, to be able to spot a handicapped child and so on.(Interjection) All right, to detect.

I think it is only proper and I understand, by the group making representation, that they have no differences with the teachers society, the teacher would welcome that but didn't receive that much co-operation from the university and I'm not here to damn the university or to take sides, that's not the point. But I would like to see having sympathized with Mr. Miller and knowing that we would want some kind of uniformity, I would like to see a clause, nevertheless, in here, that the government could say, all right, this is something that we want. You remember at the time that the section was proclaimed, to make sure that the handicapped children would receive the training, it wasn't accepted by everybody and it wasn't accepted by the teacher at the time. They were scared of it and this is why it wasn't proclaimed as part of an education. And it might be, if it's not needed, so much the better, but I don't think that a government could say, well, we can't prescribe that, we know it's needed, we think it's needed, we agree with them, we agree with the teachers, but the university doesn't want any part of it. So that is my dilemma. I still would like to see the Minister get the right to be able to say, well, yes, you must incorporate that in our program.

MR. WALDING: Mr. Chairman, it seems we have a range of opinion on this side. The Minister has reminded me that I made the suggestion, I believe it was in his estimates, that courses in teacher training having to do with special education should be mandatory and that the teacher training establishments haven't moved to make it so. I'm not sure whether this particular section is in response to that, but I'm a little uncertain whether this sort of ledge hammer approach is the right way to go. I share, Mr. Miller's concern about the autonomy of

the university and a government seeking these sorts of powers over it.

When I made my suggestion to the Minister, I would have thought that an expression of Ministerial opinion transmitted to the university would probably be enough for that department to react and that(Interjection) I'm not forgetting that the government is the main funder of education for those programs and that a request coming from the Minister in charge of the funds, would probably carry sufficient weight with a sensitive department and enough to make that a mandatory course. So while I have some slight sympathy with this section, I do have severe reservations that Mr. Miller has. I can probably go along with it to see how it intends to work out but I would rather see it taken out of there and have the Minister's opinion transmitted to the people concerned.

MR. BROWN: Mr. Chairman, both Mr. Miller and Mr. Desjardins have said that we are not consistent with the Registered Psychiatric Nurses Acts that we are proposing. If they will have studied those bills, they will see that those standards as set forward in the LPN Act and the Registered Psychiatric Nurses Act, are all subject to the approval of the Lieutenant-Governor-in-Council. I can't see where there is any difference from what . . .

MR. CHAIRMAN: I am having a real problem. If the committee wants me to go that wide-range in debate, I'm prepared. Mr. Brown.

MR. WALDING: We don't object, Mr. Chairman, to the . . .

MR. CHAIRMAN: Proceed, Mr. Brown.

MR. BROWN: Mr. Chairman, this is the point that I was making, that we are consistent over here with what those other Acts are saying, that there is no inconsistency.

MR. CHAIRMAN: Mr. Miller.

MR. MILLER: Mr. Chairman, I don't have a copy of the Act, but later on or tomorrow I'll show the consistency to Mr. Brown privately. It's there. I'm not going to win this argument, so that's it.

MR. CHAIRMAN:pass.

MR. MILLER: Before we pass it, I'd like to add something on there; after the word "Minister" delete the period and add "and shall include training in the detection of learning disabilities".

MR. CHAIRMAN: Mr. Cosens.

MR. COSENS: Mr. Chairman, Mr. Miller is dealing with one aspect of teacher training only. If the clause is talking about programs in total, then there are many things that would have to be delineated here; to pick out one aspect of the training and include it in the bill seems to me would be rather inconsistent.

MR. MILLER: Mr. Chairman, if the feeling is that this should stay, and since there was a concern expressed, it's a general concern today by many

Thursday, 10 July, 1980

many groups, I think the Manitoba Teachers' Society also recognizes it as a weakness within their own training to date, because this was not viewed as a problem and has not been recognized as a problem until recently, then I see nothing wrong with leaving the generality of the first part and then being very specific insofar as an add-on is concerned which indicates that the program of study should therefore include training and detection of learning disabilities. It doesn't detract from the generality of the first part and it zeros in on an aspect which apparently has been brought to the attention of this committee by a number of delegations, not just this last month, but all through the hearings last October and November.

MR. COSENS: Mr. Chairman, once again, I think they would be inconsistent to delineate one particular aspect of the teacher training that leads to teacher certification. Mr. Chairman, we look at the clause, it's talking about programs leading to teacher certification. I don't interpret this as, in any way, invading the autonomy of the university. They would be certainly free to teach whatever programs they wanted, in addition to those leading to teacher certification. That's certainly within their jurisdiction. We would not be telling the university what they could teach, but we would be approving those programs that lead to teacher certification in this province. To delineate out one aspect of it in the bill, to me, Mr. Chairman, would seem to be highly inconsistent.

MR. CHAIRMAN: Mr. Desjardins.

MR. DESJARDINS: Mr. Chairman, I can't see where the Minister feels that is not being consistent. We had a previous bill that we enshrined the rights of these handicapped children. We were impressed, I think the people that appeared before us left a lasting impression on all of us, and we are simply saying here we're not taking anything away from the Minister, anything away from the university but we are saying if you want to be certified, this is one thing that you must do, emphasize the importance that we want equality for all the children and we want to guarantee proper education for all children. I don't think there's anything wrong with that at all. It's just reaffirming a position. We've done it in other Acts, and it doesn't take anything away, any rights from the Minister, it doesn't take any rights from the university. It is just saying from now on, if you want to receive your certification, you must be ready and able, trained, qualified, to teach and to handle all the children in the community. I think that these people have suffered in the past and it seems that, in general, this committee is of one mind to make sure that this is rectified. I think that feeling has crossed party lines. We've enshrined that right just last night, and I can't see why the Minister says that we're inconsistent when we ask that we have the same protection in this clause.

MR. CHAIRMAN: McGill.

HON. EDWARD MCGILL (Brandon West): Mr. Chairman, I'm surprised at the change in direction of Mr. Miller in this whole discussion. He was stating a considerable concern for any kind of control or the

alleged intrusion of the Minister into the autonomy of the university. Now, having decided that he will not prevail in that argument, he turns around and makes a very specific direction to the university in what they are going to teach. I think there is quite a difference here in the present wording, which would give the Minister merely the opportunity to review what the university in their wisdom is deciding the kind of program that they would consider adequate for teachers. Mr. Miller now, after having given up his position on that, turns around and says, well, I think the Minister should tell the university exactly what they are going to teach in one particular area. I think that's inconsistent.

MR. MILLER: Mr. Chairman, I'm glad Mr. McGill brought this up. He's right. I feel very inconsistent, but I'm a very pragmatic fellow. I know I'm not going to win this debate, and since I'm not winning it, I'm putting forward an addition which indicates how far this can go, that the Minister can be very specific in instructing the university if 3(2) passes. My concern, I expressed earlier, that I think the Minister is taking on to himself a fantastic amount of power that has been vested in the university. He's really meddling in something he shouldn't. But if he's meddling, and I'm going to lose that argument, because he's going to meddle, and if he's meddling, then I want to give him direction. I will vote against 3(2) without a doubt, whether I am the only here or not, I'll vote against it, because I think it's wrong. But if it's going to pass, then I'll have this amendment to use this, what I consider is an iniquitous clause, to use that to achieve another purpose, which is the training for teachers to detect emotionally disturbed children while they are very young. I make no apologies for that one.

MR. CHAIRMAN: Any further discussion on this? Mr. Cosens.

MR. COSENS: Mr. Chairman, Mr. Miller has now restricted his amendment even further by saying there should be programs for emotionally disturbed children. Certainly his original amendment, I thought, envisaged more than that.

MR. MILLER: No, I said detection of learning disabilities. That's what I said.

MR. COSENS: Oh, I'm sorry, Mr. Chairman, I thought he said emotionally disturbed . . .

MR. MILLER: I'll give an example of emotionally . . .

MR. COSENS: However, Mr. Chairman, for the reasons I've stated, I can't . . . his amendment.

MR. CHAIRMAN: Any further discussion on the matter before us? This is Section 3, as the proposed amendment was did I have an amendment from . . .

(Jean Coleman started here)

MR. MILLER: No, I want you to call 3(2) first.

Thursday, 10 July, 1980

MR. CHAIRMAN: So then we pass 3(1)(a) pass; 3(2) pass Mr. Miller.

MR. MILLER: Yeas and Nays.

MR. CHAIRMAN: Yeas and Nays. Those in favour of the motion as before the House that 3(2) pass as printed. Those opposed to the Motion please signify. I declare the Motion lost.

4(1) . . .

MR. DESJARDINS: No, he wants to make an amendment.

MR. MILLER: No, Mr. Chairman . . .

MR. CHAIRMAN: Mr. Miller, I apologize.

MR. MILLER: Mr. Chairman, I would now like to amend 3(2) by adding after the word "Minister" . . .

MR. MCGILL: Excuse me, on a point of order. The Chairman said the motion was lost, I thought the motion was won. The motion was passed. I think the record should show that clearly.

MR. CHAIRMAN: Motion carried. I apologize for that. I'm sorry. I apologize for that. Now Mr. Miller.(Interjection)

Call the vote again. Those in favour of the bill as it's printed signify . . .

MR. MILLER: Mr. Chairman, I'm sorry. 3(2) was as printed. I want to amend 3(2), which is now passed, to include the words "and shall include training in detection of learning disabilities".

MR. CHAIRMAN: Any further discussion on Mr. Miller's amendment to 3(2)? All those in favour of the amendment before the committee, please raise your hands and signify.

MR. CLERK: Four.

MR. CHAIRMAN: Those opposed to Mr. Miller's motion please signify by raising your hands.

MR. CLERK: Five.

MR. CHAIRMAN: I declare Mr. Miller's motion lost.

MR. DESJARDINS: It was out of order anyway.

MR. CHAIRMAN: Page 2 pass, as amended; oh, there's no amendment.

MR. DESJARDINS: Do you want another go at it, okay.

MR. CHAIRMAN: Page 3. Mr. Brown.

MR. WALDING: Mr. Chairman, if that amendment is going to be to 4(2) I'd like to ask a couple of questions under 4(1).

MR. CHAIRMAN: Mr. Walding.

MR. WALDING: Mr. Chairman, I'd like to ask the Minister about 4(1)(r), prescribing the standard to be

attained by pupils on entering or leaving any grade or level? I'd like to ask the Minister whether this will be a single standard for all children at any particular level and how such a standard would be arrived at?

MR. COSENS: Mr. Chairman, there are a list of skills, a list of particular content, that are attached to all subject areas, all grade levels in the curriculum. These are standard across the province, although at the same time they envisage and provide for the flexibility of schools going beyond that basic requirement to other studies of enrichment in particular areas as they see fit. The purpose of the particular section that the honourable member refers to, certainly could be envisaged in a particular type of testing program that would provide for a particular standard being required for a student to move from one grade level to another.

MR. WALDING: Mr. Chairman, I think the Minister has anticipated the next question and that was: how will the Minister satisfy himself that those children have reached that certain standard? Can he do that without testing?

MR. COSENS: Well, Mr. Chairman, I would think that a testing program either by the schools or the department, would satisfy that requirement as it does in most educational jurisdictions.

MR. WALDING: Mr. Chairman, the Minister has recently, over the last couple of years that is, instituted some province-wide testing on a random basis; presumably because he was not entirely satisfied that every school division had comparable standards. Now he is suggesting that these standards can be left to school boards. I'd like to ask him is there not some inconsistency here; on the one hand moving toward a random province-wide sample and on the other hand saying that the standard shall be tested for by the individual school division?

MR. COSENS: Mr. Chairman, Mr. Walding, I think, is either misquoting me or putting words in my mouth. The purpose of our testing program was not to test school divisions, it was to test the programs that are existing in the schools of the province, and to help school divisions diagnose the effectiveness of the particular programs that are being offered in the schools, and in particular, to enable the department itself to diagnose how effectively the particular curriculum that is being drafted by curriculum committees within the department, made up of teachers, basically, how effective that particular curriculum is as put into practice in the classrooms.

So to say that our "motive", if I may use that word, although it's not what Mr. Walding used, but he implied there was a motive there, was in some way to check on school divisions is not the intention. The main reason for the testing program was to check on our programs to see how effective they are in providing the skills and particular content that students should be receiving and developing in the educational process.

MR. CHAIRMAN: Mr. Walding.

MR. WALDING: Do I take it then from what the Minister said that the testing involved at each grade level for entering and leaving is to be left for that school division to determine whether the child has reached the standard that the Minister has put down?

MR. COSENS: Yes. At this particular time, Mr. Chairman, that is certainly left to each particular school division.

MR. WALDING: Then I would like to ask the Minister whether the standard would also be set for Grade 1 or for Kindergarten; in other words, for children entering the school system for the first time. In which case, how does he anticipate the school division testing those children to see if they meet the Minister's standard?

MR. COSENS: Mr. Chairman, once again, all school divisions operate from what is basically a common curriculum, again I have indicated there is a great deal of flexibility, and I think there should be, but I also think there should be a basic curriculum on which that flexibility can be built. They all operate under that; they all have a certain standard that they feel students should achieve. That really creates no problem at all. If Mr. Walding is inferring that there is no standard, that school divisions have no distinction between grades at all, that there is no level of achievement that students must attain; then he certainly is not speaking of the system that exists in the province.

MR. WALDING: Mr. Chairman, I am getting a little confused about the Minister's standards and the school board's standard, when he says on the one hand that the school boards now set certain standards. This particular part of the regulation gives the Minister the power to prescribe standards. Maybe I should simply ask whether these standards presently exist?

MR. COSENS: Well, Mr. Chairman, as I have mentioned to Mr. Walding, in the present operation of the schools of this province that is left to the school divisions to determine. What this particular clause envisages, I suppose, is a circumstance where the Department of Education at some time, should it so choose, could provide tests, examinations, that

MACHINE FAILURE.

yes, Mr. Chairman, in the present act, it enables the Minister under 6(1)(10) to make regulations prescribing the standard to be obtained by pupils on entering or leaving any grade in secondary schools and for admission to teacher training . . . this is the actual wording in the present act.

MR. WALDING: Mr. Chairman, the Minister has mentioned secondary schools. I am wondering now whether that provision dates back to the time that there were departmental exams, whether that's how it came about and that's why and where it applied. The Minister is nodding and acquiescing to that. I notice now that he has changed that from secondary to any public school. Do we see in this change an indication that the Minister is moving towards

province-wide testing to meet his standards, which will be at all grade levels throughout primary and secondary schools.

MR. COSENS: Mr. Chairman, I think the honourable member would agree that this act is not going to apply to the present policies and practices, particularly the Department of Education of the day, it is going to exist for a number of years, I would imagine, and there is no way that either Mr. Walding or myself can predict what particular modes or methods of standardization some particular government may decide to utilize in the school system of the province. It is not our intention at the present time to move to the type of examination system that once existed in this province. I say at the present time, Mr. Chairman, two years, three years, four years hence, six years hence, the government of the day, after viewing the situation, may make that particular decision, that that is the policy they wish to follow.

The provision that we have made here in this particular clause is merely to facilitate that particular policy, if a government of that particular day decided that is the direction they wish to follow.

MR. WALDING: Mr. Chairman, any future government wishing to institute a policy presumably will have the majority to pass a change in the act giving it the power so to do, the power to make a regulation in fact, is what it does. But the question I am raising with the Minister, is if this particular power dates back as far as secondary schools is concerned to departmental exams, and we have moved away from that and the Minister now says that he does not want to, does not intend to reinstate those exams, then why do we see this power to make regulation back in the act; not only back in the act, but it is extended to all grades rather than just secondary schools?

If we take the Minister's words at face value, and we do, then surely by his own statement this particular part becomes redundant.

MR. CHAIRMAN: Mr. Desjardins.

MR. DESJARDINS: Mr. Chairman, what does (m) mean, "respecting the operation and business of the bureau," what are we referring to?

MR. COSENS: Mr. Chairman, the Bureau in this particular bill refers to the Manitoba Textbook Bureau.

MR. DESJARDINS: Mr. Chairman, I read the last one (x), "also generally respecting all matters having to do with the education shall just in observation," seems like a hell of a lot of verbiage for nothing. Why don't we just say the Minister can make any regulation respecting all matters having to do with education? There is nothing he can't do if you read this. You'd save a lot of paper.

MR. CHAIRMAN: Mr. Walding.

MR. WALDING: Mr. Chairman, I suspect that this wording was in the old act and has simply been taken from that.

Thursday, 10 July, 1980

MR. CHAIRMAN: Mr. Brown.

MR. BROWN: Mr. Chairman, I move that subsection 4(2) of Bill No. 19, be struck out and the following subsection be substituted therefor: Effect of certification of clinicians, 4(2) a person certified . . .

MACHINE FAILURE.

the Manitoba Teachers' Society Act, but does not have the right or obligation to teach pupils in a classroom.

MR. MCKENZIE: Mr. Cosens, could you explain that amendment?

MR. COSENS: Mr. Chairman, the clause 4(2) as printed does not include the Manitoba Teachers' Society Act and it is essential that that particular Act should be included in this clause. The wording has been changed slightly in certain other places. It doesn't change the intent at all and this particular clause has been requested by the clinicians and the Manitoba Teachers' Society. About one-half of the clinicians that work in the schools of this province, Mr. Chairman, are teachers at this time and have valid teaching certificates.

MR. CHAIRMAN: Mr. Walding.

MR. WALDING: Mr. Chairman, it may be a legal question, but I notice a change in wording. Simply, it deems a clinician to be a teacher. Yet, the wording in the bill talks of the rights, benefits and obligations of a teacher.

MR. BALKARAN: Mr. Chairman, I don't know that it's a significant difference to say that a clinician has all the rights, benefits and obligations of a teacher and to say that he is a teacher with the rights, benefits and obligations that attach to teaching . . .

MR. CHAIRMAN: Mr. Walding.

MR. WALDING: Thank you.

QUESTION put on the amendment, **MOTION passed.**

MR. CHAIRMAN: Page 3, as amended pass; Page 4 Mr. Walding.

MR. WALDING: 4(3), it would appear that regulations can be effective retroactively to a time up to two years in the past. I'm wondering if this is (Interjection) Mr. Chairman, I am being told one year. It would appear, to my reading, that a regulation can be passed in December that would apply back to January 1st of the year preceding, which is two years. I'm wondering if this is not an unusual provision for regulations to be made that far in the past.

MR. COSENS: How do you interpret that?

MR. CHAIRMAN: Mr. Balkaran.

MR. BALKARAN: Mr. Chairman, 4(3) is unchanged from the existing provisions in the previous Act, or the existing Act, and it is limited to regulations with respect to grants, and because it is not always

possible to have the regulation prescribing grants or providing for grants available immediately, sometimes you need retroactive authority to be able to get that money to the proper authority. This is the same as it has been for years.

MR. DESJARDINS: Why didn't you say for a period of 12 months?

MR. CHAIRMAN: Mr. Cosens.

MR. COSENS: Mr. Chairman, I could have Mr. Balkaran carry on with this explanation. I think one of the problems that we face here is that the estimates of a particular year must pass the House so that enough time is allowed for those particular payments to go out to school divisions. Now, I believe this has some bearing on this particular clause.

I understand, Mr. Chairman, that it merely facilitates the payment of the grant moneys that accrue to school divisions in the province. There is nothing unique about it. It's the same wording as was used in the past in this particular area.

MR. CHAIRMAN: Mr. Miller.

MR. MILLER: Mr. Chairman, I gather this is put in so that the Minister can make an announcement with regard to certain moneys to the school divisions past the deadline which they would otherwise have to meet. So that's in order to keep the school boards in the dark until after the deadline passes, and then make the announcement retroactively. That's, I think, the purpose of it. You can be a hero that way.

MR. COSENS: Mr. Chairman, I believe we have just heard from the voice of experience.

MR. CHAIRMAN: Mr. Brown.

MR. BROWN: Mr. Chairman, I move that clauses 5(1)(a) and (b) of Bill 19 be struck out and the following clauses be substituted therefor:

(a) 3 persons nominated by The Manitoba Teachers' Society;

(b) 3 persons nominated by The Manitoba Association of School Trustees.

MR. COSENS: Mr. Chairman, it has been brought to our attention that we had cut back on the number of people on this committee to the point where the representation of the teachers and of the trustees had been limited to a considerable extent, and feel that this amendment will in part remedy that particular situation. It means increasing the size of the committee by two persons, one from The Manitoba Teachers' Society and one from The Manitoba Association of School Trustees.

MR. CHAIRMAN: Page 4, as amended pass Mr. Walding.

MR. WALDING: Mr. Chairman, we had proposed to move an amendment to this section having effect on all four of those subsections.

Mr. Chairman, it has been pointed out to us that the persons nominated by The Association of School Trustees and the Superintendent both represented

Thursday, 10 July, 1980

the management side and out-numbered the teachers' representatives two-to-one. This improves the situation slightly, to five-to-three. The amendment that we would have proposed would have seen an equality there of employer representatives and teachers.

May I just have a couple of minutes here, Mr. Chairman?

MR. CHAIRMAN: Certainly, Mr. Walding.

MR. WALDING: We are prepared to accept the amendment.

MR. CHAIRMAN: Okay, Page 4, as amended . . .

MR. WALDING: No, Mr. Chairman, you have an amendment before you.

MR. CHAIRMAN: 5(1) as amended . . .

MR. WALDING: No, the amendment first. It's the amendment . . .

QUESTION put on the amendment, **MOTION passed.**

MR. WALDING: Having passed that, Mr. Chairman, we now have another amendment to 5(1)(d). The intent of our amendment is to have one representative from the department and no field representative. So it would change "2" to "1" and then delete the words "one of whom shall be a field representative".

MR. CHAIRMAN: Any further discussion? Those in favour of . . .

MR. COSENS: Mr. Chairman, just one minute. Could Mr. Walding go through that again? We don't have it on paper in front of us.

MR. WALDING: Under (d), Mr. Chairman, through you to the Minister, suggests two from the department, one of whom shall be a field representative. We are suggesting that one should be from the department, who is not a field representative.

MR. COSENS: Mr. Chairman, I would be most adamant that the figure "2" be retained in (d), from the department. I would not necessarily be as adamant that one would have to be a field representative, though I really think that is not that significant in this particular situation. If the Minister appoints two people from the department, I suppose if he so wished he could appoint two field representatives, and I wonder about the relevancy of that particular statement in the Act, as it now reads.

MR. WALDING: Mr. Chairman, we were somewhat concerned that a field representative might be the cause of a Certificate Review Committee meeting to hear a particular case and whether it would be the same field representative sitting more or less in judgment of something that he had initiated could be a conflict of interest. In any case, just being a field representative, his sympathies would perhaps tend to go with his colleague, the field representative who had instituted the proceedings in the first place.

If the Minister is suggesting to us that (d) should be changed to "2 from the department, neither of whom should be a field representative", I believe we could accept that.

MR. CHAIRMAN: I don't have that. Are you prepared to make that amendment, sir?

MR. WALDING: Well, I have moved an amendment. The Minister is suggesting that something a little different would be acceptable. I would rather go with a consensus here, than see us going backwards and forwards with amendments.

MR. CHAIRMAN: I am at the mercy of the committee. You have already proposed an amendment, Mr. Walding, now you are changing. Do you want to let that one go first or deal with the latter one?

MR. WALDING: I am speaking to the amendment, Mr. Chairman, and seeking a consensus with the other side.

MR. CHAIRMAN: Would you be kind enough to read that amendment that you proposed into the record, please?

MR. WALDING: The amendment would be to change the figure "2" to the figure "1" and delete the words "one of whom shall be a field representative".

MR. CHAIRMAN: Mr. Cosens.

MR. COSENS: Mr. Chairman, perhaps I could just speak to Mr. Walding's amendment. Certainly I would be most adamant that the figure "2" would have to be retained. I could support two from the department, but that would be the extent of the change that I would see in this particular section. And again, I don't think it has to be stated that "one of whom shall be a field representative".

MR. CHAIRMAN: All those in favour of the amendment as proposed by Mr. Walding, please raise your hands.

MR. DESJARDINS: Wait a minute. I want to know if Mr. Walding is going on with his original amendment or if he has modified it.

MR. WALDING: No, it was the original amendment that I had proposed.

MR. CHAIRMAN: Those in favour of the amendment proposed by Mr. Walding, please raise your hands. Those opposed to the amendment please raise your hands. I declare Mr. Walding's amendment lost.

Mr. Miller.

MR. MILLER: May I move another amendment, Mr. Chairman, to subsection (d); be changed, striking out the words "one of whom shall be a field representative", leaving two from the department, but deleting the requirement that one be a field representative.

Thursday, 10 July, 1980

MR. DESJARDINS: Under duress, mark that down.

MR. COSENS: Mr. Chairman, I would have no problem supporting that.

MR. CHAIRMAN: All those in favour of the amendment proposed by Mr. Miller? (Agreed) Page 4, as amended pass; Page 5 pass Mr. Walding.

MR. WALDING: Well, Mr. Chairman, we come back to our old favourite, 6(2), and there was some discussion on this last night, which was probably out of order. But in attempting to be reasonable, Mr. Chairman, the Minister has pointed out to us that this power to suspend the certificate of a teacher is to apply only in the most extreme cases of emergency, and we had asked questions of delegations appearing before this committee, who should be in a position to recall these sorts of incidents. Perhaps the Minister can give us a specific case when a teacher's certificate was suspended by a field representative or inspector the last time. Could he outline the circumstances involved in the emergency where it was necessary?

MR. COSENS: Mr. Chairman, I think that is a rather personal matter. I would certainly be prepared to discuss that in private with Mr. Walding. It has not happened during my particular jurisdiction. I am informed that it has taken place within the last ten years, in certain instances. I don't have the number but I understand it is very rare, indeed.

MR. WALDING: Mr. Chairman, I recall that we asked The Teachers' Society about it and they could not give us an instance. I believe it was the superintendents, too, that we asked. The general impression that we are getting from people who should be in a position to know is that education has come a long way in the many decades since this was put in, when we concede that it was probably a necessary safeguard. But since that time school divisions have developed and matured. Most divisions have a superintendent and surely that would be part of his responsibility, if it is not the responsibility of the principal in the school to take the necessary steps, in those rare cases of an emergency where this would be the only way to tackle it.

It was further suggested to us that, in the event that it was a principal, himself, that was causing the danger or the emergency in the school, that a school board member would be closer at hand and able to take the necessary action than a field representative who might be hundreds of miles, perhaps, away from that particular area at the time. But perhaps the bigger argument nowadays is the fact that the teachers are professional people. Something like 95 percent of them have one university degree and and I believe figures something like in the 70 percent range have more than one degree.

We are suggesting that this is not an appropriate way to treat teachers, who have a very responsible position and have generally been seen to exercise that responsibility. Not only that, if emergency action is needed, we feel that it should be done by the principal, the superintendent or the school board, who has that immediate authority in that particular

area. So it would be our intent, since we cannot move to delete this section, to vote against it.

MR. CHAIRMAN: May I point out to the committee, and I think there is some of the press here, the bills before us are in both languages tonight.

MR. MILLER: In that case, the Member for St. Boniface can speak in French and you will be able to adjudicate.

MR. DESJARDINS: Mr. Chairman, I would like to challenge now, why are we using the English text? Can you give me an explanation for that?

MR. CHAIRMAN: I could give you, in a brief couple of moments; first of all, we haven't got the transcripts, for certain, in place. I suspect that you will live long enough, and I will, to see it in place.

MR. DESJARDINS: You should live so long.

MR. CHAIRMAN: I think I will; I have no doubts about that. It's something unique in this committee. I have been around the Legislature a long time, and that's why I raised it to the committee that this is the first time that we are dealing with bills, and certainly, we went through all that harangue and debate in the House but I thought I would put it in the record for the future generations and let the province know, and the committee . . .

MR. DESJARDINS: I wish you hadn't. You're practically forcing me to say a few words for posterity also.

MR. CHAIRMAN: You are at liberty, Mr. Desjardins. 6(1), Mr. Walding.

MR. WALDING: No, Mr. Chairman., we passed 6(1).

MR. DESJARDINS: 6(2) we want . . .

MR. CHAIRMAN: 6(2), we're on. Well, we're dealing with it page by page so . . .

MR. DESJARDINS: No, no; we want to vote on 6(2).

MR. MILLER: We want to vote on 6(2).

MR. CHAIRMAN: Oh, I'm sorry; I apologize. 6(1) pass. 6(2) All in favour of 6(2) please reply in the usual manner, by raising your hands. Those that are opposed to 6(2)? I declare the motion carried. Page 5 pass; Page 6 pass.

MR. MILLER: You're trying, Wally. Page by page, one of these moments you're going to succeed.

MR. CHAIRMAN: I must apologize. I have many limitations. Page 7 pass; Page 8 Mr. Walding.

MR. WALDING: Mr. Chairman, we didn't write up an amendment to this. We wanted to speak to this particular section and perhaps see if we cannot, by agreement, get the nominations and appointments here, on a consistent basis, through.

Mr. Chairman, you will notice that, in some cases, a particular organization is required to nominate

persons and, of that number, one or more, or whatever the number is, will be appointed to it. When it comes to the Senate of the University it would seem that the Senate can appoint the member that it wishes; the same for the Senate of Brandon University and the University of Winnipeg. So there is an inconsistency there in the method of appointment and nomination to the Advisory Board.

We note in the next section, 11(2), where a particular organization is required to nominate, they are required to nominate twice as many people as will in fact be appointed. The privilege accorded to the Senate to the universities is not being accorded to the other organizations. We question why that should be in this day and age. It suggests some irresponsibility on the part of those organizations who are required to nominate a certain number, of whom the Minister will pick the two that he wants. Surely the intent should be that if these particular organizations want to have certain members on there they should be able to appoint them, rather than giving the Minister a choice.

So it would be our wish to see this whole section changed so as to be consistent for the various categories of persons appointed to the board.

MR. COSENS: Mr. Chairman, I suppose what we see here is merely a certain tip of the hat, on our part, to tradition. This has traditionally been the way that this committee has been formulated, and it is a longstanding committee in the Department of Education. I believe it has existed for a hundred years, Mr. Miller says, certainly from the very earliest days. I have no particular rationale other than that for the reason that the membership is formulated this way. If we look at the numbers of representatives it may, in part, be explained in that regard, where those who are permitted to appoint really have one representative, when those who nominate have considerably more than one.

MR. WALDING: Mr. Chairman, we have come across several other instances in these two bills where we find that something has been done for many decades past and it has simply been carried on into this Act, but I believe we have also agreed that simply because it has been done before it doesn't necessarily make it right, and the time that we are overhauling both of these Bills, it is a good opportunity to take another look at it and see if it is still reasonable and logical and reasonably fair.

MR. COSENS: Mr. Chairman, this has not created a problem over the years. I received no representation from any of these groups that would suggest that they are dissatisfied with the method of formulation of the committee. It has seemed to work and work quite well.

MR. WALDING: Mr. Chairman, I take the Minister's point. If there have been no changes it would seem to me to be something of a courtesy perhaps that these associations themselves should be in a position to nominate two, three, numbers of persons that they wish, rather than to give the Minister a choice.

MR. COSENS: Again, Mr. Chairman, the only rationale that is apparent to me here is the fact that

those who nominate have a much larger representation on this Committee than those that appoint. Those that appoint have only one representative, whereas those that nominate have three, four.

MR. WALDING: There is some inconsistency here too as to how the representative of the community colleges is selected. Does the Minister do that or do the community colleges have some particular input into how that person is chosen? And the matter of the field representatives too, do they get together in a room and have a vote between the 16 of them as to who should be on it, or again, does the Minister simply appoint the one that he wants?

MR. COSENS: Mr. Chairman, I suppose that would depend on the particular Minister of the day. In my case, I would follow the practice of asking the head of the colleges to suggest or nominate someone for this particular function.

MR. WALDING: I am just reading over to see whether the representative at community colleges is one of two people who are nominated according to 11(2). It would appear that the community colleges can appoint someone directly to it, as the senates of the universities.

MR. COSENS: These are civil servants.

MR. CHAIRMAN: 8 pass Mr. Walding.

MR. WALDING: Mr. Chairman, it is not something that we wanted to make a big fuss about. We have put it forward more or less as a suggestion to see if the Minister could accept it merely on the basis of a suggestion. To ask me to spell it out in legal terms might present a bit of a problem. Mr. Chairman, if you can accept an amendment that says that the method of appointing representatives from each of the associations listed should be on a consistent basis, I will move that amendment.

MR. CHAIRMAN: All those in favour of the amendment? All those opposed to the amendment? I declare the amendment as lost.

Page 8 pass; Page 9 pass; Page 10 pass; Page 11 pass; Preamble pass; Title pass; Mr. Doern.

MR. DOERN: I just wanted to make a brief comment here and ask the Minister if he cared to respond to an advertisement that . . .

MR. MCGILL: Point of order, Mr. Chairman. What section of the Act are we now talking to.

MR. DOERN: We are talking on the Bill be Reported. I am talking now about an advertisement placed in the local Metro One issue in the Elmwood-Kildonan area, Tuesday, June 17th, placed by the River East Teachers Association, which states that in the two Education bills, 31 and 19, now before the Legislature, they list three points that they object to. One is, they say that the Minister has the power to close a school for any reason. Two, that school age children are compelled to attend school, that there is no obligation to provide appropriate programs.

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Thursday, 10 July, 1980

MR. CHAIRMAN: Mr. Doern, do you have copies of that, so that the Committee can deal with it?

MR. DOERN: No, I don't.

MR. CHAIRMAN: Okay, proceed, sir.

MR. DOERN: And finally that parents who wish to appeal against the decision affecting their child can only do so at the Minister's discretion.

These are objections by the River East Teachers' Association. I wonder if the Minister wanted to make a comment vis-a-vis this Bill.

MR. COSENS: Mr. Chairman, just responding to Mr. Doern. We have dealt with the two Bills in some detail and we have dealt with clauses that do relate to some of the matters that he is bringing to our attention. I think that would have been much more appropriate and in order, Mr. Chairman, if those matters had been brought before the Committee at that time. I think the honourable member is bringing them to our attention after the fact.

MR. DOERN: Mr. Chairman, I will then possibly raise them on Third Reading.

MR. CHAIRMAN: Bill be Reported pass. Mr. Cosens.

MR. COSENS: Mr. Chairman, I would merely like to thank you, Sir, and the members of the Committee on both sides of the table for their assistance and the contribution that they have made towards the two Bills. It is appreciated, Mr. Chairman.

MR. CHAIRMAN: Committee rise.



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