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Assemblée législative  
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## **Official Report of Debates (Hansard)**

**Tuesday 9 May 2006**

## **Journal des débats (Hansard)**

**Mardi 9 mai 2006**

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Loi de 2006 modifiant des lois  
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(rendement des élèves)

Chair: Shafiq Qadri  
Clerk: Trevor Day

Président : Shafiq Qadri  
Greffier : Trevor Day

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON  
SOCIAL POLICY**

**COMITÉ PERMANENT DE  
LA POLITIQUE SOCIALE**

Tuesday 9 May 2006

Mardi 9 mai 2006

*The committee met at 1617 in room 151.*

EDUCATION STATUTE LAW  
AMENDMENT ACT  
(STUDENT PERFORMANCE), 2006  
LOI DE 2006 MODIFIANT DES LOIS  
EN CE QUI CONCERNE L'ÉDUCATION  
(RENDEMENT DES ÉLÈVES)

Consideration of Bill 78, An Act to amend the Education Act, the Ontario College of Teachers Act, 1996 and certain other statutes relating to education / Projet de loi 78, Loi modifiant la Loi sur l'éducation, la Loi de 1996 sur l'Ordre des enseignantes et des enseignants de l'Ontario et certaines autres lois se rapportant à l'éducation.

ASSOCIATION DES ENSEIGNANTES  
ET DES ENSEIGNANTS FRANCO-  
ONTARIENS

**Le Président (M. Shafiq Qadri):** Bienvenue, mesdames et messieurs et mes collègues, à cette séance du comité permanent de la politique sociale. Aujourd'hui, nous étudions et examinons le projet de loi 78, Loi modifiant la Loi sur l'éducation. Notre premier présentateur est M. Paul Taillefer, le président de l'Association des enseignantes et des enseignants franco-ontariens.

Monsieur Taillefer et votre collègue, je voudrais vous informer que vous avez un total de 12 minutes pour votre présentation et pour des questions et commentaires de mes collègues. S'il vous plaît, commencez.

**M. Paul Taillefer:** L'Association des enseignantes et des enseignants franco-ontariens est un syndicat qui représente environ 7 000 membres du personnel enseignant, administratif et de soutien professionnel qui travaille au sein de conseils scolaires et pour d'autres employeurs francophones en Ontario. Nous remercions le comité permanent de la politique sociale d'accueillir et de considérer les recommandations de l'AEFO.

Le projet de loi 78 reflète l'objectif du ministère de l'Éducation d'améliorer la réussite des élèves à l'échelle de la province. L'AEFO applaudit les efforts du gouvernement dans ce domaine et est d'avis qu'il est impérieux pour la ministre d'assurer la mise en oeuvre de ce projet de loi.

Le projet comporte plusieurs éléments positifs, entre autres l'ajout de journées pédagogiques, l'augmentation des sièges au conseil de l'Ordre, et le programme d'insertion professionnelle pour le nouveau personnel enseignant. Néanmoins, l'AEFO est d'avis que le projet de loi 78 contient des lacunes importantes et tient à faire part de ses préoccupations face à celles-ci, afin que le gouvernement puisse prendre les moyens nécessaires pour que tous les aspects du projet de loi 78 s'inscrivent dans une optique de respect du professionnalisme des enseignantes et des enseignants, des travailleuses et des travailleurs en éducation, tout en visant l'excellence du système d'éducation de l'Ontario.

Le mémoire est très complet. Je vais passer à travers de certaines choses qui sont importantes pour nous dans le mémoire.

Au niveau des journées pédagogiques, l'ajout de deux journées pédagogiques est certainement un changement positif, mais nous croyons qu'il devrait être bonifié ayant déjà eu pré-1998 neuf journées pédagogiques. Avec toutes les nouvelles initiatives mises en place au cours des dernières années, l'AEFO est d'avis que le calendrier scolaire devrait comporter neuf journées pédagogiques.

Au niveau des travailleurs et des travailleuses qui sont dans les écoles et les conseils scolaires, qui jouent aussi un rôle important dans le rendement des élèves et sur le plan d'une variété de services livrés à l'ensemble de la population étudiante, entre autres les éducatrices, les éducateurs, les secrétaires, les travailleuses sociales, les travailleurs sociaux, les informaticiennes, les informaticiens etc., l'AEFO recommande que les activités organisées dans le cadre des journées pédagogiques ciblent aussi les travailleuses et les travailleurs en éducation, car ils font partie d'un ensemble de personnel qui rend des services importants aux élèves dans nos écoles.

Au niveau du programme d'insertion professionnelle des nouvelles enseignantes et des nouveaux enseignants, la mise en place de ce programme d'insertion professionnelle aura beaucoup de retombées positives pour les débutantes et les débutants, et ils et elles se sentiront appuyés par ce programme de mentorat. Toutefois, il faut assurer le développement d'un programme de mentorat adéquat, ainsi que la formation des membres du personnel enseignant qui assumeront la tâche d'encadrer ces débutantes et les débutants. Il faut donc prévoir un financement adéquat de ce programme de manière à ce que le nouveau membre du personnel enseignant et son mentor puissent tous deux bénéficier de temps à con-

sacrer aux divers volets du programme d'insertion professionnelle dans le cadre de la journée scolaire.

Nous recommandons donc que les lignes directrices de la ministre à cet égard soient explicites à savoir que, premièrement, la participation au programme d'insertion professionnelle à titre de mentor soit strictement volontaire de la part du personnel enseignant; deuxièmement, que le rôle et les responsabilités du mentor ne soient pas reconnus comme ou réputés être une des normes de la profession enseignante, un énoncé de compétence d'une enseignante ou d'un enseignant ou un indicateur de rendement; et troisièmement, que l'on finance ce programme de manière à ce que les responsabilités qui y seraient reliées soient reconnues dans l'assignation de la tâche.

De plus, afin d'assurer le succès de ce programme, nous croyons que le travail d'équipe est important. Nous croyons, au niveau de choix d'activités, les volets du programme d'insertion professionnelle, que ce ne soit pas strictement la direction d'école qui ait le droit de regard sur ceux. À cet effet, nous recommandons de radier l'article 269 et de le remplacer par le texte qui suit :

« La direction d'école, le nouveau membre du personnel enseignant et l'enseignante ou l'enseignant qui assumera le rôle de mentor, décident ensemble à quels volets du programme d'insertion professionnelle le nouveau membre participera, au maximum deux mois après le jour où la nouvelle enseignante ou le nouvel enseignant a commencé à enseigner pour la première fois. »

Cette dernière disposition est en fonction du fait que le programme d'insertion professionnelle est d'un an, alors il est important que cette personne reçoive les appuis le plus tôt possible dans cette année.

L'évaluation du rendement des nouveaux membres doit s'intégrer bien au programme existant. Afin d'assurer un processus d'évaluation juste et équitable qui favorise l'épanouissement professionnel et qui soit à la fois formatif, rassurant et positif, l'AEFO recommande que le gouvernement donne suite aux 11 positions adoptées par consensus par le Groupe de travail mixte sur le système d'évaluation du rendement du personnel enseignant, et vous avez en annexe à notre mémoire une copie de cette position.

L'AEFO est également d'avis qu'il faut maintenir un dialogue constant au sujet du processus d'évaluation du rendement pour assurer que ce processus demeure pertinent et efficace.

Alors, nous recommandons le maintien de la Table de concertation sur le perfectionnement professionnel du personnel enseignant afin de revoir et d'améliorer, sur une base continue, le processus d'évaluation du rendement du personnel enseignant.

Au niveau des sièges à l'Ordre, nous considérons l'augmentation des six sièges réservés au personnel enseignant comme étant une bonne nouvelle. C'est important, nous croyons, d'être majoritaire au sein de notre conseil d'administration. Mais nous estimons aussi que la représentation des francophones devrait être accrue afin de permettre à l'Ordre de mieux remplir son mandat à

l'égard de ses membres francophones et la communauté de langue française. L'ancien ministre de l'Éducation, Gerard Kennedy, avait d'ailleurs annoncé un engagement en ce sens lors du Congrès d'orientation 2006 à l'AEFO en mars dernier.

Alors, nous recommandons qu'un des six nouveaux sièges pour le personnel enseignant au sein du conseil de l'Ordre des enseignantes et des enseignants de l'Ontario soit réservé aux enseignants qui travaillent dans les écoles de langue française.

Aussi, pour que le travail de l'Ordre, au niveau des francophones, se fasse de façon adéquate, nous recommandons qu'au moins quatre membres nommés au sein du conseil de l'Ordre aient la capacité de travailler et en français et en anglais.

Pour ce qui est du mandat, pour assurer qu'il y ait une continuité d'expérience et d'expertise acquise par les membres du conseil, nous recommandons que l'on maintienne à 10 ans la durée maximale du mandat des membres élus du conseil de l'Ordre des enseignantes et des enseignants de l'Ontario.

Nous voulons aussi traiter de la question de la protection contre l'intimidation. Certains de nos membres qui oeuvrent dans les écoles et qui sont membres du conseil d'administration de l'Ordre ne sont pas épaulés de façon adéquate par leur conseil scolaire. Nous croyons qu'il devrait y avoir des protections contre toute forme d'intimidation reliée à cette tâche à l'Ordre. Nous recommandons qu'on s'inspire de la Loi sur les relations de travail de l'Ontario pour prévoir des conséquences pour des employeurs qui ne respectent pas le droit d'une employée ou d'un employé d'exercer des droits que lui confère une loi.

Sur la question de conflit d'intérêts, nous croyons que tous les membres doivent avoir droit, sans égard à leur engagement au sein de leur syndicat, à la participation à l'Ordre des enseignantes et des enseignants. Nous recommandons que le comité de protection de l'intérêt public ne soit pas mis en place car nous croyons qu'il fait essentiellement le même rôle que l'Ordre, et pour éviter toute confusion, nous croyons que c'est une recommandation importante.

Au niveau des règlements, le projet de loi 78 transforme en règlements plusieurs articles importants de la loi actuelle, ce qui accorde au Conseil des ministres de l'Éducation un pouvoir important en ce qui a trait à l'approbation et à la modification desdits règlements. Étant donné qu'il est impossible de prévoir comment ces pouvoirs seront exercés dans le futur, l'AEFO est préoccupée par la possibilité que d'éventuels gouvernements en abusent. Alors, nous recommandons que le projet de loi 78 comprenne une clause garantissant aux divers intervenants en éducation le droit de réagir aux règlements proposés avant leur adoption.

En conclusion, nous croyons que le projet de loi a beaucoup de choses qui seront bénéfiques pour le personnel enseignant, mais comme nous l'avons souligné dans notre mémoire, il y a certainement des choses que nous aimerons que le comité permanent de la politique sociale tienne compte pour améliorer le projet de loi.

**Le Président:** Merci, M. Taillefer, pour votre présentation.

We'll begin with the first question from the PC side.

**M. John O'Toole (Durham):** Excusez-moi. Je ne parle pas français. Very quickly—

**The Chair:** Thirty-five seconds.

**Mr. O'Toole:** Thirty-five seconds. Is my time up yet?

In estimates committee this past week I asked the minister to respond to the funding of the French-language secondary schools within my riding. I have a response; not really encouraging, except that the staff are encouraged to continue to work with the boards to fully realize their plan.

There's sufficient funding in the French-language panel, which you would know was set up when we were government. You'd realize that that's one of the things I think we achieved.

There are really two questions there. Do you recognize that the four panels, French and English, public and separate, were set up by the previous government? Some would criticize that. Secondly—

**The Chair:** Mr. O'Toole, with respect, your questions will have to remain rhetorical for now. I now move it to the NDP side.

1630

**M. Rosario Marchese (Trinity-Spadina):** Bonjour. J'ai juste une question rapide. Vous savez que le gouvernement a décidé de créer un comité de protection de l'intérêt public.

**M. Taillefer:** Oui.

**M. Marchese:** C'est-à-dire que le ministre va nommer au comité de trois à cinq personnes. Quant à moi, c'est un gaspillage d'argent. Que pensez-vous de cela?

**M. Taillefer:** Nous sommes du même avis. L'Ordre, dans sa charte, est un instrument qui oeuvre à l'intérêt du public. Alors, nous ne croyons pas que nous devons dédoubler les choses que fait présentement l'Ordre des enseignantes et des enseignants.

**M. Khalil Ramal (London-Fanshawe):** Merci beaucoup pour votre présentation. Je pense maintenant que la ministre de l'Éducation travaille pour établir un mécanisme spécial pour les élèves et les écoles francophones de l'Ontario. Alors, j'espère que ce sera bientôt.

**M. Taillefer:** Oui. Le comité permanent se réunira je crois pour la première fois le 1<sup>er</sup> juin. Nous avons certainement hâte de siéger au comité pour voir ce que nous pouvons faire ensemble en partenariat pour améliorer le sort de nos élèves et le système d'éducation de langue française.

**Le Président:** Merci, monsieur Taillefer, pour votre contribution aujourd'hui.

ASSOCIATION DES CONSEILLÈRES  
ET DES CONSEILLERS DES  
ÉCOLES PUBLIQUES DE L'ONTARIO

**Le Président:** J'invite maintenant notre prochaine presenture, Louise Pinet, directrice exécutive de l'Association des conseillères et des conseillers des écoles

publiques de l'Ontario. Bienvenue, madame. S'il vous plaît, commencez.

**M<sup>me</sup> Louise Pinet:** Merci, monsieur le Président, membres du comité permanent de la politique sociale, mesdames et messieurs. Au nom des membres de l'Association des conseillères et des conseillers des écoles publiques de l'Ontario, il me fait plaisir de vous présenter aujourd'hui les observations de l'ACÉPO en ce qui a trait au projet de loi 78.

L'ACÉPO représente les conseillères et les conseillers scolaires des quatre conseils scolaires publics de langue française. Lors de leur création en 1998, les conseils publics de langue française accueillent 19,4 % des élèves de langue française de l'Ontario, et en 2005 ils en accueillent 24,6 %. C'est donc dire que nous sommes en croissance.

Quatre conseils scolaires publics de langue française existent pour desservir tout l'Ontario. Ainsi le Conseil scolaire de district du Centre-Sud-Ouest, dont le siège social est à Toronto, couvre une superficie de plus de 68 000 kilomètres carrés, deux fois la taille de la Belgique. Par ailleurs, dans le nord, de grands espaces entre les centres habités ne sont pas inclus dans le territoire reconnu des conseils scolaires, ce qui laisse croire que leur territoire est bien plus petit qu'il ne l'est en réalité.

En Ontario, peuvent inscrire leurs enfants dans les écoles de langue française les parents qui sont citoyens canadiens et qui remplissent une des conditions suivantes : leur première langue apprise et encore comprise est le français; ils ont reçu leur instruction élémentaire en français au Canada; un autre de leurs enfants a reçu ou reçoit son éducation élémentaire ou secondaire en français au Canada.

Ces éléments d'introduction sont intimement liés aux propos qui suivent. En effet, le réseau d'éducation publique en langue française en est à ses débuts en Ontario. Il n'est pas encore pleinement établi dans la province.

Aucun autre système d'éducation n'a de territoires aussi grands à desservir. La population francophone est dispersée, tant dans les villes que dans le milieu rural. Cette réalité rend plus complexe le rôle des conseillères et des conseillers scolaires du système d'éducation publique de langue française, si on le compare à celui des conseillères et des conseillers des trois autres systèmes d'éducation de la province.

Le rôle du conseil scolaire : il est évident que nous partageons avec nos collègues certaines problématiques, tout comme nous partageons avec eux certains succès. Nous convenons avec l'Ontario Public School Boards' Association des observations suivantes.

L'ACÉPO invite la ministre à élucider ce qui la motive à ajouter cet article touchant la divulgation de renseignements.

L'ACÉPO recommande que le projet de loi soit modifié pour prévoir un processus de consultation des conseils scolaires avant que des règlements soient pris en application de l'article 11.1.

Au sujet de l'article 230.7, l'ACÉPO recommande que cet article de la loi, qui donne à la ministre la compétence

exclusive sans possibilité de révision judiciaire ni de contestation devant les tribunaux, soit abrogé afin que les conseils scolaires puissent avoir un droit d'appel, à l'instar des municipalités.

Toujours au sujet de l'article 11.1, l'ACÉPO recommande que les alinéas (3)a) et b) soient modifiés pour préciser qu'il s'agit bien de résultats ciblés et non pas de résultats atteints.

Au sujet de l'article 207(2), l'ACÉPO recommande que le projet de loi soit modifié pour exclure les élèves conseillères et conseillers de toute réunion tenue à huis clos selon le paragraphe 207(2) de la Loi sur l'éducation.

L'ACÉPO recommande que soit retirée du projet de loi l'obligation de consulter les communautés avant d'établir les honoraires. L'impact de cette exigence serait nettement plus ressenti dans les quatre conseils scolaires publics de langue française que dans les autres conseils, à cause de la grandeur du territoire de chaque conseil et à cause de la dispersion des écoles sur chaque territoire.

Il est vrai que les membres de l'ACÉPO apprécient grandement que le projet de loi assure une reconnaissance du travail accompli par les conseillères et les conseillers scolaires durant le présent mandat, en prévoyant une allocation rétroactive.

Il nous semble aussi qu'il serait opportun de préciser dans la loi que les honoraires ne peuvent être modifiés qu'une seule fois durant le mandat.

J'aimerais ajouter un mot au sujet de l'Ordre des enseignantes et des enseignants de l'Ontario. L'ACÉPO recommande que la composition du conseil d'administration de l'Ordre soit modifiée pour reconnaître équitablement le personnel du réseau d'éducation publique de langue française en lui accordant deux sièges au même titre que les trois autres systèmes d'éducation financés par les fonds publics. Seul le système d'éducation public de langue française n'a qu'un siège au conseil d'administration de l'Ordre.

L'ACÉPO recommande que le système d'éducation publique de langue française ait la même représentation que les autres systèmes d'éducation de l'Ontario. Le projet de loi ne fait pas mention de cette situation.

L'ACÉPO recommande que le projet soit modifié pour prévoir un mécanisme de revue par les pairs pour tous les membres de l'Ordre des enseignantes et des enseignants lorsqu'ils font l'objet de mesures disciplinaires. Cette revue devrait être menée dans la langue de leur choix.

L'ACÉPO appuie en principe les modifications proposées à l'Ordre des enseignantes et des enseignants de l'Ontario.

En dernier lieu, l'ACÉPO félicite le gouvernement pour son projet de loi 78. Ce que nous proposons vise à améliorer un projet déjà solide, et l'ACÉPO a hâte de continuer à travailler avec vous dans la réalisation de l'éducation publique en langue française en Ontario.

**Le Président:** Merci, madame Pinet. Nous commençons avec le NPD. Monsieur Marchese, approximativement deux minutes, s'il vous plaît.

**M. Marchese:** Merci, madame Pinet. Une question sur l'article 4. Vous en avez parlé un petit peu. Pour moi

c'est un grand problème, l'introduction de cette section qui parle des règlements concernant les intérêts de la province. C'est la première fois qu'on a vu une telle section qui va centraliser le pouvoir au centre.

Hier, M<sup>me</sup> Annie Kidder a proposé d'éliminer cette section. Les membres libéraux ont suggéré qu'on va avoir des consultations avec je ne sais pas qui, peut-être avec les conseils scolaires ou des autres; je ne sais pas. M<sup>me</sup> Kidder a dit que l'on devrait éliminer la section et, après avoir eu les consultations, de parler de si on a besoin d'avoir une telle section. Oui ou non? Que pensez-vous de ça?

**M<sup>me</sup> Pinet:** En ajoutant cette section, je pense qu'on peut être sur du terrain nébuleux, étant donné que, de toute évidence, les conseils scolaires reçoivent un mandat provincial dans la mise en oeuvre des projets et d'études des écoles et des services.

En ayant quelque chose qui précise les intérêts de la province, est-ce que cela veut dire que, si on adopte des méthodes qui sont différentes de celles proposées par la province pour la mise en oeuvre d'un projet, c'est problématique? Cela dépend, je pense, du détail et de la façon dont cela est interprété.

En ce moment, ça peut être positif comme ça peut être une difficulté, mais on ne sait vraiment pas ce que ça signifie. Autant, cet élément-là devrait être élucidé comme il l'est, par exemple, au niveau du dossier de l'accès à l'information et des demandes d'information sur tout le personnel et sur le service.

1640

**Le Président:** Merci. Maintenant à monsieur Ramal; deux minutes, s'il vous plaît.

**M. Ramal:** Merci beaucoup pour votre présentation. Pourquoi, madame, retirer le projet de loi? Je pense que la ministre a beaucoup consulté avec le peuple de l'Ontario, avec beaucoup d'organisations, spécialement les organisations des francophones de l'Ontario. Vous recommandez retirer ce projet de loi?

**M<sup>me</sup> Pinet:** Non, nous n'avons pas demandé de retirer le projet de loi. Nous avons félicité—

**M. Ramal:** Votre « concern » est qu'il n'y a pas eu beaucoup de consultation sur cette loi?

**M<sup>me</sup> Pinet:** Oui. En fait, il y a eu de la consultation. Il y a aussi eu, je pense, des consultations sur d'autres mécanismes de mise en oeuvre.

Je pense qu'il faut être clair: l'ACÉPO appuie le projet de loi. Il y a des éléments que nous voulons faire préciser. Mais nous sommes carrément derrière ce projet de loi.

**M. Ramal:** Merci.

**The Chair:** Merci, monsieur Ramal. We'll now move to the PC side.

**Mr. O'Toole:** Again I apologize that I don't speak French well enough to dialogue.

Section 10, which amends section 170, talks about the hard cap. I'm aware, specifically with the shortage of French-language schools in my riding—how difficult is the hard cap and the flexibility needed by boards to appropriately size without tripling and quadrupling in

grades? Is this a problem in the classroom? How would you as a trustee respond to that?

**M<sup>me</sup> Pinet:** Dans les écoles de langue française, déjà on a vu des cours quadruples et des cours triples, et cela est problématique. Il est évident que lorsque l'on met un « cap » ou un taux maximum sur les classes—si on dit à ce moment-là que chaque classe dans une école ne doit pas dépasser tel nombre—il faut s'assurer que l'on puisse avoir des classes qui soient moins que 20. Ce n'est pas le maximum qui est le problème, c'est est-ce que toutes les classes doivent avoir 20 élèves?

Si toutes les classes doivent avoir 20 élèves, à ce moment-là on a une très grande difficulté de mise en oeuvre, parce que pour nous ce ne sera pas des classes quadruples que nous aurons, mais nous aurons de six à sept niveaux par classe, et nous retournons carrément presque au temps où la petite école faisait entièrement tous les niveaux dans une seule salle de classe.

**Mr. O'Toole:** That pretty well answers my impression of remote and rural schools, where they're trying to serve a community purpose.

Do you have any particular suggestions for amendments here? Our critic, Frank Klees, is here to make improvements to the bill in sections that we're dealing with. The hard cap we've talked about is the need for flexibility at the board level. I'm hearing that from you. There must be special funding attached, specifically when you have as many grade levels within a teaching—it's very difficult for a teacher to provide proper programming.

**M<sup>me</sup> Pinet:** Je pense qu'il y a peut-être la possibilité d'avoir et de prévoir une certaine flexibilité au niveau du conseil scolaire. Mais il faut absolument que dans la mise en oeuvre on ne pénalise pas les petites écoles tout comme les très grandes écoles, même si nous n'en avons pas, parce qu'on a placé un système où l'on dit, pas plus de tant d'élèves dans une certaine classe.

Une option qui a été envisagée est de prévoir une flexibilité et de s'assurer que l'on puisse avoir des classes de moins que le max, mais cela coûte plus cher. Si on dit qu'on a un maximum de 20—

**The Chair:** Thank you, Mr. O'Toole. Merci, madame Pinet, pour votre temps, votre présence et aussi pour votre contribution aujourd'hui.

#### ONTARIO ENGLISH CATHOLIC TEACHERS' ASSOCIATION

**The Chair:** We'll move now to our next presenter, Ms. Donna Marie Kennedy, provincial president of the Ontario English Catholic Teachers' Association. Ms. Kennedy and colleagues, I respectfully remind you that you have 12 minutes in which to make your presentation, which begins now.

**Ms. Donna Marie Kennedy:** Thank you very much for the opportunity to present today.

First of all, you have our brief. We represent 36,000 women and men who teach in the Catholic school system in the province of Ontario. We have a number of

concerns with the proposed bill. We have concerns with the wide-ranging regulatory powers that will be afforded to the minister if the bill is passed. The checks and balances of Parliament are important to us and public debate about education is important to hear in the House.

OECTA supports local decision-making; we always have. We believe in local autonomy and collective bargaining as well. We feel that Bill 78 moves more and more towards centralized control over education.

One of the big issues for us in this bill of course is the reform of the Ontario College of Teachers. The former Minister of Education indicated his intent to develop regulations to bar local federation representatives from seeking election to the council. We believe that is fundamentally undemocratic and unwarranted, based on the record of councillors. I speak from personal experience as the first chair of the college of teachers. Many federation officers have served in the past. Never has there been any evidence of a conflict of interest or a failure to serve the public interest.

Bargaining and the duty of fair representation rights are held by our provincial organizations and they are not controlled by the locals.

The six new positions designated for teachers on the council is a step in the right direction. However, section 51 of the bill, the oath of office, is unnecessary and redundant. The Ontario College of Teachers Act already dictates that the college has a "duty to serve and protect the public interest."

Section 53, the public interest committee, is without precedent in the province of Ontario and in any other professional body. It is redundant. If the government is speaking about respecting teachers, by establishing this committee it goes against that belief.

Section 52 deals with term limits. Moving to six years from 10 years would be, in our estimation, a grave mistake. We need time for councillors to develop their expertise, their succession planning and allowance for extensions of terms when needed. Already the college council, in its short life, has been extended twice.

We understand that the minister has indicated just recently—I believe yesterday—that there would be peer review for principals and vice-principals. This makes absolutely no sense to us. There is no peer review in any other college. Where does it stop? Then do we have councils of elementary teachers, secondary teachers, librarians and so on? Certainly in any other college, you don't have head nurses dealing with just head nurses. So we see no point in that.

One huge issue for us of course is the new teacher induction program. We were very pleased to see that the OTQT was removed; it was totally ineffective. We would like to see that the bill be amended to ensure that school boards involve local teacher bargaining units in the development of local NTIP plans.

One of the main concerns that we have with this NTIP is the fact that occasional teachers will not have access to the induction programs. That is a serious concern for us and we do hope that is addressed.

We see no point in teacher performance appraisal being a component of NTIP. Mentoring is most effective when it is voluntary and self-directed.

Again, we see no link between NTIP and the college of teachers and see little point in that being recorded at the college. The college does not accredit the NTIP program and we do not understand why that is being reported to the college. There is a disconnect there and we do not see why it is necessary.

We're very pleased to see the restoration of two additional professional development days. It is incredibly important for teachers to have time to discuss with their colleagues both ministry and school board initiatives.

Finally, we welcome the provisions that will ensure reporting on the use of resources by school boards to promote accountability and transparency. That is important for our union, certainly.

We have concerns about adopting and implementing measures in regulation to ensure that school boards achieve student outcomes specified in the regulation. Already there is too much emphasis on testing.

One of the things that we are pleased about is the student trustees; however, we believe that you should broaden the nature of the compensation. The scholarship is too narrow. What happens to those young men and women who are moving directly into the world of work should they choose to sit as a student trustee? So we would ask that that be looked at as well.

I went quickly through that because I did want to give time to questions.

**The Chair:** Thank you very much, Ms. Kennedy. We have a generous amount of time, about two and a half minutes per side, and we begin with the government side.

1650

**Mr. Ted McMeekin (Ancaster–Dundas–Flamborough–Aldershot):** Thanks for your presentation. There's obviously a lot positive in the bill that you like, which I'm pleased to see. I want to pick up on one point, though. I was curious about your reference to being reluctant to swear an oath. I've done a bit of research on this. A number of bodies that regulate professions, including MPPs here at the park, swear an oath to protect the public interest. I'm curious. If you feel it's already clearly happening and there's precedent in many other professional groups for it, why you would be reluctant to do so?

**Ms. Kennedy:** I think it's redundant. When you sit as a member of the council, you do have a duty to uphold the public interest. It's really unnecessary.

**Mr. McMeekin:** The public interest committee—how do you feel about that?

**Ms. Kennedy:** Well, how many oversight committees do you have? It becomes redundant after a while when there's a committee to oversee a committee to oversee a committee. It really should be removed. It's totally unnecessary.

**Mr. McMeekin:** You don't like that?

**Ms. Kennedy:** No.

**Mr. McMeekin:** Okay. That's good. I appreciate that.

**The Chair:** Any further questions?

**Mr. Jeff Leal (Peterborough):** You make comments on the Ontario teacher qualifying test as not being effective. If you could just expand upon that.

**Ms. Kennedy:** First of all, it was unfair. As well, individuals from across the province had to go to different locations, so if you were back home in your own city, you might have to move to another location to take the test. I believe the success rate was 99%. If you ask any young graduate from a faculty of education, they would have told you that it was a total waste of time.

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

**The Chair:** Thirty seconds, Ms. Wynne.

**Ms. Kathleen O. Wynne (Don Valley West):** Just very quickly, I just wanted to make a point on the public interest committee. I think that one of the things we're dealing with, Donna Marie, is perceptions around the education system in general. I just wonder if you could comment on the reality that we're having to almost over-compensate, in terms of public confidence in the sector, because of the previous government's regime. Can you comment on that?

**The Chair:** Madam Kennedy, I would invite you to take that up in a further comment. I'll now move to the PC side. Mr. Klees.

**Mr. Frank Klees (Oak Ridges):** I'm almost tempted to let you answer that question with my time, but I won't go there.

Thank you for your presentation. I'd like to pursue the college of teachers issue, because it is controversial. The fact is that we had a presentation here yesterday by two former registrars who made some very strong statements in terms of what they perceived as a conflict. I asked a question of the current registrar during estimates committee on this issue of classroom teachers on the board. The question I put was, "How many classroom teachers are there on the current college of teachers council?" His response was 13. When I pursued that I asked him to tell me how many of those 13 were actually classroom teachers as most of us would understand it, that is, people actually teaching in the classroom? His response, and I'm reading from the Hansard record, was, "Currently, I have five names who are classroom teachers who actually work directly in a classroom." The others are either defined or are full-time federation appointees who are, in one form or another, working for a teacher union.

This is where the confusion comes in the mind of the public. I think everyone wants—there's no doubt that people want and accept the fact that classroom teachers should have a say in their self-regulatory body, in the same way that doctors and nurses do, but none of the other regulatory bodies have a majority or have their unions overseeing their professional body. We go back to when the college was constituted. You recall well that at that point in time—and that was under the NDP government. It was the Royal Commission on Learning. When the directive came down, the key principle was independence of the council. Here we are now and we see this government wrestling with this, because on the one hand they want to give you whatever you want on this

one because they promised it to you but on the other hand they don't trust you.

**The Chair:** With respect, thank you, Mr. Klees. I will now move it to the NDP side. Again two and a half minutes.

**Mr. Marchese:** Just to pick up on what Ms. Wynne was saying because I think it's a very useful question: She said that the reason they've introduced the public interest committee—I'm paraphrasing I hope correctly—is because of this perception of the educational system in general, meaning possibly a negative perception, so they're overcompensating for the ill generated by the previous government.

I find this committee an egregious waste of bureaucracy. We are broke, we don't have money, yet they will find money to appoint a three- to five-person panel with a bureaucracy because they can't advise the teachers' college without a bureaucracy, I'm assuming, because it's complicated. Do you want to respond to that question and maybe mine, in terms of how I laid it out?

**Ms. Kennedy:** It's unfortunate that the political parties have used a lot of rhetoric around the college of teachers. It's unnecessary. I totally agree with you, Mr. Marchese, however. This peer group is totally unnecessary. You already have appointed members who sit around the council and you have elected members who sit around the council and they are quite capable of administrating the work of the council. It's unnecessary to have another oversight body. It makes no sense.

**Mr. Marchese:** I think so too.

Section 4 is of serious concern and you made reference to it; it's 11.1. I tried to read your document. It's the section that deals with the regulation re provincial interest. You made reference to it and in your document you speak strongly against it. How much is OECTA against this, and is it so important that you're going to be reminding all these members of the Liberal government that you're going to fight to the wall on this or is it simply a kind of reaction, "Yes, this could centralize powers in the hands of the government but if they pass it, what can you do?"

**Ms. Kennedy:** We're very concerned about the centralization of power in Toronto in all issues. It's a concern for us. What happens in Moosonee is totally different from what happens in Toronto and you can't compare the two. There are distinct differences across this province and we do not see the necessity—

**The Chair:** Thank you, Ms. Kennedy, on behalf of the Ontario English Catholic Teachers' Association, for your presence and your submission.

ONTARIO COLLEGE OF TEACHERS  
ORDRE DES ENSEIGNANTES  
ET DES ENSEIGNANTS

**The Chair:** We'll now move to our next presenter, Marilyn Laframboise, council chair of the Ontario College of Teachers, and colleagues.

**Mr. McMeekin:** While that's happening, because the suggestion was made that other colleges in Ontario don't have a majority representation of the various professions—

**The Chair:** Mr. McMeekin, if it's a point of order, please raise it as such.

**Mr. McMeekin:** On a point of order, Mr. Chair: I want to do some research.

**The Chair:** Yes, please. If it's a research directive, please do.

**Mr. McMeekin:** I want to get the figures on nurses, pharmacists, social workers and lawyer councils, because I understand that in every case the majority are the professionals so named.

**The Chair:** Your research directive has been duly noted. We now move to our next presenters.

**Mr. Klees:** On a point of order, Mr. Chair: I would like to have that research supplemented by adding to it the component of any regulatory college that may well have a majority number of union representatives—that is, in the case of doctors, the Ontario Medical Association or the RNAO. I would like to have that component added to the research to get to the heart of the point that we were making in this discussion.

**The Chair:** Research officer Johnston has noted that.

**Mr. Marchese:** Could I ask members, if they have questions by way of research, that we leave it to the end? We have a lot of deputants and we're behind.

**The Chair:** You may certainly ask, Mr. Marchese.

We now move to our next presenters, the Ontario College of Teachers, Marilyn Laframboise and colleagues. I remind you that you have 12 minutes in which to make your questions and comments. Please begin.

**M<sup>me</sup> Marilyn Laframboise:** Je tiens à vous remercier de me donner l'occasion de vous parler des changements législatifs proposés par le projet de loi 78, qui modifiera de façon importante la régie et l'exploitation de l'Ordre des enseignantes et des enseignants de l'Ontario.

1700

Je m'appelle Marilyn Laframboise et je suis enseignante, ainsi que présidente du conseil de l'Ordre. J'aimerais aussi vous présenter trois autres membres du conseil qui seront heureux de répondre à vos questions suite à ma présentation: Nancy Hutcheson, vice-présidente de l'Ordre et enseignante; Garry Humphreys, membre nommé du conseil; et Doug Wilson, registrateur de l'Ordre.

Au cours des prochaines minutes, je partagerai avec vous quelques notions et points d'intérêt sur ce que ce projet de loi 78 suggère, sur ce qu'il signifie pour notre organisme d'autoréglementation et sur la façon dont il touchera plus de 200 000 enseignantes et enseignants.

L'Ordre des enseignantes et des enseignants de l'Ontario a pour mandat de régir la profession enseignante dans l'intérêt du public. Créé en mai 1997 à la suite des recommandations de la Commission royale sur l'éducation, l'Ordre a des pouvoirs et responsabilités qui sont énoncés dans la Loi de 1996 sur l'Ordre des

enseignantes et des enseignants de l'Ontario et son règlement d'application, ainsi que dans les règlements administratifs de l'Ordre.

En vertu de la loi, il est de notre devoir d'enregistrer et de certifier les membres, et d'examiner les allégations de faute professionnelle, d'incompétence et d'inaptitude.

Nous avons aussi la responsabilité de veiller à ce que les membres de la profession répondent à nos normes élevées d'exercice et de déontologie, avant même qu'ils commencent à enseigner et tout au long de leur carrière.

L'Ordre est l'organisme d'autoréglementation qui compte le plus grand nombre de membres au Canada. Les enseignantes et enseignants à temps plein et à temps partiel, ainsi que les directeurs adjoints, les directeurs d'école, les agents de supervision, les directeurs d'éducation, les instructeurs de collège et les professeurs d'université, hommes et femmes, sont des membres de l'Ordre. En tout, nous comptons plus de 200 000 membres qui enseignent aux élèves ou gèrent des écoles privées et publiques dans toute la province. En fait, pour avoir le droit d'enseigner dans une école financée par les fonds publics, il faut être membre de l'Ordre.

Nous prenons très sérieusement les responsabilités qui nous incombent tant envers nos membres qu'envers le public.

When the former Minister of Education said early in 2004 that he wanted to revitalize the college, we acted quickly to form an ad hoc committee to consult with our members, education partners and the public.

In October of that year, we presented a report to the minister after extensive consultation with our members, education stakeholders, regulatory bodies and community groups. The college council made recommendations to the minister based on seven areas identified in his discussion paper. We were not invited to discuss our recommendations. This past March, the minister introduced Bill 78.

There are 31 members on the college's council now. Seventeen are elected by their peers. Of those, 13 are deemed classroom teachers. Currently, eight of those are classroom teachers, two are occasional teachers and three are released for federation duties. The government appoints the other 14 members of council.

In its report to the minister, the college recommended that there be 33 members—23 elected and 10 appointed. We wanted to ensure that the majority of council members were professional educators. We also wanted a better reflection of Ontario's publicly funded French and English school systems. We recommended an increase in the number of French-speaking council members to four elected and two appointed.

Bill 78, if passed, would add six more classroom teachers to the council, bringing the total to 37, including 23 elected and 14 appointed positions. We support the additions, but we also recognize that the nature of the positions themselves will be determined in regulation.

For the record, we would still like to see more French-language representatives. This would greatly enhance our ability to hold hearings with panels constituted in French, which is a requirement under the act.

As it stands now, council members are elected for three-year terms. A member cannot serve for more than 10 consecutive years. Under Bill 78, council service would be limited to six years. We think that's wrong.

Experienced members provide a significant service to the profession and to the public. They also provide continuity between successive councils. In addition, there would be no provision for an extension in the life of the council—currently provided for in our act—in the event that one was needed. In fact, the six-month extension has been required twice, including this year as the college celebrates its ninth anniversary. That would not be allowed under the new legislation as it stands, and we disagree with this change.

Bill 78 calls for the creation of a new public interest committee to ensure that the college is carrying out its duty to serve the public interest. The minister would appoint up to five members to the committee, none of whom could be licensed college members. All of the details associated with the public interest committee's functional mandate have been left to regulation. Not knowing, as yet, what the committee's scope will be, we are unable to say how its work may overlap or duplicate the work of the college. We have to wonder why a self-regulatory body whose mandate to protect the public interest is enshrined in law even needs a watchdog group. No other Ontario self-regulatory body is subject to oversight by a comparable committee.

Bill 78 proposes that all elected and appointed council members swear an oath of office. The bill also makes provision for regulations to create conflict-of-interest rules. While we agree that council must operate without real or apparent conflicts of interest, I can assure you that council members, elected and appointed, have always fulfilled their statutory obligations to serve and protect the public interest without regard for individual political interests. Vigorous, healthy debate comes from participants whose backgrounds, roles and perspectives on education differ. The best decisions are the result of considering various points of view.

In our report to the government, we recommended the following:

The provincially elected leaders and those employed by provincial stakeholder organizations be ineligible to seek election to or accept a public appointment to the college council. We stand by that.

We're pleased to see that a new teacher induction program will be mandatory in Ontario school boards. Three years ago, the college recommended a similar program to the government after listening closely to newly certified teachers, conducting further research and consulting broadly with education stakeholders. However, we are concerned that the proposed definition of "new teacher" prohibits thousands of new teachers from taking part in the program. For example, teachers who aren't hired into permanent jobs in their first two years would not benefit, nor would most occasional teachers or any new teachers employed by private schools.

Bill 78 would also amend the Ontario College of Teachers Act to ensure that the college's registration processes are fair and conducted "in a manner such that any decisions made with respect to an applicant are transparent to and understandable by that applicant, with due regard to his or her individual circumstances."

We believe that our registration procedures are fair, open and transparent now. If the college registrar turns down a prospective applicant, he must first write that person and give the reasons. The applicant may then request a review by the college's registration appeals committee. The committee can uphold, overturn or amend the decision of the registrar. The applicant is then entitled to written reasons for the committee's decision.

Of the 60,000 or so applicants from over 105 countries who applied for licences between 2001 and 2005, only 243 asked for an appeal. Of those, 142 were denied certification while 101 were licensed when they met the certification requirements after further study or training. These procedures enable the college, as the regulator of the teaching profession in Ontario, to serve and protect the public interest.

We are committed to working with other Ontario professional regulators to ensure that registration processes are responsive to the needs of internationally trained professionals.

**1710**

In conclusion, what you're considering in Bill 78 today departs from what the college envisioned and recommended to the government. We support some changes, such as help for new teachers and the expansion of council. We disagree with the idea of a public interest committee. And we remain cautiously optimistic that the regulations that flow from the legislation will enable us to continue to meet our mandate to serve the public interest.

Merci pour l'occasion de vous adresser la parole aujourd'hui. Thank you.

**The Chair:** Merci, madame Laframboise. We begin with the PC Party. We're looking at 20 seconds each, gentlemen.

**Mr. Klees:** I just want to ask you very quickly why you feel that the government has in fact put this committee in place. Is it that they don't trust the elected members and the appointed members to the council to do their job? Why would they want this appeals committee?

**The Chair:** You might want to take that up next, Mr. Marchese, please.

**Mr. Marchese:** I thank you for your position on the public interest committee. I have strong feelings in that regard. I'm convinced, with all of your lobbying, that we'll be able to convince the government to eliminate it as well.

Do you have an opinion on section 4, which speaks about regulations re the provincial interest?

**Ms. Laframboise:** I wouldn't have a comment on that. No.

**Mr. Marchese:** None of you do?

**Mr. Doug Wilson:** Can you give us a definition of what you mean?

**Mr. Marchese:** I'm sorry. I presume you read the bill, so I just assumed—

**Mr. Wilson:** Yes, I have read the bill.

**Mr. Marchese:** This is the section that deals with regulations re the provincial interest for the government—

**The Chair:** With respect, Mr. Marchese, we'll have to offer it to the government side.

Mr. McMeekin, 20 seconds please.

**Mr. McMeekin:** A great presentation. Thank you. Merci.

**The Chair:** Thank you very much, Madame Laframboise and the Ontario College of Teachers colleagues.

#### YORK REGION DISTRICT SCHOOL BOARD

**The Chair:** We now move to our next presenter, Mr. Bill Crothers, the chair of the York Region District School Board. Welcome. As you've seen, the protocol is that you have 12 minutes in which to make your presentation. Any time remaining will be distributed evenly, strictly evenly, amongst the parties afterward. Your time begins now.

**Mr. Bill Crothers:** Thank you very much. As you indicated, my name is Bill Crothers. I am the chair of the York Region District School Board. If I could put that into a little bit of context, our board is the third-largest in the province, with approximately 114,000 students from JK to grade 12. I've been a trustee in my board going on 18 years. I am in my 14th year as the chair of the board. My director of education, Mr. Bill Hogarth, as well as being the longest-serving director of education in the province, is probably the most respected director of education in the province. I think our board is viewed as being the most progressive and innovative of school boards in the province.

From my perspective, Bill 78 does a number of things, including the following.

It returns to regulation a number of items that properly belong in regulation rather than legislation.

It prescribes to the minister the right to articulate additional requirements, through regulations, to school boards relating to student achievement.

It provides expanded privileges to student trustees.

It alters the college of teachers through amendments to the Ontario College of Teachers Act.

It provides for increased authority of the minister to investigate a board's affairs, as well as other changes.

While it's easy for anyone to say that they would do things differently, it is my belief, and that of my board, that it is not our role to design legislation but that we do have a responsibility to provide advice regarding the impact the proposed legislation will have on the students whom we have a responsibility to educate.

In our view, this legislation provides sound changes to education in the province of Ontario. It is our view that

there is one area that truly needs to be amended, another in which it is in education's best interest to be amended, and a couple of areas that are perceived as being threatening by some boards and probably would benefit from some clarification.

I'd like to start with the issue that I believe needs to be amended. It concerns student trustees. The York Region District School Board was the second board in the province to implement student trustees back in 1993. Our current student trustees are numbers 21 and 22 to serve at our board table. Collectively, the student trustees have been among the best ambassadors for our board, and we support all of the provisions within Bill 78 regarding student trustees save one. We do not believe that they should attend private sessions of the board.

I should articulate that our position has absolutely nothing to do with the integrity or the ability of the students. In our board they have already established intellectual and responsibility parity with the municipally elected trustees on the board. Our concern rests solely on the authority figure relationship between student and teacher or administrator, and the potential for a student trustee being in a position to be privy to information and therefore subject to pressure to disclose that information to an authority figure based upon information discussed in those sessions, whether it be contract negotiations, property acquisitions or school closures, litigation affecting the board or personal or personnel issues. We believe it is fundamentally wrong to place a student in that situation. I think we would also ask the question: Why would anybody want to put our young students in that situation?

With reference to the Ontario College of Teachers, one of the amendments to the Ontario College of Teachers Act increases the number of elected members of the college from 17 to 23. One assumes from the proposed amendments that the number of school administrators on the college would remain at one. We think this is problematic from the perspective that the legislation requires that the same individual cannot sit on both the investigation committee and the discipline committee, meaning that for any complaint registered against a school administrator, one of those two committees will not have an experienced administrator sitting on the committee, unless one is among the 14 members appointed by the minister. Sadly, today too many school administrators are feeling under pressure of complaints being lodged against them, such feelings being aggravated by the belief that their jury does not have a peer component.

It is our belief that most research data suggests that student performance in schools is in direct relationship to the quality of leadership in the school. We think it is in the best interests of our provincial school systems to be seen to be treating our principals with the same degree of fairness that we do our teachers.

My director of education tends to want to use a sports analogy to describe the situation. The analogy he uses is the current situation in the National Hockey League and the changes that occurred in the last year. He relates to

the fact that those teams that have adapted to the changes are the ones that were successful at the end of the year. The ones that did not adapt to the changes are the ones that were not doing very well by the end of the year.

His corollary is that the roles that have undergone the greatest changes in education in the past decade are those of the principals and the superintendents. Their responsibility has been to prod improvements in others, and that has left them very vulnerable to being the source of grievances and complaints, and they feel tremendously under attack.

Some other concerns that I articulated earlier: Many of my trustee colleagues and some board administrators from other boards around the province have expressed concern with a couple of the amendments to the Education Act. The first are those regarding the collection of personal data and the clause that excludes the minister from the requirements of the freedom of information act. The whole notion of collection of personal information is offensive to some people and it tends to frighten others.

The other area concerns the rights of the minister to instigate an investigation of a board with subsequent reports and, if necessary, directions to the board to comply with regulations and, again if necessary, to take over the board. Again, many of my colleagues around the province would like to see some mechanism of appeal to the decision of the minister.

I do not share either of those concerns, and neither does my board. In fact, the prevailing attitude of the trustees of my board is that if trustees paid more attention to their responsibilities, they would not be subject to any investigation. Nevertheless, it is probably in the government's best interest to re-examine these two areas to determine that the provisions are not excessive and find ways to assure boards that they cannot be subject to abuse.

I'm also of the opinion that most of those kinds of concerns emanate disproportionately from those boards that have experienced governance difficulties or an inability to adjust to changing funding or regulations. Most of the boards that in fact are doing an exemplary job of educating students will have no trouble working within this legislation.

We completely support the movement of many areas from legislation to regulation. It is very much in the interest of our students that programs or funding can be adjusted fairly quickly to respond to the context in which school systems operate today. Rather than complain that control is being centralized, as some are suggesting, we would suggest that today we have more flexibility than we have ever had. Perhaps that is because almost all of our priorities are consistent with those of the ministry. The reality is that we truly feel that we will be in an even better situation with these amendments than we are today. Likewise, we are completely comfortable with the introduction of the notion that we can be held accountable for how well our students learn, in the same way that we are accountable today for how we spend our money.

Thank you very much, Mr. Chair.

1720

**The Chair:** Thank you, Mr. Crothers. We'll have about 90 seconds per side, beginning with Mr. Marchese of the NDP.

**Mr. Marchese:** Thank you, Mr. Crothers. You talk about principals in the context of the college of teachers. They are the ones who are providing the supervision for teachers, as you know, in the induction program. But there's no mention of principals at all in the bill in terms of who supervises them. Do you agree that there should be a section that says someone should be doing a review of the principals—being as important as you believe they are?

**Mr. Crothers:** I think the assumption would be that the principals would in fact be involved in it, whether it's in the legislation or not. I don't know who else would.

**Mr. Marchese:** And who would supervise them, then? Who's doing the reviews? Do you know?

**Mr. Crothers:** I have no idea.

**Mr. Marchese:** About 25 seconds, you said, Chair?

**The Chair:** You still have quite a bit of time—a minute.

**Mr. Marchese:** Oh, I'm sorry. I didn't hear you very well.

You talked about section 4, where you were saying that you have a lot of flexibility, in fact more than ever. You said that if the government, under this new regulation to provide a provincial interest, where it says, "The Lieutenant Governor in Council may make regulations prescribing, respecting and governing the duties of boards, so as to further and promote the provincial interest in education"—and it outlines a whole list of areas. You're saying that's okay, according to you and your fellow trustees.

**Mr. Crothers:** It doesn't bother me at all. Our interests will be the same as the provincial interests.

**Mr. Marchese:** Are you speaking for the other trustees as well?

**Mr. Crothers:** Of my board I am, yes.

**Mr. Marchese:** Is that a position your trustees have taken?

**Mr. Crothers:** Yes. They have all seen the copy of this presentation and they have all accepted and agreed with it.

**The Chair:** Thank you, Mr. Marchese. We'll move to the Liberal side.

**Mr. McMeekin:** Thank you, Mr. Chairman. Mr. Crothers, are you the same Bill Crothers who ran in Tokyo in 1964 and won a silver medal in the 800 metres?

**Mr. Crothers:** Are you as old as I am? Yes, I am.

**Mr. McMeekin:** Wow, I remember that. Today is athlete affirmation day here, so I just wanted to get that out there.

**Mr. Crothers:** I'm almost a colleague of Mr. Fonseca.

**Mr. McMeekin:** The presentation was great; so was your silver medal run. I'm old enough to remember that.

I want to just focus on your comment about regulations, that you think a lot of material should be in

regulations, rather than in the act. We see that as building in flexibility with the ministry and collaborating with the boards. Is that where you're coming from?

**Mr. Crothers:** Two things. One is that it's much easier to change a regulation than it is a piece of legislation. Number two, from a school board's perspective it's nice to be able to adapt to changes in the context in which we operate through regulation. We also happen to believe that there will be exactly the same kind of pressures on government and ministry officials on the changing of the regulations. There may not be a formal procedure, but there sure as heck is an informal procedure and pressure that would be placed upon the Minister of Education in making those kinds of regulations. So we have no difficulty with the movement into regulation and we think it actually strengthens it.

**Mr. McMeekin:** Mr. Crothers, I appreciate that very much. Thank you.

**The Chair:** We'll move now to the PC side.

**Mr. Klees:** Mr. Crothers, thank you for being here. I want to thank you for your leadership on the board; I want to thank, through you, Mr. Hogarth as well. We are very proud of the work that's being done in York region.

I have a quick question for you. During estimates, I inquired of the minister the census data that's being used by the ministry to allocate learning opportunities grants and language grants to boards today. They replied, and it looks as though the census that is being used is 1996. Your board has incredible growth, and I'd just be interested to know from you if the ministry should be taking a very close look at what they're using to allocate these kinds of grants to boards to make it more equitable.

**Mr. Crothers:** That's outside the piece of legislation we're dealing with, but I would agree completely with that from a very personal perspective, in that the communities in Peel and York region are undergoing the greatest transitions in the province. The change in the demographics of the province today—in the years 2001 through to 2006—is significantly different than it was in 1996 and even 2001, and we think that those things should be reflected in the data. But we're still doing very well. The fact that they're using that old data, I think, shortchanges new Canadian students in our board.

**Mr. Klees:** Would you be willing to—

**The Chair:** Thank you, Mr. Klees, and as well, thank you to you, Mr. Crothers, for your contributions, past and present.

KEVIN WIENER

**The Chair:** We now move to our next presenter, Mr. Kevin Wiener. I'd ask you, sir, to come forward. As you know, you have 10 minutes to make your presentation. Mr. Wiener comes to us in his capacity as a private individual. Your time begins now.

**Mr. Kevin Wiener:** Thank you, Mr. Chair. As was said, I don't represent any organizations, associations or special interests. I'm just here because I'm interested in what's happening in this bill, and most specifically in the

part of the bill, section 55, that has to do with student trustees.

I believe that student trustees are a very integral part of the system, and I'm glad that they've been instituted. It allows us as students to have a role in making sure that what happens in educational policy is something that we can have a say in. The regulation before was "pupil representatives" and it was very loosely defined within the bill; mostly it was done through regulation. One of the things that I've noticed in this bill is, once again, it's very ill-defined. It's essentially, "The minister may make regulations providing for elected student trustees..." It does make it elected, which is definitely a step in the right direction, as opposed to appointed, but once again, basically everything is up to regulation to happen. This leads to the fact that, unlike in this legislative process where we can go and have input, there's not much we can do to see what's happening in the system.

Basically the three points that I want to address within this part of the bill are about the general knowledge of the fact that we have trustees, the election system that is going to be put in, and student trustee votes.

The first thing that's happening is the student trustee council. Although a very good idea and put in place very well, trustees have definitely gone way beyond their original mandate and are very involved in the trustee board. Unfortunately, a lot of people within the school system aren't even aware that the student trustees exist. I myself didn't find out until just this past year. I had known of the TDSB supercouncil, which is our way of choosing trustees in Toronto, but I didn't even realize we have student trustees. I think that definitely something the government needs to address is making sure that students at large in all the different schools know that they have this way of having input into board policy.

The next part is regarding elections. Essentially what we have right now in the way student trustees are elected is, every board has its own way; sometimes it's direct and sometimes it's indirect. But even in indirect ones, you don't often have it as democratic as it could be. For example, in the TDSB, where I currently have school, what ends up happening is each school sends some representatives to the TDSB supercouncil and then the supercouncil chooses who the trustees are going to be for that year. But once again, because people are not aware of the fact that the supercouncil exists or that we have student trustees, it ends up meaning that in a lot of cases, in my school for instance, the student trustees are not elected, and in some of them it's just whoever finds out about it and takes an interest gets to represent the school. In such a case, we're not actually having the will of the students within this trustee selection process. So we really have to make sure. The biggest step in democracy, of course, is making sure that everyone knows what's going on.

How much time do I have?

**The Chair:** You have about seven minutes.

**Mr. Wiener:** All right.

We have to make sure that we can have a democratic process. What I'd advise is that when the government is

making the regulations on having the different elections, that the government include students from around Ontario in the process of deciding how these trustees are going to be elected and what exactly their mandate is going to be within the regulation. Because it's the kind of thing where, unless we have a say in the body that we're trying to have representing ourselves, it's really not as democratic as it could be, so I'd hope we'd be able to have some kind of student committee or some kind of student inclusion in the process of deciding exactly how these trustees are going to work.

**1730**

The next part of what I'm talking about has to do with the powers of the student trustee, which in this bill have been somewhat extended. It used to be that student trustees couldn't vote, couldn't move motions, couldn't sit in in camera sessions and anything like that. In the current bill, basically what happens is the student trustee can cast pseudo-votes and motions in that they can request a counted vote, and the vote is recorded as to what the vote is without the student trustee's vote and what it is with the student trustee's vote. Of course, the student trustee's vote isn't binding. In the same way, the student trustee can suggest a motion, and if none of the school trustees choose to move that motion, it goes on record of what the motion suggested was. I think this is good.

I'm going to surprise you. I'm not going to say we should immediately have votes. I understand, of course, that there are a good many legitimate arguments against suddenly giving the vote to student trustees. There are things such as the trustees dealing with litigation or something that may get them into legal wrong. If it was a student trustee's vote that throws it aside, then you might have legal troubles happening to the trustee council because of someone who isn't even of voting age. However, I think it's something that the government definitely has to look to in the future. The fact that suggested motions and recorded votes are on record means that they're able to look through it. So what I'd advise is that we compile these different suggested votes and suggested motions and look at how that affected it; if their votes were radical or if they were definitely intelligent votes that would not have had negative consequences if they had been counted.

I think that as a democracy, especially with low voting levels among students, we want to try to engage students in the democratic process as much as possible. That means we want to be able to see if we are able to have student trustees vote.

The school trustees are elected, but if you look at it, many of the people who are electing the student trustees don't have a vested interest in the education system. They've graduated out of it. They may not have children or maybe their children have graduated, and they're still voting, many times not really aware of the issues within the education system, not really knowing the candidates, whereas the students, who of course have 10 months out of every year in the education system and any change has

a huge impact on them, (a) don't have the proper voting system that there should be and (b) the trustees can't vote.

If you look at any kind of corporation or public body, there is always ample opportunity for those affected by it to get involved. So I'd suggest that we make sure that we can look into a future in which student trustees can have a vote and in which we have a definitely very democratic process that gets down to the grassroots of students and allows students to get involved in educational policy.

What does that leave—three minutes?

**The Chair:** Two minutes.

**Mr. Wiener:** Two? All right; I'm done.

**The Chair:** Thank you, Mr. Wiener. We'll begin with the Liberal side. Mr. Leal, about 30 seconds or so.

**Mr. Leal:** I'll make it quick. Thanks very much for your presentation. Mr. Wiener, are there any sort of specific amendments you'd like to see in this legislation?

**Mr. Wiener:** Mainly some kind of council that involves students that would be looking into how we're going to have this democratic process, and a clause essentially promising that the results of this will be compiled and that the issue of student trustee votes would be looked into in a few years. I don't know exactly what the government would want to decide.

**The Chair:** We move to the PC side.

**Mr. Klees:** Mr. Wiener, thank you for your presentation. Obviously, you have given a great deal of thought to this issue, and we appreciate your input. I want to quickly ask you if you agree with Mr. Crothers's presentation earlier on the issue of student trustees and his concern that they be included in private sessions and that they should be protected from that.

**Mr. Wiener:** It's definitely a legitimate concern, especially considering that student trustees range from the end of junior high to all of high school. In some cases, there could be a definite conflict with the authority figure. However, I think we also have to give the students a lot of credit. You have to understand that people who get elected to the trustee positions—it's not the same as the popularity contests of certain student councils—are basically the cream of the crop: people who are really interested and involved. I think, in that particular case—

**The Chair:** Thank you, Mr. Klees. We'll move to the NDP.

**Mr. Marchese:** I just want to say that I would have no problem having a student trustee being able to move motions and to vote. I think it would be revolutionarily good for a board to be able to have students have such a power. I'm not sure that people are ready, but I would be prepared to move such an amendment.

The other point I wanted to make is, you say "may" make regulations to elect. Would you rather see language that said "shall"? Is that what you're speaking to? It speaks to a whole list of things.

**Mr. Wiener:** Yes, it would be nice if it said "shall." I don't believe the government would not make regulations, especially since there are certain regulations within the other—

**The Chair:** Thank you, Mr. Marchese. We'll have to leave it at that, Mr. Wiener. Thank you very much for your presence and deputation.

#### ONTARIO MUSIC EDUCATORS' ASSOCIATION

**The Chair:** We'll now move to our next presenter: Mr. Kevin Merkley, president of the Ontario Music Educators' Association. Please come forward. I once again respectfully remind you that you have 12 minutes in which to make your combined presentation, questions and comments, time beginning now.

**Mr. Kevin Merkley:** Thank you for the opportunity to be here. My name is Kevin Merkley. I'm the president of the 1,200-member-strong Ontario Music Educators' Association. Our membership comprises certified music teachers dedicated to quality music education in the province, united under a common banner promoting music education as the enlightening, inspiring force that it can be. The Ontario Music Educators' Association is the oldest and largest music association in Canada.

Literacy and numeracy are important components of a child's education, but our students also need to be musically literate. OMEA members have some concerns regarding Bill 78.

First, the new standards expected of boards with regard to literacy and numeracy will possibly take resources away from existing music programs or discourage future investment in music education. There have been no assurances stated against this happening in Bill 78.

Secondly, music and the arts must be included in the regulations to ensure that boards are implementing ministry arts programs. It needs to be made explicit that boards of education must provide every child the opportunity to receive music instruction at the elementary level in each term of the school year.

Thirdly, music education is a key means of keeping students in school, motivated, and contributing members of their school community and the community at large, and the legislation must acknowledge that important fact. Please do not ignore the power of music to reach students who might otherwise be marginalized and not engaged in the learning process.

Fourthly, while it is a laudable initiative, the way in which the small-cap class size is being rolled out is raising concerns. Some adjustment in implementation must be made to ensure that music rooms are not expropriated and that music programs are not marginalized and timetabled out of the school day. In some schools, a single music specialist teacher will not be able to see every class, which will leave some classes without music instruction, or music instruction delivered by a classroom teacher who may not have the background to deliver an adequate music program.

Finally, opportunities for teachers to get assistance in implementing the music curriculum must be included as part of the teacher induction program. It is important that we develop skills with our new teachers so that they have

the confidence and competence to teach effectively the Ontario arts curriculum.

I would like to elaborate on these five regulations being considered.

(1) Collection of personal information—page 1, section 8 of Education Act: With the collection of information on literacy and numeracy and achieving standards, the OMEA needs assurances that music programs will not be further neglected by this collection of data. Budgets within boards will be even more focused on meeting literacy and numeracy standards, and less on the subjects that do not have the same reporting expectations. Literacy and numeracy are important, but we know that students learn in many ways. We need to nurture the whole student and give them quality opportunities to develop literacy in all subjects.

(2) Regulations regarding provincial interest—page 3, section 11.1(2): This portion of Bill 78 outlines that boards implement regulations to ensure that students achieve outcomes specified in those regulations, encourage parent involvement—parent councils—special education, health, form of delivery, frequency and the content of their programs.

This aspect of the bill does not address the whole student. With recent announcements by the ministers of culture and education expressing publicly the power of the arts, the implementation of the arts should be included as an expectation of boards. Even though the Ontario arts curriculum is expected to be implemented, outside of major centres and in rural schools the reality is that many schools do not have qualified music educators or teachers who are comfortable with teaching the arts. This bill ignores the well-being of our students. Music and the arts build character in our students.

#### 1740

The third point, “Regulations re provincial interest,” page 3, subsection 11.1(3): There is strong evidence that student involvement in music programming improves graduation rates. For many children, music is the reason they get up in the morning and come to school; it is the link with their school community. Their performing groups and music classes keep them engaged, motivated and optimistic, and build character. The arts can provide all of this for many students, but not without well-funded, quality programs delivered by skilled, certified music educators. Improved academics, not just improved literacy and numeracy, will improve graduation rates.

The fourth point, class sizes, page 7, number (4): The OMEA is concerned that if class sizes in the primary division are rigidly enforced without consideration of the implications for our older students, in order to accommodate the extra classes principals will be forced to use music rooms for other purposes, making the music curriculum impossible to deliver, resulting in the reduction and even elimination of music programs.

As well, averaging the class sizes within the primary and junior divisions will create large intermediate classes that exceed 30 students. I have personally experienced grade 7 and 8 classes of 34 to 36 students in a small

classroom full of instruments, music stands and instrument cases, as well as the students. This is clearly not the best way to serve the students in our schools. We should do better for them.

My fifth point is part X.0.1, “New teacher induction,” “Content of program,” page 14, number (2): Our government needs explicitly to make music and the arts included as part of the content of the new teacher induction process. It is well known that many faculties of education are not allocating enough time for their pre-service teachers to gain enough experience in teaching music and the other arts. Most are only able to offer 15 to 24 hours of arts-specific education as part of the one-year teacher education program because of the pressure they feel to focus on literacy and numeracy. Why can they not be taught as part of every subject? This is what teachers are being encouraged to do in our schools.

Many of our classroom teachers or teachers who are new to the profession are expected to teach music as part of their timetable. The province and our school boards need to ensure that music is an integral part of the teacher induction process, especially for the elementary teachers.

The Ontario Music Educators’ Association trusts that this committee will consider carefully what impact the decisions being considered in Bill 78 will have on music and the arts in our schools. At an arts education announcement by the Ministers of Culture and Education last week, Premier McGuinty said that “art gives expression to who we are, what we want to be, where we came from and where we want to go ... the arts are profoundly human.” At the same announcement, the parliamentary assistant to the Minister of Culture, Jennifer Mossop, stated, “Countless research papers note that arts education improves test scores, self-esteem, confidence, problem solving, teamwork and discipline and greater creativity which will equal success for society.”

Let us celebrate music and arts education by supporting and increasing the number of qualified music educators, and let us work together in our shared goal to ensure that our children receive a balanced education. Reading, writing and arithmetic are indeed important; nobody will argue with that. However, a quality, sequential music education is every child’s right.

**The Chair:** Thank you, Mr. Merkley. We have about 90 seconds each, beginning with the PC side.

**Mr. Klees:** Thank you very much for your presentation. Could you comment very briefly on the preparation that teachers have? You indicate that teachers are expected to teach music although obviously they haven’t had the preparation for that. Do you have any recommendations in terms of how that can be addressed, should be addressed?

**Mr. Merkley:** I certainly think there are resources that are in place which are a good first step; for example, the exemplars that were recently published for music in grades 1, 4 and 7. But I think that more professional development opportunities can be established within boards, and that could be something that the ministry could work with boards on.

Also, I think there could be more resources online that could assist teachers. There are already resources, but I think the more resources that are accessible to people who may need the assistance, who don't have necessarily the background to be able to teach it—they would benefit from that. So there are certain things that could be put on the website that would be of assistance too.

**Mr. Klees:** What about shifting that into teacher training before they graduate from teachers' college? Is there something in teachers' college that should be there as a required curriculum?

**The Chair:** Thank you, Mr. Klees. We'll move now to the NDP.

**Mr. Marchese:** He's merciless. So we've got to be quick, right?

You were talking about how capping ought not to be able to squeeze out music space, and I agree with you. Are you aware of any music program being squeezed as a result of capping?

**Mr. Merkley:** There are schools in TDSB where teachers have been forced out of their rooms.

**Mr. Marchese:** Could you let me know? We don't have a lot of time. Could you sort of send me a little note telling me where? That's a very useful thing to know.

**Mr. Merkley:** Yes, for sure.

**Mr. Marchese:** The government quickly made an announcement on music programs where the Ministry of Culture and the Ministry of Education together are going to offer four million bucks to match the fundraising activities of other people. Obviously this is not going to put one teacher in the classroom. What do you think of that? Quickly, though.

**Mr. Merkley:** I would like to see our government put money into helping teachers who are already in classrooms, trained music educators.

**Mr. Marchese:** I agree.

**Mr. Merkley:** I think bringing artists into the schools is a great addition to what should be already existing.

**Mr. Marchese:** But you want teachers in the classroom?

**Mr. Merkley:** Absolutely.

**Mr. Marchese:** The government claims that they've hired thousands of new teachers, and they presume to say that some of these are music teachers, art teachers. Are you aware of that? Is it happening anywhere that you know?

**Mr. Merkley:** In TDSB, I believe—I don't have the exact numbers. We could get it for you. There are teachers who were hired from that announcement, but, for example, the York Region Catholic District School Board decided that instead of putting that money into music, it went into phys ed.

**The Chair:** Thank you, Mr. Marchese. Merciless but just. We now move to the Liberal side.

**Ms. Wynne:** Kevin, thanks for being here today.

**Mr. Merkley:** You're welcome.

**Ms. Wynne:** You referred to section 4—11.1—on page 3. I just wonder if you see an opportunity in terms of some of the standards that boards can be held to, given

ministry priorities. It's the section on provincial interest: "adopt and implement measures specified in the regulation to ensure that the board achieves student outcomes specified in the regulation." Do you see an opportunity? The minister's already said she's interested in consultation on what those standards will be. Do you see an opportunity to insert music and arts into what the ministry would expect the boards to be held to?

**Mr. Merkley:** I think if those standards were put in place—there are situations where principals do not have the opportunity to be able to have a music specialist in the school, and I think if there was some direction from the ministry, it would encourage principals to make that choice, to make sure that there was music education or arts education within their school.

**Ms. Wynne:** So you see having those kinds of guidelines in place as a good thing in terms of the expectation in the boards around the province?

**Mr. Merkley:** Absolutely. I would love to see that.

**Ms. Wynne:** Great. Thank you.

**The Chair:** Thank you, Mr. Merkley, for your presentation and presence.

**Mr. Klees:** On a point of order, Mr. Chair: I would ask that the information that Mr. Marchese requested be directed to the committee as well. I would very much like to have that information.

**The Chair:** Thank you, Mr. Klees. Your request has been directed to Research Officer Johnston, noted, and will hopefully be complied with.

#### TORONTO DISTRICT SCHOOL BOARD

**The Chair:** We now move to our next presenter, Ms. Sheila Ward, chair of the Toronto District School Board. Ms. Ward, please come forward, to be joined by Mr. Bruce Davis. Welcome to you both. I respectfully remind you that you have 12 minutes in total in which to make your presentation and for questions and comments, time beginning now.

**Ms. Sheila Ward:** Thank you, Mr. Chair. The Toronto District School Board appreciates the opportunity to address the standing committee on social policy concerning Bill 78. It's very nice to see at your table two former trustees who served in Toronto with great distinction: Rosario Marchese and Kathleen Wynne. We're happy to see them here. I believe we're also joined in the audience by Trustee Josh Matlow.

TDSB supports much of the bill. In particular, we appreciate the intent of the bill concerning supports for new teachers, professional activity days, maximum class sizes, minimum teaching time, student trustees, and grants for community use of schools and construction of child care and facilities. The directions set concerning these matters are welcome. Addressing many of these issues through regulation will allow the province to be flexible and responsive to changing circumstances and evolving objectives.

We believe the province has a completely legitimate role to set provincial objectives and to set broad expect-

tations about how school boards use resources. School boards need flexibility, however, to meet these objectives. We need this flexibility because different school boards and different schools within one board face different challenges. Different schools need varying approaches and different measures. School boards should have flexibility to choose and adapt different measures to meet provincial objectives inside a framework of clear accountability for results.

#### 1750

In contrast, Bill 78 would move Ontario toward greater provincial direction, management and control of school boards. Regulations in the provincial interest would broaden significantly the minister's explicit powers to direct the activities of school boards and broaden the minister's power to suspend the governance of an elected board. A board's possible non-compliance with the regulations would allow the minister to investigate the affairs of the board, which in turn could lead to mandatory orders and supervision of the board.

Bill 78's direction toward greater management and control by the province would carry some important negative consequences:

Detailed regulations would reduce the ability of school boards to adapt their practices and direct their resources to different local needs.

Detailed regulations would erode the responsibility of elected representatives on school boards.

The new regulations could require a board to use resources such as English-as-a-second-language funding or remote and rural grants in specific ways. As a result, the new regulations could significantly reduce the fiscal flexibility of boards to meet changing costs; for example, growing costs for heating fuel and electricity. Without adequate new funding to meet new requirements, this could deepen the conflict between boards and the province concerning adequacy of funding.

There is considerable risk in broadening the power of future governments to control school boards, especially since new regulations can be made without public scrutiny or debate in the Legislature. While the current government has made a clear commitment to improve the public education system, the motives and priorities of future governments cannot be known. Bill 78 could let future governments readily impose different requirements on boards and make it easier to suspend local governance. This could contribute to a destructive politicization of education and could allow rapid and destabilizing shifts in requirements imposed on boards as governments change.

**Mr. Bruce Davis:** The Toronto District School Board and other school boards are willing to work with the provincial government to meet provincial objectives and to maintain an effective accountability framework for the resources that our local electors have provided through their property taxes. I should remind you that 59% of our funding in Toronto actually comes from local property taxpayers.

School boards are best placed to know specific measures that are required to meet the province's goals in our different communities and different schools. Because we live in our communities, we can know the needs of our students and schools and we can see the results of our programs and services. We are willing to remain accountable for how we use our resources within a provincial accountability framework focused on results.

We would also note that the direction toward greater provincial control over school boards is inconsistent with the government's current proposals to reduce provincial control over the city of Toronto. Today you're discussing how to tighten controls on school boards and later this week you're discussing Bill 53, which actually loosens control on the city of Toronto.

For these reasons, the Toronto District School Board urges that Bill 78's provisions concerning regulations in the provincial interest be removed. Recommendation 1 is listed: Remove section 4 of Bill 78 and the related sections concerning regulations in the provincial interest.

The Toronto District School Board recognizes that the province may not be willing to remove this provision concerning regulations in the provincial interest. If the province continues on this path, Bill 78 should be amended to require a more transparent and accountable process to develop these regulations.

Bill 78 would allow new regulations in the provincial interest to be approved by the Lieutenant Governor in Council, through the cabinet. As a result, new duties could be imposed on school boards without any public scrutiny or debate in the Legislature. New regulations would be more effective if they were developed in partnership with school boards because boards can contribute knowledge about effective and feasible measures. To encourage future governments to work in partnership with boards, Bill 78 should be amended to require public notice of intended changes to regulations concerning the provincial interest and to require opportunities for boards to review the proposed regulations within a time frame that allows for meaningful response.

So our second recommendation is there. If you don't accept our first recommendation, then at least, at minimum, amend Bill 78 to require public notice of intended changes to regulations concerning the provincial interest and to require opportunities for boards to review the proposed regulations within a time frame that allows meaningful response.

If you are unwilling to remove the provisions concerning regulations in the provincial interest, then Bill 78 should be further amended to remove the proposed power for the province to regulate outcomes. This bill would allow the province, through regulation, to regulate outcomes. I don't understand how you can regulate, for example, the outcome of teenagers. I just do not understand how you can do that.

Section 4 of Bill 78 would create a new clause 11.1(2)(b) in the Education Act that would require a school board "to adopt and implement measures specified in the regulation to ensure that the board achieves student

outcomes specified in the regulation.” It may not be possible for boards to achieve a prescribed outcome. Boards can be held accountable for what they do in order to reach an outcome, but often outcomes are affected by other factors or events beyond the control or even the influence of a school board. It would be inappropriate and unreasonable to require compliance with specified outcomes.

So our third recommendation is that if recommendation 1 is not accepted, please amend section 4 of Bill 78 to remove the authority for regulations in the provincial interest to prescribe outcomes.

**Ms. Ward:** Finally, the Toronto District School Board would recommend that the province use Bill 78 to repeal the current provisions of the act that create personal liability for trustees who vote to contravene an order of the minister made under subsection 230.3(2). TDSB appreciates that Bill 78 would repeal current provisions that make a trustee guilty of an offence, liable for a fine and ineligible for five years to hold office, for which elections are held under the Municipal Elections Act, if the trustee votes to contravene a minister’s order. But our board recommends that Bill 78 also include the repeal of the remaining provision that allows a court to recover funds from a trustee if he or she voted to apply funds in contravention of a minister’s order. We believe that retaining this personal liability is unnecessary. It reflects a punitive approach that is not helpful to build an effective partnership with boards to improve outcomes for students. We ask you therefore to amend that subsection to repeal it.

In summary, the TDSB supports many provisions of Bill 78 and we do support the government’s intent. We urge, however, the removal of proposed new powers to make regulations in the provincial interest because these powers are inconsistent with governance by elected trustees. It would be more effective, in our view, to determine objectives and improve accountability through a respectful partnership among the province and school boards. Our board and other boards are willing to work with the province collaboratively to set objectives to improve our supports for students and to strengthen our accountability to our electorates.

The summary of our recommendations is in the report.

**The Chair:** Thank you, Ms. Ward and Mr. Davis. We’ll move to the NDP. About a minute each, please.

**Mr. Marchese:** He’s ruthless, you see, and there’s so much to ask.

I appreciate the presentation. It was quite forceful and forthright. I’m assuming, quickly, that you disagree with Mr. Crothers from the York Region District School Board. Quickly, though.

**Ms. Ward:** Quickly, probably.

**Mr. Marchese:** Of course, you do. Yes, you do. I know from your presentation.

You were worried about section 4, and I totally agree with you. All the Liberals heard you. I’m glad that Ms. Wynne is here. One of the problems that bothers me is that if the minister were to specify that ESL money

should go for ESL, I wouldn’t find that a problem because the issue for me is underfunding, not the directive that says it should go to ESL, where it should. What we want to tackle is the underfunding issue, and not leave you with a liability in case you say, “Sorry, you’ve got to provide it yourself. We’ve got no money. You can’t send me to jail or pay for that;” right?

**Ms. Ward:** That exactly describes the situation today.

**The Chair:** Thank you, Mr. Marchese. We’ll move to the Liberal side.

**Ms. Wynne:** Thank you. Hi, Sheila and Bruce. Are you aware that the minister said yesterday that she’s going to bring a motion about adding consultation to the process around the regulations? A lot of your concerns are around the public engagement on that and the discussion.

**1800**

I guess the second question is, do you think it would be healthy to have a discussion between boards and the ministry about the guidelines around things other than finances? That’s really what section 4 is about. With the consultation piece added, it’s a dialogue between the ministry and the boards about what we should expect the outcomes for students to be. Do you think that would be a healthy thing, and do you agree with the consultation process?

**Ms. Ward:** I do, but the difficulty we faced is that the consultation process is fine; there’s nothing, I don’t think, that either this government or the previous government wanted boards to do. The issue has always been that we haven’t had the resources to do it.

**Ms. Wynne:** But that’s outside the scope of this bill, right?

**Ms. Ward:** It’s outside the scope, but if you’re going to hold us accountable, then you’re going to require a—

**The Chair:** Thank you, Ms. Wynne. We’ll now move to our final side, the PC side.

**Mr. Klees:** I’d like to just carry on that line of questioning. At the top of page 3 you make reference to these regulations that would specify how you use your funds. My understanding is that now, in order to meet requirements, whether it’s salary, whether it’s electricity and other things, you’re actually having to shift money from things like ESL and special needs to these other areas. Is that correct?

**Ms. Ward:** That’s absolutely correct.

**Mr. Klees:** And what you’re saying is, if the minister is going to direct by regulation how you use those funds, you’d better come up with some more money so that you can deal with these other areas and fully fund teachers’ contracts and electricity costs and all of these other maintenance areas. Is that right?

**Ms. Ward:** That’s completely correct.

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

**Mr. Davis:** Could I just mention one thing in following up? We’ve had investigators sent in before. This bill actually gives the government three or four more reasons to send in investigators, and we’re worried, frankly. We don’t know what the next government is going to do or the next government after that.

**Mr. Klees:** Worry about this government.

**Mr. Davis:** We're worried about any government. You've given governments more reasons to send in investigators, not just over money but over a lot of other things.

**The Chair:** Thank you, Ms. Ward and Mr. Davis, for your deputation on behalf of the Toronto District School Board.

#### TORONTO PARENT NETWORK

**The Chair:** I now call to the podium our final presenter of the afternoon—oh, not the final presenter of the afternoon—Ms. Cathy Dandy and crew, representing the Toronto Parent Network. Welcome. Cathy, I remind you respectfully that you have approximately 12 minutes in which to make your presentation. As you recover yourselves, I'll then begin your time.

**Ms. Cathy Dandy:** This is just a permanent state of affairs; there's no recovery.

**The Chair:** Please begin.

**Ms. Dandy:** Good afternoon. As you know, my name's Cathy Dandy. These are my two girls. I also have a son who's in grade 11. This is Rebecca Malcomson, in grade 6, and this is Tabitha Malcomson, in grade 3. Tabitha was in utero when I started doing this; Rebecca was two. So they're well versed in this. They're not necessarily intimidated by government, so when they grow up they'll be following in my footsteps.

I'm here to talk about Bill 78. I'm talking about it from the point of view of a parent-activist who talks to a lot of other parents, who's going to speak not to what school boards and trustees and government officials and educators speak about in terms of standards and accountability, but rather what's the lived experience in the classroom.

I was talking to a steering committee member of the Toronto Parent Network and I was saying that really this bill could be entitled, "Polishing the chrome on the bumper while the engine seizes up." The focus of this bill is on a whole bunch of peripheral things. Some of them, yes, are important, but the core stuff in education is not being tackled by this government, and I have grave concerns about that. There are some things in there that are needed: talking about teacher induction, which I will not speak to; trustee salaries; student trustees. All those things are important, but one of the most significant things of concern, and it was mentioned in previous presentations, is the overemphasis on the regulatory nature of this bill. Everything is about setting further standards, about more regulations, about further conscripting the school boards' ability to function as a locally elected body, and continuing to drive standards down on our students in a way that just simply, quite frankly, punishes them.

Education in the province of Ontario, particularly in the schools that I'm familiar with and the parents I speak to, has become a pretty unpleasant place. It is mostly about performing. I find the name of the bill incredibly

appropriate: student performance bill. It is not about expanding the opportunities of education. It is not about expanding the opportunity for education. It is not about enriching it or making their lives any easier. It is not about providing resources for them. It's about setting regulations around literacy and numeracy targets, with nothing provided for boards to actually achieve those targets. Most of the funding that's gone into education recently has been around pilot projects, which are extremely local and always succeed but do not benefit the majority of students. It's about the JK to 3 class cap. It's done nothing for my daughter and my son, who have borne the brunt of the previous government's punishing tactics. Nothing has been done to give their classes a break.

In the section that's been cited quite repeatedly on page 3, where it talks about adopting and implementing measures for health and safety—the Toronto Parent Network was about to release a health and safety report on Monday. Let me tell you, it's all very well to tell boards that they have standards to meet, but there's no money to meet them. The state of our schools in Toronto is disgusting. I would argue that it's actually opening the government up to legal issues; in fact, I know it's opening up the government to legal issues.

I also just want to talk briefly on what is probably a minor point, but as a parent I find it particularly interesting. It's the section on my page 12 where it talks about the principal dealing with parent or guardian complaints and referring to a supervisory officer. In the end, the person designated to oversee any complaint hearing may dismiss the parent or guardian complaint if they think the request is trivial, frivolous or vexatious. Parents already get short shrift in the system, and we have been calling for an education ombudsperson for some time now. I think that particular section is really worrisome. It doesn't provide anything more to the parent or guardian who is struggling to have an issue dealt with. Given the total lack of administrative support and the really quite poor training some principals receive, as well as the fact that in our board, 65% of our principals are new, I think the likelihood of that solving anything for parents is slim to none. I think that section should be changed completely to include an ombudsperson.

I just want to quickly go on to say what this bill does not deal with and what the major issues are. I just finished reading a report by Dr. Bruce Ferguson from Sick Children's Hospital—I hope you've all read it—on early school leavers. It was written for the Ministry of Education and presented to them a year ago. To the best of my knowledge, nothing much has come from it yet. It's capturing the voices of high school students across Ontario. Over and over again, the students and their parents say that what the system needs is more flexibility, more training, a modified curriculum, smaller classes, smaller schools such as alternative schools and lots of social supports. My daughter Rebecca here has said how the school system is full of rules and no fun, and I think that report pretty well captured that.

This bill does not put in place any regulations or any matching funding to deal with the fact that we don't have enough teachers in the system to drop class sizes for all sorts of kids, not just JK to 3. It doesn't make provisions to ensure teacher-librarians are in schools, which are the foundation of literacy. It doesn't ensure that English-as-a-second-language students are going to be provided for under current research, which is five to seven years. We still don't have the curriculum council. There are no health and safety regulations and funding. If you go on our website, you'll see what our recommendations in our health and safety report were last year, and they'll be in this year's report, requesting funding attached to them. There's no ombudsperson, there's no accountability for principals, a huge issue, and there's no mandatory ongoing training for both principals and teachers regarding parents.

I continue to trek out to places where I provide workshops or training for teachers or principals on parents. It's always an add-in and hardly anyone shows up, but I think it should be mandatory, because the incidents of conflict and difficulty and the absolute refusal to provide basic information to parents on an ongoing basis are rampant. It is an ongoing struggle for parents, yet we are told—I've just been told recently about something I'm supposed to do on my time with my private dollars to support my child's education. But there's no information coming from the system in terms of what they're going to do and how they're going to address the problem. Parents talk to me regularly about this.

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I think there are significant gaps in this bill and I think there is a huge emphasis on regulations with absolutely nothing to indicate how those regulations could possibly be met or the so-called outcomes of students could be met. There's no funding and there's no indication that the things that are really needed to provide for success for students, such as social supports, music and physical education specialists, all the things that every report that's coming out now is saying are necessary for student success—there's none of that in this bill. I'm extremely disappointed in the government's approach. Thank you.

**The Chair:** Thank you, Ms. Dandy. We have about a minute and a half per side, beginning with the government side.

**Ms. Wynne:** Thank you, Cathy. Thanks for being here. When I started my parent activism, lo these many years ago in 1984, when I was your age and my kids were your kids' age, one of the things we called on the government for—even before the Harris regime—was some guidelines and some specificity about the expectations on boards because we felt that the government should be clear about the policy directives.

I see in this section 4, which I know you're concerned about, an opportunity. If we add, as the minister has said, a requirement for consultation so that there is a robust discussion between the board and people involved at the board level and the ministry on what the outcomes can possibly be, what the expectations should be, what those

guidelines should be, do you not see that there might be possibility for some of the kinds of requirements that you're looking for, especially on health and safety things? You have done a lot of work on health and safety issues. Would it not be better for there to be clarity about what the expectations are? That's what I think section 4 is getting at; that's what the minister intends.

**Ms. Dandy:** I think absolutely that clarity around expectations is important, but my concern around this is that this is a discussion between two levels of power, one of those levels, the board, having really virtually no power, so it's an unequal discussion. There's also no provision for parents or any other interested education stakeholders to be involved in that discussion. Quite frankly, I find that most of the time—

**The Chair:** Thank you, Ms. Wynne.

**Ms. Dandy:** —it ends up being a very limited discussion.

**The Chair:** With respect, Ms. Dandy, I will have to offer it to the PC side.

**Mr. Klees:** Thank you for your presentation. Your report that you refer to, the health and safety report, will it be dealing with the issue that is developing within our schools resulting from the reduced supervision time that teachers will be available for in our classrooms, in the hallways of schools and in schoolyards?

**Ms. Dandy:** To date, our report has not dealt with that. What we do is gather up the occupational health and safety inspections and look at physical deterioration in schools. We're not talking about capital repair; we're talking about the gross underfunding of caretaking and maintenance and what that does to our buildings, as friable asbestos, vermin, mould, tripping hazards, fire hazards.

But adequate supervision of students, both in the lunchroom and in the playground, is a concern. Using students as office help and leaving them alone there is also a concern. We are considering adding that to the report, but to date it's just been a physical report.

**Mr. Klees:** You're probably aware that principals across the province are facing this now as a result of the recent contracts that have been negotiated by the Minister of Education. We're going to see the effects in our classrooms and in our schoolyards within a very short time. I would think that you as a parent and your organization would want to look at that—

**The Chair:** Thank you, Mr. Klees, with respect. Now to Mr. Marchese of the NDP.

**Ms. Dandy:** I'd just like to say quickly, though, that your government also reduced lunchroom supervisors and all the other supervisory things we had.

**The Chair:** Thank you, Ms. Dandy. Mr. Marchese.

**Mr. Marchese:** As you can see, the Chair is ruthless. So I'm going to make some quick statements and if there's time, you can—

**Ms. Dandy:** I'll push back a little.

**Mr. Marchese:** I want to say that I agree with your point about training for teachers and principals on the whole issue of how you deal with parents. I really do think that's an important point.

**Ms. Dandy:** It's critical.

**Mr. Marchese:** New Democrats have introduced a bill that says we should have ombudsman's oversight over education, which the government has not supported. I know it's not the same as having an ombudsman in the Toronto board, but I'm assuming you'd probably support—

**Ms. Dandy:** I think there should be a provincial education ombudsperson, absolutely. I think that parents and people outside the system have absolutely no way of really demanding anything of the system, having their rights—

**Mr. Marchese:** I agree with that. Speaking to section 4, which Kathleen Wynne was just talking about, we don't know what this "provincial interest" is. We don't know what they want to do around special ed. I know they've been trying to cut money in this program, so I don't know what that section means.

**Ms. Wynne:** That's not even true.

**Mr. Marchese:** Oh, I wish I had time to talk about how that's—

**Ms. Dandy:** I think the words "provincial interest" really speak to it. I guess I just don't see any provision for a bigger conversation, for having all the aspects of education addressed, including all the expertise that parents could bring to something like that. They are experts and they do bring a point of view that is not accounted for in this at all.

**Mr. Marchese:** I refer you to the debate I had with the former Minister of Education in estimates, where I talked about special ed and their desire to cap. So when Ms. Wynne says it's not true, it's on the record. If you want me to give you the estimates—and you, Madam Wynne—I'll be happy to send them to you—

**The Chair:** Thank you, Mr. Marchese. Thank you as well, Ms. Dandy and your entourage, for your presentation on behalf of the Toronto Parent Network.

I now call to the floor our next scheduled presenter, Mr. Al Pierce, chair of the Hamilton-Wentworth District School Board. Going once. Going twice. Mr. Pierce, you will forever have to hold your peace.

#### OTTAWA-CARLETON DISTRICT SCHOOL BOARD

**The Chair:** We'll now move to our next presenter, Ms. Lynn Graham, chair of the board of trustees, and Dr. Lorne Rachlis, director of education, of the Ottawa-Carleton District School Board. Thank you very much. Please come forward. As you've seen the protocol, you have 12 minutes in which to make your combined presentation, beginning now.

**Ms. Lynn Graham:** Thank you to all of you for hanging in here. I know it's getting late. We've come from Ottawa today and we're going back tonight, so we do appreciate you haven't adjourned till tomorrow.

I'm Lynn Graham and chair of the Ottawa-Carleton public school board. Our director, Lorne Rachlis, is here as well and we're going to share the presentation. I'm not

going to speak from speaking notes, I'm going to speak from the actual text of our presentation, which I assume you all have.

I do want to open, though, by saying that the current government has set a very positive tone for public education in this province, for which we in Ottawa-Carleton are very grateful. There are a number of initiatives in this draft legislation that we certainly support, including the recognition of the role of the student trustees, the increase in trustee remuneration, the new teacher induction program and other sections.

But I too am going to focus on section 4. I would like to turn to three specific sections in our report. If you'd go to page 4, at the top, "Encroachment on the duties of boards," this section represents a transfer of authority from local boards to the province. The subsection seeks to regulate the duties of local boards. Rather than assigning duties to local boards, it enables the government to regulate the actions required of local boards in order to fulfill their duties.

The role of the province is to ensure that students across Ontario have equal access to a quality education. The role of local boards is to meet the needs of our students by establishing programs, services and policies; and to do that effectively, local boards must have clearly defined spheres of jurisdiction to establish priorities and set policies. This subsection serves to further weaken the authority of local boards. Students in Ontario would be better served by a legislative framework that distinguishes between provincial and local responsibility.

The province could further provincial interests in education by defining those interests and requiring boards to develop policies and procedures within those areas the balanced provincial interest, local need and resources availability.

Our recommendation there is that the duties of boards should be a matter of legislation, not regulation, and the section should be amended to remove the assignment of regulatory authority to the government and instead assign responsibility to local boards to develop policies in the areas of "provincial interest" and that areas of provincial interest need to be defined.

The second of the three I want to highlight is right below it, "Use of regulations and the need for consultation." I am very pleased to hear that the minister is going to build in consultation, because that was something that was certainly of concern to us.

I'll just paraphrase some of that, that the bill does assign regulatory authority to the government on a wide range of issues. Regulations are an important mechanism for providing guidelines in support of legislation, especially where we need to have flexibility or regular updating to the guidelines.

Unfortunately, there is an increasing trend on the part of successive provincial governments to address legislative issues by way of regulation because it's faster and easier. Unlike legislation, regulations are not subject to debate or approval in the Legislature, but I do note, as I said, that there is going to be consultation built in. So our recommendation is there under number 3.

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The final one I want to mention is on page 6, and again it's section 4, regulation of outcomes, near the top of page 6. This enables the government to specify required outcomes for student achievement in literacy, numeracy and secondary school graduation rates. This is further supported by clause 11.1(2)(b), which allows the government to establish specific measures required of boards in order to achieve these outcomes. The concept of legislating outcomes as opposed to establishing targets is questionable and undervalues the complexity of factors that contribute to student success. The creation of targets provides an incentive for success, while the establishment of mandatory outcomes redirects attention from student learning to achievement of prestated outcomes.

I'll now turn it over to our director of education.

**Dr. Lorne Rachlis:** Thank you, Lynn. It's hard to be what's standing between you and dinner, so I'll be as brief as I can.

I'm picking up from page 6. Just as a quick comment on the role of student trustees, the Ottawa-Carleton board is privileged to have two student trustees who enthusiastically participate in our board meetings as well as our standing and advisory committee meetings. Our student trustees may speak to any matter before the board, and during debate are entitled to request that their views be recorded in the minutes of a board meeting. We're aware that not all students in the province have the benefit of the same level of support from their school boards, and to that end we support legislative guidelines that encourage consistency and standards for student trustees. However, the Ottawa-Carleton District School Board has formally taken a position that it does not support voting rights nor access to any in camera meetings for student trustees.

We also feel that the legislation as currently structured with respect to recorded votes creates operational problems for local boards. We have specific recommendations about how these concerns might be addressed.

On page 8, with respect to class size, we certainly support the smaller primary class size initiative. However, significant changes to school boundaries, school programs and even grade levels in the school will occur for September 2007. I think that's roughly the time of the next provincial election. It's critical that any regulations recognize the need for local flexibility to avoid extensive disruption which will occur 15 months from now.

At the bottom of page 8, with respect to trustee honoraria, the Ottawa board applauds the changes to the provisions regarding trustee remuneration, including the increase in honorarium, the retroactivity of the honorarium for the current school year and the return of provisions regarding trustee honoraria to regulation rather than legislation. However, we are concerned that the bill provides the authority to pay trustees "an honorarium in an amount determined by the board" and does not include a formula for the calculation. We believe that local boards should have the authority to set the honoraria based on a formula that results from a compensation review similar, for example, to that undertaken for

members of provincial Parliament and municipal councillors. We also feel that consultation on the establishing of trustee honoraria should be done according to local board policy and not prescribed by regulation.

Finally, on page 9, with respect to timing and commitment of provincial grants for school board obligations, we recognize that Bill 78 does impose a number of new obligations on school boards. Our board has previously indicated to this government that education funding is in crisis. Local boards cannot assume new obligations without appropriate increases in funding to cover all new costs. As a result, we're requesting that the government recognize these new obligations imposed in the bill and make a public commitment to provide the necessary funds to pay for those obligations.

On a related note, it's imperative that the government recognize the need for timely announcements and distribution of education grants so that local boards may be engaged in the type of long-term planning that's necessary for us to fulfill our mandate. We're therefore recommending that subsection 27(1) of the bill be amended to establish a date by which all legislated education grant amounts are confirmed to local boards and that the date be at least five months prior to the commencement of the school year, and possibly by March 31.

In closing our presentation, we have provided you with an overview of our concerns with Bill 78. We have a number of other areas that we would like you to read in the paper. We aren't reading it, and we hope that you will. We'll also be happy at this point to address any questions you may have.

**The Chair:** Thank you, Mr. Rachlis, Ms. Graham. We've got a minute each. To the PC side: Mr. Klees.

**Mr. Klees:** Thank you for your presentation. The Ministry of Education has placed significant obligations on your board over the last couple of years, not the least of which are four-year contracts and the escalating costs of teachers' contracts. Given all of those obligations, without additional resources, will you be running a deficit at your board?

**Ms. Graham:** We have projections showing that we may be able to squeak through in 2006-07, but we're going to be in serious trouble in the 2007-08 school year and the problem is going to grow as the years progress because we do not have the funds for that salary gap. We're taking money out of all our other line items, and it's becoming increasingly serious.

**Mr. Klees:** So you are shifting resources, money, from other programs.

**Ms. Graham:** Absolutely.

**Mr. Klees:** Are you shifting anything out of the special-needs programs, for example, into salaries?

**Ms. Graham:** The area that we're really shifting out of is the local—

**The Chair:** Thank you, Ms. Graham. Thank you, Mr. Klees. Mr. Marchese, approximately a minute, please.

**Mr. Marchese:** We have one minute and I have two questions. The first one is that I appreciate your concern

around section 4, which you've heard most people speak about.

**Ms. Graham:** We've been here, yes.

**Mr. Marchese:** I share that. While you support the idea of consultation, why might you not consider the idea of saying to the government, "Delete it. Delete this section, because we're worried, and then have consultations"? Once we've done that and we know what you're getting at, maybe we can present another bill.

**Ms. Graham:** We would like further clarification; you're right. But we have given a specific recommendation on how we would like the consultation to be carried out.

**Mr. Marchese:** I disagree with that, by the way, but I have no time to disagree with you.

On the whole issue of class sizes, the government is going to create maximum average class sizes—it's talking about class sizes in general—by regulation. It concerns me. Are they going to do it by grade, by division, by school, by board, or by what method? We don't know. Director, are you concerned and do you have a suggestion as to what method—

**The Chair:** Thank you, Mr. Marchese. I will now offer it to the Liberal side. Ms. Wynne.

**Ms. Wynne:** I want to thank you both for your specific recommendations. We'll go through them entirely.

On the issue of the consultation, do you see this as an opportunity, then, for us to have this discussion between the ministry and the boards about the kinds of things that boards should be responsible for, are already responsible for, and getting some guidelines in place from the ministry to the boards, and that relationship that will clarify some of the expectations on boards?

**Ms. Graham:** I think some of the provisions we do see in regulation. Some we don't. But for the ones we do, we just want to be sure that there is meaningful consultation with adequate lead time on it. I think that's our major concern.

**The Chair:** Thank you, Ms. Wynne, and thanks to you as well, Ms. Graham and Mr. Rachlis, on your deputiation from Ottawa. We wish you a safe journey returning.

#### COALITION FOR MUSIC EDUCATION IN CANADA

**The Chair:** We now have our final presenter of the evening, Ms. Ingrid Whyte, executive director of the Coalition for Music Education in Canada. Welcome, Ms. Whyte. As you have seen, the protocol is 12 minutes for the combined presentation, beginning now.

**Ms. Ingrid Whyte:** Thank you for the opportunity to be here today. We're going to take you page by page through that very long survey that I've left with you all today. I'm not really; it's by way of background.

Beside me is Heather Ioannou, who's one of our board members. My name is Ingrid Whyte, and I'm the executive director for the Coalition for Music Education in Canada.

The Coalition for Music Education in Canada was founded in 1992 and represents thousands of Ontarians and more than 20 music-education-based associations from across Canada. We came together to share ideas and improve the state of music education in Canada. The coalition works with parents and other concerned citizens to increase involvement. We work with governments at various levels to address the need to protect and preserve music in schools.

Members of the coalition represent a wide range of music-education-based associations from almost every province in the country, including the Canadian Music Educators' Association and provincial affiliates in Ontario, British Columbia, Manitoba, Saskatchewan and Nova Scotia, the Canadian Music Industry Education Committee, the Kiwanis Music Festival, Carl Orff Canada, the Kodaly Society, the Ontario Choral Federation and many others. Besides music educators, members of the Coalition for Music Education include industry representatives, parents and music lovers across Canada.

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Our mission is to raise the awareness and understanding of the role that music plays in Canadian culture and to advocate the contribution that music education makes in the lives of all Canadians. It's the goal of the coalition to see that every child has the right and opportunity to receive, through their basic school curriculum, a well-rounded and balanced education that includes a comprehensive, sequential quality program in music.

I got involved in this organization almost three years ago, not as a music educator, but as a parent who has seen first hand the impact that a good music program has on children. I have twin daughters and when they were in grade 4, a music teacher handed them their first instruments: a viola and a trombone. I had two of the shyest, quietest, least confident kids you could imagine at that time. But you know what? Music brought the life out of them and helped create two incredible young women. It gave them focus and drive, it gave them self-confidence, it gave them friendship and community, and music inspired them. But I witnessed many cuts as they worked their way through the public school system, and that is why I'm standing here before you today.

Just one week ago, on May 1, we celebrated Music Monday, an event organized by the Coalition for Music Education in Canada. More than half a million students, teachers and dedicated music advocates across the country joined together to celebrate the power of music. They united in the performance of the same song at exactly the same time across the country as a way to show their love of music in their lives and in their schools. From coast to coast to coast we sent a message that music education is an integral part of a child's education. More than 600 Ontario schools participated in an event that demonstrated the galvanizing power of music and how that power is rooted in schools.

The students who participated in this national celebration were among the lucky ones, however. They have a music program and they have a dedicated music

teacher. Many young students are not so fortunate, as music classes, resources and specialist teachers have faced serious cuts or elimination across the country. Half a million of us participated in Music Monday last week, but there are more than five million children in Canadian schools, and each and every one of them deserves a quality music program in their school.

The Coalition for Music Education advocates for the contribution that music makes in the lives of all Canadians. We believe that music is key in learning and in life, and we need to protect and nurture music in our schools so our young people can enjoy the lifelong benefits music can bring.

Bill 78 must recognize music and the arts right alongside numeracy and literacy as pillars of a good, well-balanced education. As recently as last Friday, Premier McGuinty stated his belief in the value of arts in education with the announcement of \$4-million arts education partnership that will match money raised by arts organizations from private sector donors. The partnership will fund projects that promote and improve arts education in schools and communities. While programs such as these may enrich the arts experience for some children, we must be careful that they do not replace or drain resources from the delivery of quality music education in our schools.

The good news is that our legislators are recognizing the value that arts education provides to our children in their learning environments, but in order for our children to fully receive the benefits of music in our schools, we must ensure that music education is seen and practised as a developmental, sequential, quality program delivered by qualified, certified music educator specialists.

So why are quality music programs so important in the education of our children? Because music develops skills needed by the 21st century workplace, critical thinking, creative problem solving, effective communication, teamwork and more. The world-renowned expert on innovation, education and creativity, Sir Kenneth Robinson, said, "Creative and cultural development is a basic function of education, not a separate subject."

Music keeps students engaged in school and more likely to graduate. Gary Crawford, trustee and vice-chair of the Toronto District School Board, has this to say: "Music can be a powerful vehicle for positively influencing and benefiting at-risk, alienated and marginalized children and youth.... Music can be used as a tool to speak to kids, as well as a way for kids to speak to us."

Music improves the atmosphere for learning, stimulates the imagination and helps kids achieve in other subject areas like math and reading. And there are numerous studies that provide support. A study out of McGill University in 2002 talks about how "Music involves perception, memory, emotion, motor control, all the learning aspects. It brings together a lot of different functions in a very coherent way."

A brand new study just out of the University of British Columbia "points to a number of reasons for why music studies have a positive impact on academic results, including a key one he calls the socio-emotional benefit

of music." The study points out how "music classes often create the social stability teenagers need. The quality of the relationships they develop in these classes [is] much better than the quality of relationships in other classes, and this is really important to high school kids."

Music creates context for history, geography and cultural awareness.

In 1998, Dr. Len Henriksson of UBC's faculty of commerce and business administration wrote, "There is a growing body of research that suggests when arts are developed and included as part of the core curricula, students have more and better chances of achieving their greatest potential."

But perhaps most importantly, in a world that's increasingly troubled, where kids have more challenges and pressures than they deserve to face, where many kids are feeling disengaged and isolated, music creates community. Music reaches across all barriers of class, race, language and ability, and helps us work together, respect one another, experience joy together and succeed together.

As one Ottawa educator wrote to me in an e-mail following our inaugural Music Monday concert in 2005, "One of my choir students told me that when she moved to Canada, she wasn't nervous. She explained that although she did not speak English at the time, she spoke Music, and she knew that it was a language everyone understood."

From a school principal, I received this note: "We have an extremely successful band program at our school which adds consistently to the positive behaviour in our building as well as the positive self-image of our students. For us, music is every bit as important as any academic subject. It is a lifelong gift."

Numeracy and literacy are important, but it's music and the arts that give us our humanity. And if you believe that school is the foundation for everything we want our future to be, then our schools must include music as a tool for engagement, harmony, creativity and achievement.

As I said earlier, we have more than five million children in Canadian classrooms, with more than two million right here in Ontario, and each and every one of them deserves a quality program in music. Ontario can lead the way in its commitment to and delivery of quality music education.

Bill 78 must recognize, overtly and emphatically, the powerful contribution that music education makes in the lives of our children through our schools. In recognizing music and arts education as a pillar to a well-balanced education, you have an opportunity with this bill to set a new standard of educational excellence. With this recognition, certain policy areas within the bill must be re-examined to reflect a genuine commitment to music education: that new testing standards in literacy and numeracy must not undermine existing and future investment in quality music education; that regulations be put in place for music and the arts to ensure implementation of programs at local levels; that class size caps do not marginalize existing music programs by taking away the

classrooms in which they are taught, nor jeopardize future investment in music programs; and finally, that music education must be delivered by certified, qualified specialist music teachers through developmental, sequential programs.

Music education has been recognized by the government as a distinct area of learning. It has its own unique place in Ontario education, as outlined in the Ontario curriculum document, *The Arts*, 1998. We ask legislators to be vigilant and ensure that Bill 78 does not inadvertently rob music and the other arts of their autonomy and rightful place in education.

I'd also like to suggest that we, as the Coalition for Music Education in Canada, can assist you when forming important decisions regarding education in Ontario. Through the coalition, we can offer consultation with some of the greatest collection of music education minds in Canada. We believe in a process of constructive dialogue that can lead to actionable and meaningful outcomes for music and the arts in Ontario classrooms.

In addition to the copies of the deputation I'm leaving with you, I've left behind a benchmark survey that we completed last year that surveys the state of music education across the country.

Thank you for this opportunity to speak with you, and I hope that we can continue to work together to improve the lives of children through quality music programs in our schools.

**The Chair:** Thank you, Ms. Whyte. We have 30 seconds each. Mr. Marchese.

**Mr. Marchese:** I didn't think we had time. I just want to agree with everything you said. Given that the Premier spoke so beautifully about music just last Friday—and the member from Stoney Creek and Minister of Education Papatello—and given that they say that they put 4,000 new teachers, and that includes so many that would be music and arts teachers, why don't they just build it

into the bill, is what you're saying, right? I agree with that.

**The Chair:** Thank you, Mr. Marchese. Ms. Wynne.

**Ms. Wynne:** I want to thank you for your advocacy, because I know how hard you both work. I would just ask the question that I asked of Kevin earlier in terms of the opportunity to have that dialogue with boards and to actually set some guidelines in place that might do some of what you're asking. Do you see any opportunity in terms of the regulation-making authority in the bill?

**Ms. Heather Ioannou:** Perhaps I could answer that. Actually, I would like to see that, Ms. Wynne; I don't see it there. If it is there, I'd like it strengthened. We'd very much like that opportunity.

**Ms. Wynne:** I'd just like you to take—

**The Chair:** Thank you. We now move to the PC side.

**Mr. Klees:** Mr. Merkley, whom you are obviously associated with, made a presentation earlier. He indicated that he is now seeing music programs squeezed and cut as a result of some of the government policies. Are you aware as well, are you getting reports of music programs in the province being cut?

**Ms. Whyte:** Absolutely, yes.

**Ms. Ioannou:** If I could jump in there again, there are no cuts. I think it's inadvertent. Someone said to us last week that education is an amorphous gel: you push one side and the other side bubbles out. The small class size cap is a laudable venture. However, the result is in—specifically I know in the city of Toronto, with the over-subscribed schools, principals have to look for space—

**The Chair:** Thank you, Ms. Ioannou. Thank you as well, Mr. Klees. And thank you, Ms. Whyte, for your deputation for the Coalition for Music Education in Canada.

Seeing no further business, this committee is adjourned till Monday, May 15, at 3:30 p.m.

*The committee adjourned at 1841.*

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