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**Official Report
of Debates
(Hansard)**

Tuesday 19 June 2001

**Journal
des débats
(Hansard)**

Mardi 19 juin 2001

**Standing committee on
finance and economic affairs**

Responsible Choices for Growth
and Accountability Act
(2001 Budget), 2001

**Comité permanent des finances
et des affaires économiques**

Loi de 2001
sur des choix réfléchis
favorisant la croissance
et la responsabilisation
(budget de 2001)

Chair: Marcel Beaubien
Clerk: Susan Sourial

Président : Marcel Beaubien
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ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
FINANCE AND ECONOMIC AFFAIRS**

**COMITÉ PERMANENT DES FINANCES
ET DES AFFAIRES ÉCONOMIQUES**

Tuesday 19 June 2001

Mardi 19 juin 2001

*The committee met at 1000 in the Marriott Hotel,
Ottawa.*

**RESPONSIBLE CHOICES FOR GROWTH
AND ACCOUNTABILITY ACT
(2001 BUDGET), 2001**

**LOI DE 2001
SUR DES CHOIX RÉFLÉCHIS
FAVORISANT LA CROISSANCE
ET LA RESPONSABILISATION
(BUDGET DE 2001)**

Consideration of Bill 45, An Act to implement measures contained in the 2001 Budget and to amend various statutes / Projet de loi 45, Loi mettant en oeuvre des mesures mentionnées dans le budget de 2001 et modifiant diverses lois.

The Vice-Chair (Mr Doug Galt): We'll call to order the standing committee on finance and economic affairs. Just a couple of announcements as we get started. For those of you who have the translation equipment, channel 7 is English, channel 8 is French and 0 is from the floor.

We'll be following the rules of the Legislature with this committee. We don't expect demonstrations. We expect an orderly meeting to take place. If anyone in the audience or any of the members have cell phones, please turn them off now. They are not tolerated in the Legislature, and we'd appreciate if they didn't ring and interrupt the meeting here today.

The other issue that may bother some of the members is the air conditioning. Half of the room is on and half is not. The reason is that it's feeding back through the microphones. If we get too uncomfortable, maybe call a point of order and we could turn it on and see how the microphones handle it.

MARTHA JACKMAN

The Vice-Chair: The first delegate is Professor Martha Jackman, Faculty of Law, University of Ottawa, if she'd come forward at this time, please. Welcome. In total, there are 20 minutes for your presentation and responses or questions from the various parties. Once you've finished, we'll divide the time between the three parties and they'll be able to ask you some questions for

clarification. For the sake of Hansard, would you state your name.

Ms Martha Jackman: I'm Professor Martha Jackman, of the Faculty of Law at the University of Ottawa. My area of expertise is social and economic rights. I'd like to thank the committee for inviting me to appear this morning.

I'd like to do a few things quite briefly. First, I'd like to reiterate the historical constitutional objections to the current funding formula under the Ontario Education Act. Secondly, I'd like to review the constitutional framework within which the tax credit that's being discussed this morning must be assessed. Thirdly, I'd like to discuss with you some of the clear constitutional objections that can be raised to the tax credit. Finally, I'd like to discuss the measures which I believe the Constitution mandates should be taken in the area of school funding.

As the committee members are no doubt aware, the discriminatory funding formula under the Ontario Education Act has been challenged both domestically and internationally. The fact that in Ontario Roman Catholic religious schooling is funded where other forms of religious schooling are not was challenged domestically through a reference in 1987 and again in the Adler case in 1996. In both cases, the Supreme Court of Canada held that in view of section 29 of the Canadian Charter and the fact that the provision for Catholic school funding was set out under section 93 of the 1867 Constitution, there was no judicial remedy available for the discriminatory funding of Catholic education and that the remedy to that discrimination had to be a political one.

In 1999, the UN human rights committee also held that discriminatory funding of Catholic schooling in Ontario violated section 2 of the International Covenant on Civil and Political Rights, and it asked the state party to provide a remedy to that discrimination.

The constitutional framework for assessing the equity in education tax credit is both a domestic and an international one. The International Covenant on Economic, Social and Cultural Rights, under article 2.2—and there is an equivalent provision under the International Covenant on Civil and Political Rights—prohibits a state party from discriminating based on religion, sex and social condition, among other grounds. Article 13.1 of the international covenant guarantees the right to free public education. That education should be directed to

strengthening respect for human rights, to enabling all persons to participate effectively in society and to promoting understanding and tolerance amongst all ethnic, religious and racial groups.

Article 13.3 of the covenant requires state parties to respect liberty of choice of parents in terms of religious schooling. However, as the UN human rights committee underlined, article 13, and in particular article 13.3, does not impose any obligation on state parties to fund religious schooling.

Domestically, section 2(a) of the Canadian Charter guarantees freedom of religion, and section 15 of the Canadian Charter guarantees equal benefit and equal protection of the law without discrimination, including based on sex and the analogous grounds of sexual orientation and social condition or poverty. Section 36 of the Constitution Act, 1982, commits Parliament and the provincial Legislatures to providing all Canadians with equal access to essential public services, of which education is clearly one.

Against that backdrop, what constitutional objections can be raised to the proposed tax credit? In a sense, the proposed tax credit violates both international and domestic equality rights principles. First of all, and particularly in the fact that the tax credit is not restricted to religious schools but extends to private schools of all kinds, the tax credit proposal, and the tax credit if it were implemented, discriminates on the basis of poverty or the analogous ground of social condition under the Canadian Charter. By definition, private schools with private school tuition are designed to perpetuate systemic discrimination based on social class, and as such they are objectionable. Public funding for private schools is equally objectionable.

Public education, as the Royal Commission on Learning noted in 1994, has a crucial role to play in ensuring that low-income children have equal access to education and also equal access to opportunities to advance themselves in Ontario's society. Using public tax dollars to fund private schools discriminates on the basis of poverty. Because poverty is predominantly a characteristic of children from sole-support families, the measure is also discriminatory based on family status. Given the unfortunate disproportionate poverty among racialized minorities in Ontario, the tax credit is also discriminatory based on race.

Secondly, the proposed tax credit is discriminatory based on gender. Again, the Royal Commission on Learning in 1994 underlined the existing systemic barriers to girls that still exist within the Ontario public school system, in terms of sexist curriculum, perpetuation of sexist stereotypes and also sexism in school administration, where women are still limited in their advancement. The public school system has taken many steps to overcome the historic and systemic sexism in public schooling in Ontario. In fact, gender equality is an underlying norm of public school education in Ontario. As such, access to fully funded public education is essential for the equality of girls and women in Ontario.

Conversely, the religious, cultural and social norms which underlie much private religious schooling perpetuate stereotypical discriminatory ideas about the role of women—the fact that they should be confined to the private rather than the public sphere—and also discriminatory attitudes around issues, for example, of reproductive choice for women. Again, public funding of religious, cultural and social private schooling that is not required to adhere to the same requirements as the public school system in terms of recognition and advancement and of sex equality for girls is both reprehensible and illegal.

Finally, the proposed tax credit discriminates on the basis of the recognized ground of sexual orientation. Again, many of the religious and cultural private school institutions which this tax credit will benefit hold as a fundamental tenet that sexual orientation is morally reprehensible. Providing public funding to private religious educational institutions which hold these views about gays and lesbians is not only ethically repugnant but constitutionally impermissible.

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Finally, the proposed tax credit doesn't respond to the UN's concerns in the Waldman case. What the Waldman case made clear is that in order to remedy the discrimination inherent in section 93 of the Constitution Act and the Ontario Education Act in terms of funding of Catholic schools is either full funding for all other religious schools—funding equivalent to what's provided to Catholic schools—or no funding to any religious schools. Clearly, full funding of all religious schools would be objectionable on many grounds, including the constitutional grounds I enumerated earlier.

The only real alternative available to the Legislature of Ontario to the discrimination that was identified in the Waldman case is the repeal of section 93 and the provisions of the Ontario Education Act that provide for funding to Catholic schools. While this might seem radical to the Legislature of Ontario, I hasten to remind you that very recently both the province of Quebec and the province of Newfoundland, with the co-operation of the federal Parliament, adopted constitutional amendments to repeal equivalent provisions that existed in those provinces in order to eliminate discriminatory funding of religious schools.

In conclusion, I would suggest that the Constitution mandates measures with regard to funding of schooling in Ontario. First of all, the Constitution mandates not discriminatory funding to private and private religious schools but rather funding to those segments of the public school system which are currently underfunded. As all UN treaty-monitoring bodies have recognized in recent reports relating to the compliance of Canada with its international human rights obligations, inequities in funding for schooling provided to aboriginal students, students with disabilities and poor students, including racialized students within inner-city schools, should be addressed immediately.

The tax credit which your committee is examining today will inevitably be subject to charter challenge, first,

because of the element of funding to private schooling, which is simply unjustified—it was not called for in Waldman, and it's clearly discriminatory based on poverty and social condition—and, secondly, in its religious elements. Not only does this tax credit not satisfy the requirements of Waldman in terms of full funding for religious schooling if you're going to provide funding to any religious schooling, but it's objectionable on the grounds I outlined above. What I would suggest, then, is that this committee recommend to the Legislature that this tax credit proposal be repealed and that the Legislature turn its mind to the real issue here, which is section 93 and the discriminatory funding of one type of religious schooling, as well as the underfunding of the public education system as a whole.

Thank you very much, and I'm happy to address any questions in English or in French.

The Vice-Chair: Thank you, Professor Jackman. We have about a minute and a half to two minutes per caucus. We'll begin with the official opposition. Mr McGuinty.

Mr Dalton McGuinty (Leader of the Opposition): Thank you very much, Professor, for your presentation here today.

One of the things we've been asking the government to produce are any studies, any reports of any kind, on which they relied as background information or that would support this policy. They have yet to do so.

On the other hand, we've had all kinds of information and an extensive and thoughtful legal brief that was presented before the UN and prepared on behalf of the Ontario government, arguing against the very type of policy it now advocates. I just want to say it was very helpful to the committee to receive your considered opinion in terms of the legality—the constitutionality—of this policy.

Do you have any reason you might offer as to why the government might have proceeded with this policy that certainly extends beyond the bounds of what the UN addressed? I just wonder if you might offer any insights in that regard.

Ms Jackson: Since I'm appearing this morning as a constitutional expert rather than as a parent of children in a public school system, all I can say is that I think the documentation to which you refer would make it difficult for the government of Ontario to justify, under section 1 of the charter, the violation of the various charter rights I have identified.

The Vice-Chair: You have about 15 seconds if you have any more comments?

We'll move on to Mr Marchese.

Mr Rosario Marchese (Trinity-Spadina): Professor Jackman, I understand the arguments you're making, but a number of deputants—including Christian schools and the Canadian Jewish Congress—recognize they don't have full funding now, but they're quite happy with partial funding. While they may lobby for full funding, in the meantime they're all saying this is addressing their concerns on the basis of human rights discrimination. So

while I presume they would lobby for full funding, in the meantime they're saying this is OK and they're happy the government has done it. I'm not sure how you would respond to it.

Ms Jackman: Again, from a constitutional point of view it may well be that the schools and the parents who will receive the benefit of this tax credit may be happy, because it's probably more than they expected, especially given the recommendations of the Royal Commission on Learning in 1994 and the government's submissions to the UN committee. It remains that any level of funding to private religious schools is a violation, in my opinion, of charter guarantees and does not respond to concerns raised by the UN committee under the international covenant.

The Vice-Chair: Anything else? No? The government side. Mr Guzzo.

Mr Garry J. Guzzo (Ottawa West-Nepean): Professor Jackman, thank you very much for your far-reaching comments. They take us past this legislation, and I commend you for that. I want to go even further. I think I'd be misleading you or the committee if I said we haven't considered the constitutional challenges that are probably forthcoming. If you're right—and let's assume for the moment that you are—then we're into the notwithstanding clause. The only way to preserve what the government is trying to do here would be the use of the notwithstanding clause. I'd like your comments on the possibility of the use of that clause, not necessarily just with regard to this issue but to other issues, because we have been reluctant to use it.

Ms Jackman: As you know, section 33 of the charter does permit the Legislature to override constitutionally guaranteed rights. The notwithstanding clause has rarely been used in Canada, for obvious reasons. As you may recall, when the Supreme Court of Canada told the Legislature of Alberta that its failure to include sexual orientation as a prohibited ground of discrimination under the provincial Human Rights Code was illegal, certain MLAs in Alberta did talk about invoking the notwithstanding clause. I think the outpouring of public opposition to this—even from certain people who were more or less sympathetic with the rights of gays and lesbians—should be a lesson to the Legislature of Ontario. Given the, I think, very strong public opposition to this measure already, adding insult to injury by invoking the section 33 override clause to immunize it from judicial review would likely be very unpopular.

Mr Guzzo: So I think I'm hearing you say from your perspective—an academic perspective—that the notwithstanding clause should be revoked, correct? Is that what you're saying?

Ms Jackman: I'm sorry, I'm advocating for the tax credit being repealed. I am not discussing the notwithstanding clause.

The Vice-Chair: Thanks very much for your presentation. We appreciate your coming before the committee.

I noticed, just as you finished your presentation, a few people in the audience didn't know whether they should

applaud or not. The Chair is very tolerant and understanding of appreciative applause if they so desire. We don't expect a disruptive demonstration, but certainly we're not quite so formal that you can't give a bit of applause.

Thank you, Professor Jackman, for coming forward.

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ONTARIO SECONDARY SCHOOL
TEACHERS' FEDERATION, DISTRICT 26

The Vice-Chair: The next presentation is from the OSSTF, District 26, Greg McGillis, president. Come forward, please, and, if you don't mind, state your name for the sake of Hansard. Of course, you have 20 minutes at your disposal for your presentation and what's left will be divided between the three caucuses.

Mr Greg McGillis: My name is Greg McGillis. I am President of OSSTF District 26. I am also an OTF governor and president of the teacher bargaining unit. We represent about 900 teachers, occasional teachers and support staff, including psychologists, psychometrists, social workers and a variety of other professional services areas.

I have to note that this came as a little bit of a surprise, so I had to put this together at the last minute and I'm still sweating from the run over here from having copied it all. So if you'll excuse my glowing demeanour, I'd appreciate it.

The other thing I would note, and it bears repeating, is that it is extremely sad that more people weren't able to present. I see a lot of people in the audience who really would have welcomed the opportunity. As a matter of due process and reasonable consultation, I would have hoped that the government would have considered hearing from more people. I do feel privileged, I guess. It shouldn't be a privilege to present to the government your concerns, but that being what it is, that's what I'm doing.

I've got an executive summary that I'll go through very quickly, and then take some questions. There is quite a bit of study material in the approximately eight pages of the actual brief itself that may not have reached the committee. I've followed some of what's been presented at the committee and I would ask you to take some consideration to looking at that. I think I've put in some specifics about statistical information in relation to experiences in both Alberta and BC, but particularly in Milwaukee, Cleveland and some of the other jurisdictions which have tried vouchers and tax credits of various kinds.

OSSTF, let me just begin by saying, is seriously opposed, and our members, almost every one, are opposed to this measure. I remember four or five years ago receiving a call from a parent and explaining that I thought, as alarmist as it might seem, that Bill 160 and some of the other measures taken by the government seemed likely to lead to the possibility of things like charter schools and vouchers. The parent said, "Certainly

you've made a mistake. You're bringing things in here that this government has never talked about, has never discussed." Now we find it actually, suddenly, in the public domain, and that is a crime, a kind of crime of government. It's disgusting.

The government has essentially betrayed the people of Ontario and even its supporters in proceeding with such an unusual measure, a measure that has met with failure almost everywhere it's gone and that has actually been rejected by every American state where there has been a proposition come forward on the issue. Where it hasn't been rejected, because it's been done by municipal groups, it's usually been ruled unconstitutional under the American Constitution. To say that the Americans have higher principles than Canadians or Ontarians, I would take exception to, and yet it seems that's exactly what we're talking about here. It's something that has been rejected time and time again as a matter of democracy and equity in the United States and that nevertheless has been presented by this government.

It's not the first time this government has done that, taken the unusual step of introducing bad law. I suspect it won't be the last, but I hope that the government, at the very least, will take some notice of the objections of the members of OSSTF, and also of the parents who have spoken to me and to other teachers who are concerned about what's going on here and its potential to fragment the system.

It's our position that the government should immediately withdraw the section of the budget bill which implements tax credit vouchers for private and religious schools. For those who are in the audience who don't know, in fact we're here to talk about the budget, incredibly. That's an outrage. This is a bill on its own. In fact, many people don't realize that it's not a bill on its own. Most people are assuming that we're here only to talk about tax credits, because it is such a serious matter. They would find it unbelievable that it could be snuck in at the back end of a bill. In fact, I had a great deal of difficulty, frankly, finding it. Every time one of these bills comes up, I go looking for it on the Legislature site. It was nearly impossible to find, simply because I just did not know where to look. What do you look under: finance, education? It turns out it's the budget bill, incredibly.

Public education, first and foremost, is a public good. It's something that I think most of us can agree on. This measure at a practical level, regardless of the question of equity, which I guess is not good enough for anyone now, and other issues related to the higher purposes here, will fragment an already fragmented society. We live in a society where students, parents and teachers are finding that it's pulling at the seams. This will in fact make that only worse. It will encourage further school closures over and above what we have. Most parents probably don't realize this is a school closure bill in a very fundamental way. Neighbourhood schools are at severe risk if this bill is passed. The studies in Milwaukee and Cleveland, where private school vouchers were instituted, clearly

demonstrated that there was an outflight because of the limitations of the kinds of people. Of course, in order to get it past the constitutional tests in Milwaukee, what they did was they changed the bill, in the proposition that they finally passed, to allow it to only deal with people who had some form of poverty or some other kind of issue related to that; let's say, they're in an impoverished area of the city, that kind of thing.

Despite that fact and despite the fact that the vast majority of those parents, as the studies found by Witte and by Rouse—Rouse is the other person who studied Milwaukee. In light of those studies, it's quite clear that people in fact were leaving the public school system to join parochial and private schools in droves. Those who had the ability, in large numbers were doing it, not because, actually, those private schools were better. In fact, the studies indicated those private schools and those parochial schools were about the same. The difference clearly was that the perception of parents was that this was a better thing for their children. They had no indication; many of them in fact admitted that it was so confusing they really wished to go back to the old way. That was parents talking. They were saying, "I don't know how to choose a school." One woman said that when the principal greeted her at the door, that was how she chose the school. Maybe the principal in the other school was busy that day, but it doesn't matter; that's how she chose the school. Another man chose a school based on the fact that the façade of the school—I don't know how much more superficial you can get than that—was prettier.

There were stories time and time again from the New York Times and from the Cleveland press and from various other sources of people who simply did not know how to choose a school, had no criteria for it. In fact, the one thing that's impossible for the government to do is to really identify it. Most people have difficulty, even in the profession, to say what a good school is. You can say what they have in them; it's difficult to say that this school is good and this school is bad. It's surprising. In Ontario, until very recently, the vast majority of schools were extremely good. What happened with the government cuts is that undercut and fragmented the system. I ask you not to fragment it any further.

Number two, the government should declare a moratorium on further education reforms until the independent studies of the outcomes of these far-reaching decisions are made. I'll tell you, I didn't originally have this in, but I spent a long time trying to find a study that was talked about in the Globe and Mail that was from OISE, the Ontario Institute for Studies in Education. I have copies of this, but the abstract alone is 28 pages. The actual study is 400 pages and it was only an interim report. The five-year study will be available in probably six to 12 months and it is damning of almost every measure the government has taken in the last five years. They have basically come out—and these are calm, reasoned, even polite, because I've spoken to some of them, trying to get a hold of the study, because the

study—I hate to say it; I don't like to say that I think it was suppressed by the government, but it was essentially impossible. The education ministry did not have a copy of the study. No one in education had a copy of this study. I believe that most of the people here, the MPPs included, would not have copies of this study. It's a shame that this study is not in the hands of every government member and every opposition member to go over this and find out what it is that we're doing wrong in this government.

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There are very serious issues that are raised by this. First of all, they call it the paradox of reform: that the government's reforms have been implemented in such a way that they have created a paradox that whatever the government does seems to have the opposite effect. That's really quite incredible. In the history of public policy, I would bet there aren't too many examples of that. It's certainly irresponsible in an area like education. It may be much more serious in areas like water and natural resources, but maybe I would make the case that it's just as serious when the children of our province are being so much affected by these serious changes which clearly are not working in almost any case that these people at the Ontario Institute for Studies in Education found.

This is a longitudinal study, so it will be a five-year report that basically begins with the government's reign, with the government's first time in office, first changes, and ends in the next couple of months. I've spoken to people at OISE who are saying that their concerns have been magnified in the last six months and that what seems to be happening, actually, is a kind of delayed effect. The changes that happened four and three years ago are only just working their way through the system and people now are starting to react to them. The damage being done right now will take another four or five years. You can see the amazing multiplying effect of this. If already it's clear that these reforms have not worked for the last four years, and if the current reforms that are proposed, which are so much more damaging than anything the government has done, are proceeded with, what will happen? What will be left of our public education system in 10 years? It is staggering. I don't think the people of Ontario can afford another Tory government, frankly.

The government should increase education spending for next year by \$2.3 billion.

This is another thing I found. In fact, what got me on to it was the CCPA study, and I notice Erika Shaker is here in the audience—in the gallery, I guess it's called here. Andrew Coyne's response, actually, was the thing that got me going on this and starting to look into the economics of education and how it balances out against other kinds of sectors. Education, and health in some ways too, is not something that yields easily to technological innovation. The easiest way to improve education and to invest in society through education is to lower class sizes. Every study tells us that. Yet the government

plans to increase class sizes or to provide for the increasing of class sizes again.

Again, there's a kind of paradox involved here. While you have education contributing to increased productivity of the workforce in a very real, substantial way, and to a civil and civilized society—let's not forget that—at the same time, education costs actually rise, of their nature, faster than the rate of the CPI. So when Andrew Coyne says, "Maybe education doesn't rise at the same level as the CPI; maybe those cuts don't matter," he's right but for the wrong reasons. Education, because it's a labour-intensive kind of thing and because it's a public good, because it's not possible for people to properly assess the educational quality of different kinds of schools and different kinds of programs, that's partly what makes it a public good. It's something the government can do better than the private sector. But the other thing that makes it important is that education will constantly consume more resources at a faster rate than the rate of inflation. Because it is so labour-intensive, it's called unbalanced growth. It's an aspect of growth that economists have known about for many years. I didn't know about it until only five days ago but I've read a lot about it since I knew I was going to be presenting before this committee. It's quite clear that that's exactly what education is. In fact, education in many cases is taken as the pure example of unbalanced growth.

By putting back that \$2.3 billion that the CCPA suggests the government has taken out simply by a combination of the actual cuts and the cuts to inflation, that \$2.3 billion doesn't even then get us back to where we were four years ago. I'm sorry to question my colleagues in the CCPA, but I believe they've actually underestimated it. That's a sobering thing as well and it's very serious. Do I hear Erika Shaker back there?

The government should return to local governance of education. Honestly, the government has shown it cannot be trusted with the reins of this institution. By proposing this, it has discredited its entire education agenda in a very real and substantial way. It is the one thing that many people said when they called me four years ago, "You can't be serious. I heard you say in the media that this is going to lead to charters and vouchers." People were incredulous that that might be something.

I don't know if people have thought through this very much, but the beauty of the education funding model is so much like a garrotte: it's painful and it's lethal. Students carry with them all of the funding they are going to bring anywhere. There is no other place for funding to come. So what happens is that when you lose even five students, you haven't just lost that student and the programs that were serving that student; you've lost the programs that, on average, had to be spread out among all of the other students in that school.

Then, to cap it all off, you've got the accommodation grants, which are like some sort of nightmare created by a Frankenstein. It basically says that schools that are having trouble attracting students are going to become less viable, not more viable. It actually robs from the

poor to give to the rich. It almost guarantees that this measure of tax credits will result in not only schools that have already been identified for closure, not only the schools that were identified and then taken off the list for closure, but many more schools than we have possibly ever considered.

I give the example in my home town, which is Cornwall. I live in Ottawa now, but Cornwall is in my board and that's where I originally come from. They've created such a wonderfully large board now that I have to live in Ottawa in order to service the needs of this far-flung empire the Conservative government has created for our board. It's very clear from the Cornwall situation that you had a school that was full and they nevertheless had to close it. "How could that be?" you say. They had to close it because other schools weren't full, and because other schools were so much more full that they had to build more schools. But they couldn't build more schools because there were one or two schools in a small little town on the banks of the St Lawrence that were not quite full. They were at 75%, 70%, which would have passed a long time ago, in an age of greater reason, for reasonably sized schools with reasonably sized student populations. What they have done now is they have a plan that I believe is actually going to end public education of the public school board in that area. Those schools are not going to survive. Those are—I'm going to say them out loud here—General Vanier, Cornwall Collegiate and perhaps as well St Lawrence. That town may be without public schools of any kind in five years, based on the plan they're now implementing to try to save them. In a strange way it reminds me of the old Vietnam analogy where in order to save the schools we had to destroy them.

What you have now is a Catholic school board—the wonderful wisdom of this—building schools all over town and a public school board closing schools all over town. But the Catholic school board is using none of the public schools, even though they've been offered to them. And the public school board can't get rid of the schools they've got. They've got to mothball them or tear them down or do something else with them. The insanity of this kind of thing is only a minor thing compared to what's going to happen with this tax credit.

The government should immediately allocate the total \$300 million targeted to private schools to solve the extracurricular impasse in secondary schools so that we can return to business as usual, to whatever extent possible. The same \$300 million that the government has targeted to private schools could return the secondary schools to a reasonable amount of extracurriculars without having to increase class size simply by allowing teachers not to teach the extra class, which has been in dispute for so long. I hear groans from the government side.

The government should call an election on the issue of further election reforms and run on its record of educational chaos and destruction. I think it's a difficult one to defend. In fact, now that they've unmasked them-

selves, they might as well complete the job of putting themselves out of power by doing it immediately so that the rest of us are put out of our misery as well.

The government should, in co-operation with boards, identify those areas of special education needing immediate assistance and create a kind of Marshall Plan to ensure that those children most seriously in need of emergency assessment, treatment and remediation should receive immediate attention so as to minimize the effect on their future lives. Denial of service is probably at a crisis level in this province. Some 37,000—

The Vice-Chair: Mr McGillis, you have approximately a minute to wind up your presentation.

Mr McGillis: I'll quickly go through it.

The government must introduce a referendum on the constitutional right to a Catholic education so that Ontarians can decide whether this is a reasonable provision in a free, secular, multicultural, pluralistic and democratic society.

The government, in co-operation with the opposition parties, should call an inquiry into the government's handling of the education portfolio with special attention on the question of whether students' rights to an education have been violated under the Charter of Rights and Freedoms of Canada.

I'm prepared to take questions in the very short time that I'm allowed now.

The Vice-Chair: We're down to 20 seconds, so I don't think there's really any time to start dividing that up among the various parties.

Mr McGillis: I needed more time. I'm flattered by the fact that I managed to use it up and I barely even got to the details.

The Vice-Chair: Thank you very much, Mr McGillis, for coming forward and presenting to the finance and economic affairs committee.

1040

JEWISH COMMUNITY COUNCIL
OF OTTAWA /
VAAD HA'IR

The Vice-Chair: Our next delegation is from the Jewish Community Council of Ottawa, Rebecca Holtzman, communications coordinator, if you'd come forward at this time. Welcome. I called out Rebecca, but I don't think I see Rebecca here. Maybe if you could say your names for the benefit of Hansard, that would be all four of you, and then, as you may have noticed, you have 20 minutes for presentation. What isn't used in presentation then will be divided among the three parties equally.

Mr Gerald Levitz: Thank you very much. Rebecca is here, actually, sitting in the back.

The Vice-Chair: OK. I was being a little facetious.

Mr Levitz: I'm Gerald Levitz, president of the Jewish Community Council of Ottawa. Mitchell Bellman is the executive director of the Jewish Community Council of Ottawa; and Mr Simon Rosenblum is the director of

public policy for our affiliated organization, the Canadian Jewish Congress, Ontario Region, and—

Mr Aaron Sarna: I'm Aaron Sarna, chairman of the board of the Ottawa Torah Institute High School for boys and the Machon Sarah High School for girls.

Mr Levitz: Thank you for allowing us to make a presentation today on behalf of the Jewish Community Council of Ottawa, or the Jewish community of Ottawa as a whole. As I noted earlier, I'm Gerald Levitz, the president of the Jewish Community Council of Ottawa. The presidency is a volunteer position. In my professional life I am the managing partner of a chartered accounting firm, Ginsberg Gluzman Fage and Levitz. I have noted the two people who have joined me.

The Jewish Community Council is the central umbrella organization of the Jewish community. We are similar in structure to the United Way in that we run an annual fundraising campaign and provide funding to over 20 local beneficiary agencies. Every Jewish organization in Ottawa is a member of our organization, and we are the venue under which the Jewish community of Ottawa comes together as one.

Our community fully supports the proposal outlined in the budget to give parents who send their children to independent schools a phased-in tax credit of up to \$3,500 per child. As a community, we have waited a long time for the government of Ontario to redress the inequity of funding in our education system. We believe that it has been unfair that the province funds only one religious denomination's independent schools and leaves the full burden of costs of other kinds of religious education to the parents and the community. The proposal outlined in the budget addresses that inequity and, perhaps more importantly, it provides our community with a public recognition that our education adds value to the community, is of a high quality and is worthy of government and thereby public support.

The council includes six private Jewish schools as members: Hillel Academy; Rambam Maimonides, which offers a French immersion program; Yitzhak Rabin High School; Torah Academy of Ottawa; Ottawa Torah Institute, and Machon Sarah. The total number of students enrolled in full-time Jewish education in Ottawa is 669 currently. The cost of tuition runs from \$5,800 to \$6,900. That is the base cost of tuition, and of course there are other costs to attend the school, as well. In no case does the tuition come close to covering the actual cost of the education offered.

The Jewish community, through the United Jewish Appeal campaign or other direct fundraising by the schools, contributes \$1.354 million to support the school system. Further, our schools run charity bingos and other fundraising activities in order to continue to offer a Jewish education to our children. I tell you this to demonstrate the incredible commitment our community has to supporting Jewish education.

We believe that it is the best way to ensure that our children remain committed to their heritage, religion, traditions and to society as a whole. There has been

discussion about the risk of separate education systems and the effect on the general community. Under the three basic tenets of Judaism—Klal Israel, the responsibility of each Jew for another; Tikkun Olam, repairing the world; and Tzedakah, justice, righteousness and philanthropy—children receiving a Jewish education are taught to be full citizens of the province, the country and the world.

The parents who choose to send their children to a Jewish private school bear what might be defined as a triple tax. They are, of course, taxed to support the public school system and will continue obviously to do so. However, they are taxed again when they pay tuition for their children to attend the schools. Thirdly, they pay a kind of a tax through community fundraising where a great amount of the funding goes to support the many families who cannot afford the tuition fees the schools charge.

The public school system in Ottawa does offer some opportunities for students to learn more about Judaism if they wish. There are culturally sensitive programs in the public schools and recognition of some of the important Jewish holidays. We appreciate the efforts the public school system has made to build awareness about different religious beliefs, and we have worked together with school boards on their multicultural advisory committees to assist them in this endeavour.

However, the public school system cannot replace the quality of Jewish education that is offered in the private day school system. In order to ensure the continuity of our community, we need to invest in the education of our youth. The most effective way is to teach in an immersion setting. Just like an immersion program is the best way to learn a second language, immersion is our Jewish education's best tool.

While our schools focus on a curriculum that is not taught in the public system, we also offer a high-quality program of secular studies that includes English and French, math, sciences, computers and other courses that match the public curriculum. We are proud of the quality of our private education system and we are encouraged by the success of our graduates when they go on to university or, in many cases, excel in the public school system.

In recognition of the quality of our school system, the Ottawa Torah Institute, a Jewish private high school in Ottawa, was recently ranked second in a survey of Ontario high schools conducted by the Fraser Institute. This is a tremendous accomplishment for an Ottawa private school that struggles to find the funds to remain operating but still manages to provide an excellent education.

There has been some criticism of the government's proposal that it is going to support wealthy parents. The committee should be aware that that is not an accurate description of the parents who send their children to our schools. Yes, there are some wealthy individuals, but for the most part they support other, less fortunate students through very generous annual contributions to the United Jewish Appeal campaign.

Those who send their children to our schools are mostly middle-class parents who make a great personal sacrifice in order to finance their children's Jewish education. As well, a significant number of parents, as I have mentioned before, are from the low-income stratum. We offer these parents subsidies from partial to full tuition relief. We have a community policy that no Jewish child will be denied a Jewish education because of the inability to pay. While we are proud of that policy, it continues to be extremely difficult to honour because of the growing needs of our growing Jewish community.

The government's policy is just and fair and will go to help people who need and deserve assistance and support. Religious and ethnic communities make a valuable contribution to Ontario society. The Jewish community of Ottawa has made significant investments in our region, including the recent construction of a campus that serves people of all ages, faiths and backgrounds. The fact that the government is finally recognizing the important contribution we make through our private education system is extremely encouraging, and we hope that the measures will be enacted shortly.

On a personal note, from time to time it becomes difficult to determine what is right or wrong. This one is right, gentlemen. Ladies, this is right. This education credit is right.

Thank you very much for the opportunity of speaking to you, and I'll be pleased to answer any questions you might have.

1050

The Vice-Chair: Thank you very much, Mr Levitz, for your presentation. It's appreciated. We'll start with the third party. We have about three minutes per party.

Mr Marchese: Thank you, Mr Levitz, and other members. I have no doubt about the quality of education you provide in your system and I have no doubt that it's a tremendous commitment that the members put into it and that it's a great sacrifice for many of the members.

I have a question. This government is also funding private, non-denominational schools, like Upper Canada College and Havergal. Of course, a few deputants have said, "Well, since we're funding choice, if people send their children to those private, non-denominational schools, we don't have any problem with public dollars going to them as well." Do you have a view on that?

Mr Levitz: I believe that this is an equal credit that should be applied equally across the system, with no tests or differentiation of any kind.

Mr Marchese: So even though the tuition fee for people at Upper Canada is \$16,000, and if you bunk there it's \$28,000, you think that probably—

Mr Levitz: I believe that the parents who send their children to a private school are paying their taxes under the public school system and are receiving nothing in return. I believe that's equal for all people.

Mr Marchese: OK.

Mr Simon Rosenblum: Just to add to that, the position from the Canadian Jewish Congress, Ontario Region, is clearly that we have been in the advocacy of funding

for denominational schools in Ontario. In other words, we do not pass comment one way or the other with regard to the funding of non-denominational independent schools.

That is another issue. There are advocates of it. There are opponents of it. But we restrict our comments to the inequity that presently exists with regard to the funding of denominational schools.

Mr Marchese: I hear you. No, it's good. We haven't had too many advocates from Upper Canada College come to speak for public support, but I wanted your views. It was important to hear.

Now the tax credit, many argue, is an incentive. It's not used as a disincentive; it's used as an incentive. So the argument is that many people will take that up. My question is, if there is a loss to the public system, as many believe there will be, including me, would you suggest to the government that, as a matter of fairness, any public money that leaves our public system should be replaced by the government in an equal amount?

Interruption.

The Vice-Chair: Excuse me, please. Would you please turn off your cellphone.

Mr Joseph Spina (Brampton Centre): It's the hotel phone.

Mr Mitchell Bellman: We are here advocating on behalf of our school system. That includes the six schools that were mentioned, which struggle to offer a quality education but do offer a high-quality education. We're really not here talking about what the possible scenario may be with the public system. But we believe that it's a matter of fairness and a matter of justice that these schools be funded and that our education system be recognized, and that's what we're advocating.

Mr Marchese: I appreciate that, but as a matter of fairness—

The Vice-Chair: Thank you very much. Mr O'Toole.

Mr Marchese: Time flies.

Mr John O'Toole (Durham): Thank you for your presentation this morning. I really do believe this debate is about fairness and parent choice. Clearly, you've made strong statements here this morning that recognize the importance of the immersion. You say, "We believe it's the best way to ensure that our children remain committed to their heritage, religion, traditions and to society as a whole."

It's that immersion factor in the cultural kind of system. I fully understand that. You might say that's why the real system was set up many years ago, to preserve a Christian—those founding nations basically. That's why it was set up, and they knew very well. As we move forward in a diverse culture, I think that's really what we're addressing. Like other provinces, we're addressing that.

Respectfully, there've been many good presentations. B'nai Brith Canada presented on June 14, and I'll just read for the record: "Proponents of public education appear to be more interested in fighting to preserve an inequitable status quo than in fighting to create equity for

all children." It's a really good example of taking a second look at how we do things in the public forum.

I want to conclude by asking a question. We've taken this most difficult step to reflect, not just the Waldman decision but other decisions that are being pressed continually—they have been for the some 20 years that I've been involved—that independent Christian, cultural and other religious schools should be recognized in some way. Other provinces have done it.

At the same time, by making that difficult decision—you know that there are those in McGuinty's caucus who are divided on this, and they're well on the record as saying, "You can't suck and blow. We've got to go forward." You know that his position is to cancel this. I'd just like your response to that, because we're here in Ottawa. He's the spokesperson. Well, he's got three different positions that I've heard—yes, no and maybe—to the question. I'm asking you, what's your response to his idea of looking forward or looking backwards?

Mr Levitz: I'll comment quickly and ask my compatriots to comment, as well. I retreat to the fact that it's just right to do this. It is right to balance the system, it is right to support diversity, and anything to the contrary is wrong. It is also most appropriate that nobody else suffers because of any benefit being offered or that there's inequality in the system. Clearly, it's our position, and as you are well aware, many Jewish students do attend the public school system. We have a vested interest in the quality of education in the province as a whole, and I'm disappointed that the argument comes out against what is right by suggesting something else will go wrong.

Mr McGuinty: I'm glad that my thoughts are alive and well in the minds of the members of the government. Perhaps if they could focus just as much on getting their own policy right, Ontario would be in better shape.

Gentlemen, thank you very much for your presentation. I know you've been waiting a long time and it becomes like a drink of water in the middle of a desert and it is irresistible. I wonder if you have taken some time to look at the experience in Edmonton with the Jewish day school there, if you've taken a look at the Eden Christian school now in the Niagara school board. I notice in yesterday's Hamilton Spectator there's an application there by a Christian school to join the public board.

The government puts forward an alternative and says it's the only alternative: we have to give funding to parents, something we've done in no other provinces. What about this notion of the public system opening its arms to greater diversity, not unlike what Shapiro recommended back in 1985, it might have been, or 1986? What about that possibility?

Mr Rosenblum: Our community has been open for a long period of time to constructive solutions which respect the integrity, the diversity of our community and other religious communities and the need that we have to see that expressed through the larger school system. With that said, we have never closed the door on productive

discussions about any range of ways to address this problem. We have waited a long time for someone to come to us with productive solutions. It's fine and dandy, after someone has tabled what we believe to be one of the ways to engage this problem, to suggest that there may be other ways. I respect the fact that you have been out there, you have been the first leader of a provincial party in this province who has said there is a fundamental inequity where one school system is funded and the other religious denominations are not. But with that said, it is also true that we have waited a long time for you to say, "What are you going to do about it?" as opposed to saying, "This is not the correct time."

So my answer to you is that we will remain open to any constructive proposals that you or others put forward, but we also have a situation today where one political party—in this case, the governing party—has bitten the bullet, something that no one else has ever done, and has put forward for the purposes of our denominational schools something that we believe is a very workable scenario.

We do not at all take as a credible position that there's something unique about the way it is going to be done in Ontario; that is, it is done via a tax credit as opposed to it just being done as it in the western provinces and Quebec, through program funding. At the end of the day, that's simply a cash-flow situation, whether the parent pays at the front end or the back end. There's no particular enticement here. So we have something here that we believe we can live with. If you want to talk to us about other things at any given time, we have always been open to dialogue with you.

The Vice-Chair: Thank you very much. We appreciate your coming forward with your delegation, Mr Levitz.

1100

CANADIAN CENTRE FOR POLICY ALTERNATIVES

The Vice-Chair: We'll move on to the next delegation, the Canadian Centre for Policy Alternatives, education project, Ericka Shaker, director. As you've noticed, there are 20 minutes for you in total for your presentation and the remaining time will be divided among the three caucuses to ask questions or make a statement. As you begin, please state your name for clarity for Hansard.

Ms Erika Shaker: My name is Erika Shaker. For the past 10 years I have been researching education restructuring and how it facilitates the privatization of public education.

I thought I'd start today by suggesting that, given Mr McGillis's presentation and certainly given, I'm sure, the government's perspective that there is some debate about exactly how much has been put in or taken out from the education system in Ontario, I'd be very happy to participate with all the members here, and with Mr McGillis as well, if you'd like to get together and have a

public discussion on that. I'd be more than happy to help work with you on setting that up.

But today obviously I'm here to talk about Bill 45. The recent decisions on the part of the Ontario government to implement market-based reforms to education with legislation that ties dollars to students by offering tax incentives for citizens who wish to explore private educational options is alarming on a variety of levels. It will withdraw further funding from an education system that is already experiencing profound financial instability. It reinforces the mistaken notion that education is an individual service or commodity, instead of a public investment and a social good. It eliminates the legislated guarantee that all children have the right and the opportunity to attend quality public schools—whether they can afford to leave their communities or not, whether they have special needs or are disadvantaged or require ESL or are among the one in five children who comes to school hungry.

A parent's individual decision to send his or her child to a private institution must not come at the expense of our community betterment or our collective responsibility to all children. It represents the loss of valuable funding from our public system. It also privileges those who already have choices by virtue of their socio-economic status and further entrenches the inequities that already exist for the most disadvantaged among us.

In addition to being shockingly simple to establish, as was recently revealed, private schools in Ontario are not subject to provincial regulations. They do not adhere to the provincial curriculum. They are not required to take standardized tests. Their teachers need not be certified and are presumably also exempt from the schoolteacher testing which will soon be administered by the Educational Testing Service, an American corporation, in conjunction with the Ontario Principals' Council. Private schools are also partly exempt from the Ontario Human Rights Code because private schools can discriminate in order to serve a certain group of people they represent. Therefore, borrowing the government's own logic and in the government's own words, private schools are not accountable to the public or even to Ontario's human rights legislation. How, then, can they be justifiably funded out of the public purse?

The situation is compounded by the fact that many religious-based private schools already issue tax receipts for charitable donations. Will private school parents now receive a provincial and a federal receipt for the same tuition? I haven't heard anyone really coherently address this, and I'd be happy if perhaps later you would. It is alarming that this government has done little research into the effects of this proposed legislation, especially given Minister Ecker's and Premier Harris's concern in January 2000 that extending public funding to independent religious schools would drain anywhere from \$300 million to \$700 million from the public system. It is especially alarming that virtually no research has been done that focuses on the jurisdictions where valid systemic comparisons do exist. These are comparisons

where funding follows the student and is not allocated directly to schools, as is the case in other provinces. Ontario's proposed reforms are much more similar to New Zealand's education experiment or the Arizona tax credit program. The experience of these jurisdictions is significant in determining the impact of public funding for private education in Ontario's schools.

The state of Arizona implemented a tax credit program for its educational institutions which allowed a dollar-for-dollar tax credit of \$500 for private schools and \$200 for extracurricular activities at public schools to offset student fees which, of course, have been levied as more money has been withdrawn from the public system, similar to the Ontario situation. Overall, the evidence indicates while this program was intended on the face of it to help low-income students and families, students from wealthier families are the primary beneficiaries of this tax credit statute. This tax credit has functioned to increase funding inequities, already a problem and source of contention in Arizona's school system. The data from 1998, the first year of the program, also indicate inequities in those who have access to the tax credit—75% of the public school portion of tax credits went to donors with a gross income of \$50,000 or more. For private school donations, the results were even more highly skewed toward the wealthy—82% of the tax credits claimed went to those with a federally adjusted gross income of \$50,000 or more. The data for 1999, the second year of this program, have only recently been made available. They indicate an exacerbation of these trends. While there has been a 60% increase in public school donations, there has been a 633% increase in private school donations.

The New Zealand experiment has been especially significant in taking stock of education reform because this is a country rapidly retreating from the initiatives that the Ontario government is essentially borrowing. In 1989, the government of New Zealand completely overhauled its education system. Geographical enrolment zones were eliminated. Funding was tied to the student. Schools were given much more local autonomy, principals much more responsibility. The rationale was simple: the money would follow the student to the best schools, which would thrive with increased funding, and the poorest schools would be left to starve and essentially be phased out. Technically, at least according to this rationale, all boats would rise on the sea of educational choice through healthy competition. However, the theory of survival of the fittest schools was not extended to the children these schools were supposed to serve. What followed has been termed survival of the children of the fittest. It's also been called white flight.

It's no coincidence or surprise, I would hope, that enrolment data show that lower-income and minority students are disproportionately represented among schools unable to compete in the educational marketplace. The result of these market-based reforms in New Zealand were positive for some schools, certainly. They were those schools servicing upper- and upper-middle-class kids, where it was easier to establish boards of

trustees with useful accounting, legal, managerial and fundraising skills. These were of course not so easily available to disadvantaged schools. The disadvantaged schools did have a high percentage of Maori and aboriginal students, as well as students living in poverty, students requiring ESL, students with special needs and behavioural problems. Furthermore, while all students theoretically had the choice to attend another school, transportation costs and optional school fees provided additional barriers to certain students, again, the most disadvantaged students. Thus began what was termed the downward spiral.

As some schools fell behind in the education marketplace, they attracted fewer students, fewer dollars and fewer teachers. This resulted in a less attractive academic program, resulting in even fewer students, and so on. The situation grew to crisis proportions. In 1998, top ministry officials admitted that the educational marketplace would never work for as many as 25% of schools. So disastrous were the results that the ministry had to directly intervene in the downward spiralling schools and actually take over entirely.

The market system requires winners, but it also requires losers. Some 25% of schools will not survive under this system. This means that the children and the communities those schools serve are, de facto, a necessary casualty. This may be a legitimate marketplace rationalization but it is no way to administer and ensure a public investment and a human right. To knowingly restructure a public system—and we know what has happened—so that it requires a proportion of those who invest in it and are entitled to it to fail for the system to operate correctly is not just or right. Frankly, it is not even civilized.

We all benefit from a strong public education system, whether or not we attend it and whether or not our children are enrolled. It is part of the benefit of living in this society and part of the responsibility too. Ontarians have indicated overwhelmingly that they will continue to uphold this responsibility and the assurance that all Ontarians have access to an adequately funded, accessible education system that is bound by the Human Rights Code and accountable to the public—the entire public. The evidence of the impact of market-based reforms, student-directed tax credits and public funding of private schools is overwhelming. It is also chilling. It has balkanized schools and communities. It has further entrenched existing socio-economic inequities. It has exacerbated the withdrawal of funding from an already starved public system. It reinforces the mistaken notion that education is a private commodity and that individual benefit can only come at community expense.

I urge this government to listen to the public and to the existing research and abandon this destructive legislation for the good of the public system and the well-being of the entire province. Thank you.

1110

The Vice-Chair: We have approximately two and a half minutes per caucus, starting with the government.

Mr Spina: Thank you for your presentation. There were a number of presentations—proponents—one of which you heard, in the other cities where we have been that addressed the issue you brought forward regarding the quality of education, the level of learning and the certification, which you made some comment on or some reference to. Many of them have indicated that they are inspected by Ministry of Education inspectors. They are quite comfortable in the expectation of the curriculum and the standards set by the ministry that they would have to have their students achieve. It is an obvious conclusion that if these children are going to be moving from an elementary to a secondary and then a post-secondary level of education, clearly, they would have to be able to perform to a satisfactory standard. One of the things we are looking for in these hearings is, if these tax credits were extended, what parameters should we be looking at? What criteria should we have for a school that may or may not qualify? I wonder if you'd comment on that.

Ms Shaker: Thank you for your question. I hope the number one criteria would be the degree to which this legislation will help public education. There's an awful lot of evidence indicating that in fact it doesn't; that it exacerbates segregation which may already exist; that it benefits the wealthy before it does the poor. Are you saying that Bill 45, if it becomes law, will then require private schools to undergo the same standardized testing and the provincial curriculum? Are you saying this is in fact what the government is saying? My concern would be that it addresses a secondary issue. The primary issue is that there is already an overwhelming amount of evidence indicating that this pulls money out of the public system, regardless of the way in which it is being done.

Mr Spina: First of all, there was additional funding put into the system. We can argue numbers—

Ms Shaker: I'd help you set up a round table to do that.

Mr Spina: It has been debated all over the province for six years now. You know that. My issue is that as part of the normal legislative process, regulations are created as a result of legislation which define the context under which legislation is implemented, if it is passed—

The Vice-Chair: I think we are going to have to move on, Mr Spina. Sorry.

Mr Spina: —and that's where we would have the criteria. That's what I was saying.

Mr McGuinty: First of all, we reject this policy outright. One of the concerns we have with it is that there are simply no strings attached to it. For a government that is positively obsessive with the notion of accountability—the recent throne speech and the budget itself were rife with references to accountability—here's a proposal on the table now to send 500 million taxpayer dollars out the door to private schools with no strings of any kind attached.

During question period recently, I produced the form. It is a one-page form which applicants have to complete.

It is not an application, by the way, it's just to put the government on notice that they're establishing a private school. You don't have to follow the Ontario curriculum, you don't have to hire certified teachers, you don't have to participate in the province-wide testing and you're not subject to the usual inspections which all other publicly funded institutions are in our education system.

I wonder if you might comment a bit more about this distortion, this aberration, certainly, from the perspective of this government. They talk all the time about accountability and the need for our municipalities, our colleges, our universities—virtually every recipient of public dollars must have some corresponding obligations as recipients of public dollars and yet to this policy there is to be no accountability.

Ms Shaker: What it does point out, as I think you've indicated, is the contradiction in the legislation. As I indicated earlier, the issue is whether this legislation will be beneficial to public education. It has been demonstrated in other jurisdictions where comparisons are legitimate that it will not. We have to ask ourselves, is it right or just that legislation of this sort be undertaken, knowing what the consequences have been?

Mr McGuinty: I want to thank you in particular for your references to the experiences in New Zealand and Arizona. I would ask the people helping us here on the committee to obtain information in that regard, if there are any studies that might be available, so we can turn those over to the government. Hopefully there may be a—is that a summary?

Ms Shaker: I'd be happy to actually forward you the academic studies that have been done on the issue.

Mr McGuinty: Great.

The Vice-Chair: We'll move on to the third party.

Mr Marchese: Thank you, Erika. The government argues, first, that they put a lot of money into public education, in fact that they're very committed to public education—that's why they're pouring more money into it—and second, that there's no evidence there would be an exodus. They argue that, and the other proponents of funding for other religious schools are saying there's no evidence, at least in Canada—I'm not sure whether they're saying no evidence elsewhere—that there would be an exodus. Of course, they produce no evidence other than the fact that we have private schools, we have religious schools, and “Don't worry, there shouldn't be any problem and it shouldn't affect the public educational system.” What's your reaction to that?

Ms Shaker: I think it has been demonstrated that there will be an exodus. There has been an exodus in jurisdictions where legitimate comparisons have been made. Again, a tax credit, as has been pointed out earlier, is an incentive, not a disincentive. I can't see how it can be used any other way.

Mr Marchese: What of the argument that the Conservative members make that this is a matter of fairness and of giving parents the right to choose, and if that's what they choose then we should help them? To paraphrase them, that is the argument they make.

Ms Shaker: Individual choice in education should not, I believe, come at the expense of the public good. Whether or not we are enrolled in the public education system or have children enrolled in the public education system, we all benefit from a strong public education system.

Mr Marchese: But they're saying we have a strong public education system. They're saying we have a great system. They defend it, they fund it. You're arguing it will affect public education but they're saying it won't be affected.

Ms Shaker: The most recent survey OISE released, the 13th survey, has indicated a growing level of concern on the part of parents for the state of public education and does indicate as well that the highest percentage ever of parents whose number one concern is revitalized funding for public education is on the books at approximately 82%. So the public is actually very much aware of what the concerns are and where the concerns lie.

Mr Marchese: God bless.

The Vice-Chair: Thank you very much, Erika Shaker, for coming forward and making your presentation. It's much appreciated.

1120

OTTAWA CHRISTIAN SCHOOL

The Vice-Chair: Our next presenter is from the Ottawa Christian School, Paul Triemstra, vice-principal. Would you come forward and state both your names for the sake of Hansard. As I'm sure you've been observing, there's 20 minutes in total. After your presentation, we'll divide it equally among the three caucuses for questions and possibly even statements.

Mr Paul Triemstra: My name is Paul Triemstra. Sitting beside me on my left is Ken Gehrels. On behalf of the Ottawa Christian School specifically and on behalf of the Christian schools of eastern Ontario belonging to the Ontario Alliance of Christian Schools, I would like to thank the committee and the government of Ontario for the opportunity to speak on this important issue.

I am the vice-principal of the Ottawa Christian School and a graduate of that same school and of Redeemer Christian High School, also located in Ottawa.

Mr Gehrels is a parent of children who have attended Christian schools for the past 14 years. He presently has three children attending Christian schools and one who has graduated and is now attending university here in Ottawa. Mr Gehrels also serves as a member of the education committee of the Ottawa Christian School.

Also with me, seated in the gallery, is Mr Nick van Duyvendyks, a long-time member of our association and past chair of the public school board in Ottawa.

I wish to spend a moment describing the Ottawa Christian School because it is typical of the schools I am associated with. Our school is located in the west end of the city of Ottawa and offers a program for students from junior kindergarten to grade 8. We have 214 students coming from 108 families in the region. We have just

celebrated 35 years of providing alternative Christian education here in Ottawa and look forward to continuing providing quality Christian schooling to the Christian community for as many years as the Lord allows.

The purpose of my presentation is twofold: first, to point out the justness of the cause of supporting parental choice in education and, second, to familiarize you with the work that has gone on in Christian schools for the past several decades. By looking at the issues of unity versus uniformity, parental involvement in choosing the kind of education that is best for their children, and by looking at the track record of local Christian schools, I wish to show how government support for parental choice is a good thing for society as a whole.

It is the contention of Christian school supporters that support for parental choice in education can only strengthen the unity of the populace in Ontario and avoid the risk of uniformity. The notion that one school system can meet the needs of all of the population is out of date. In fact, the notion was out of date in 1867 when the Fathers of Confederation acknowledged that the community consisted largely of two different confessional groups and so ensured that Catholics and Protestants could be free to educate their children in a context that was appropriate for them.

Ontario today is vastly more diverse than it was 140 years ago. Canadians and the people of Ontario rightly pride themselves on our toleration and our cultural diversity. Indeed, we like to think of ourselves as a cultural mosaic rather than as a melting pot. This diversity is already being recognized in education in Ontario. There are schools that are funded by the government based on religion—the separate school system; language—the French-language schools; and ethnicity—native schools.

The question really is why we shouldn't continue to extend government support for parents who choose a school based on their pedagogical philosophy, for example, the Montessori schools, or on religious beliefs, be they Christian, Jewish, Muslim or other. Why limit the diversity at this point? Support for parental choice in education can only deepen the respect for democratic structures in Ontario among our increasingly diverse population.

Christian school supporters are puzzled that in democratic and culturally diverse Ontario, parental choice has not been supported before this time. John Stewart Mill, the philosophical founder of the liberal tradition in the English-speaking world and the inspiration of many in the social democratic movement, warns against monopolistic education in the hands of the government. According to him, "That the whole ... of the education of the people should be in state hands, I go as far as anyone in deprecating. All that has been said of the importance of individuality of character, and diversity of opinions and modes of conduct, involves, as of the same unspeakable importance, diversity of education. A general state education is a mere contrivance for molding people to be exactly like one another."

This is not to say that Christian school supporters are opposed to the public school system. We, like all citizens of the province, pay our taxes and so support the public school system. But beyond the legal requirement of paying taxes, we believe the public school system offers a good education for the vast majority of the citizens of this province. Our interests are not so narrow as to be concerned only with the Christian parents who choose our schools. Rather, we are concerned about all the children of the province and the quality of education they receive. Therefore, we willingly give our tax dollars to support public schools. We are simply surprised that it has taken this long for the government of Ontario to support alternative schools with some of the money that members of alternative schools have given to the government over the last several decades.

Christian schools, like the public schools, value the role parents play in the education of their children. Volunteerism is encouraged in Christian schools so that at all levels and in all aspects of their children's education, parents, who are key stakeholders in the educational process, have a role. In the Ottawa Christian School, parents are frequently in the classroom helping teachers with various miscellaneous tasks or tutoring children who could use some extra help. Most of the members of the board of directors of the school are parents of children in the school. There are opportunities for parents to sit on the finance committee, for example, the property management committee and, most critically, the education committee of the school. Parents are frequently invited to the school for assemblies and open-house days.

Regular and frequent communication between the school and the home is not only encouraged, it is common practice at the Ottawa Christian School. Christian school supporters believe that parents have the primary responsibility for educating their children and the primary responsibility in delegating who should be doing the formal educating in a school setting. This can only be done with the support of the larger community. As a result, almost 50% of the membership of the Ottawa Christian School society is made up of non-parent members. These people offer the volunteer time, energy, prayers and finances needed to ensure that our school truly benefits the children.

As a result of the support of the broader membership, parents in our school do not have to pay the full cost of educating their children. Both a tuition assistance fund, generated largely by non-parent members, and a sliding pay scale ensure that a Christian education is possible for a wide range of families. All this is done despite the fact that our parents and supporters are funding two education systems. As a result of this burden, some parents who would dearly love to send their children to Christian schools cannot do so.

The idea that parents should have the right to choose the kind of education they deem appropriate is not a rare one. Plenty of other Canadian provinces have shown their support for parental choice by providing funds for alternative schools. Most western European nations fund

alternative schools. It seems that Ontario is the exception rather than the rule in this area. In fact, in 1999, Ontario was chastised by the human rights committee of the United Nations for not abiding by sections of the International Covenant on Civil and Political Rights. These sections make it clear that parents who choose a school other than the public or separate system are discriminated against. Christian school supporters believe that the proposed bill put forward by the government will go a long way in remedying the injustice of parents having to pay for two educational systems.

Christian school supporters believe they contribute to the well-being of the province and therefore deserve support from the government. In its 35 years of existence, the Ottawa Christian School has graduated more than 500 students and served many more for shorter periods of time. Timothy Christian School in Williamsburg has graduated a similar number. Redeemer Christian High School, Community Christian School in Metcalf and the Renfrew and District Christian School have graduated many more. These students have gone on to be a valuable part of our society, graduating from university, raising families, volunteering in the community, starting businesses or becoming factory workers, social workers, teachers and government employees.

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Our staff is made up of teachers who are highly qualified. Most have their Ontario teacher's certificate, but we also hire teachers with equivalent certification and qualifications. The fact that our teachers can do their job well is obvious by the parents' high degree of satisfaction with the education and care their children receive in our schools. Furthermore, the Canadian test of basic skills scores of students from our school show they score higher than the national average. All this is done in a very cost-effective manner.

Our school does not discriminate against students based on their academic ability. We take seriously the responsibility of developing the gifts of all the children in our community, be they academically challenged or academically gifted. When students come into our school, they are tested for their academic strengths and weaknesses and given the support by their homeroom teachers and the resource teachers as needed.

Unfortunately, because funds are limited by the burden of our community paying for two educational systems, there are students with academic, emotional or physical challenges whom we cannot deal with. The proposed legislation may allow us to be of service to the Christian parents of such children, who would love to have their children at the Ottawa Christian School.

Our student body is made up of a cross-section of the Ottawa community. A wide spectrum of racial diversity is represented in our school. Children of parents who are on social assistance and children of small business owners mix in class, mix on the playground and attend each other's birthday parties. More than 25 Christian denominations are represented at our school. At the Ottawa Christian School we work hard to appreciate this

diversity, and at the same time we work to foster unity and acceptance.

This is the kind of work that will be supported by this bill that is being considered. It seems to me that the work we do in Christian schools is the kind of thing that any democratic government would want and the kind of thing that all in society would benefit from.

I applaud the government of Ontario for taking this step in ensuring justice for all families in Ontario, and I thank the members of the committee for this opportunity to speak. It is truly a blessing to be part of a community where the voices of many are heard and considered. Once again, thank you for this opportunity to speak.

The Vice-Chair: We have just barely two minutes per caucus, starting with the official opposition.

Mr Richard Patten (Ottawa Centre): Thank you for joining us today. You cite two occasions in your paper, one where some parents who would dearly love to send their children to Christian schools cannot do so at the moment—I'm assuming. What difference do you think this tax cut would have? Would this enable some of those others who are presently not able to take advantage of your schools to do so?

Mr Triemstra: I think that is correct. We have a tuition assistance fund that is limited. That fund has been set up by parent members, non-parent members, and we have a sliding scale. Other schools do it slightly differently. We have a per-family rate so that families with a larger number of kids are not penalized for having that larger number of children in the school. So we do a lot of things to help families out, but there are some for whom the circumstances are such that they cannot see their way to sending their children to the Ottawa Christian School. That's partly because of the limited tuition assistance we can provide for.

Mr Patten: Do you agree with the tax credit being extended to the secular schools, in particular the secular for-profit schools that would also benefit by this tax credit as well?

Mr Triemstra: This really isn't our concern in our presentation right here. That's not what we are doing. That is in the hands of the wise people who run this province, including those who might criticize their various points as well. But that's really not our concern.

The Vice-Chair: We'll move on to the third party.

Mr Marchese: Thank you both for your presentation. I have no doubt that your schools produce good academic results and that parents make an incredible contribution and sacrifice. I have no doubt about that. God bless.

Some quick questions: If I were openly gay would you take me in your school?

Mr Triemstra: Let me just answer that by simply saying that we do now, and will always, abide by all relevant human rights criteria. You bring up the question of discrimination. Well, we believe—

Mr Marchese: If I were gay, would you take me into your school?

Mr Triemstra: We believe that in our society right now you have a portion of the society that is being disenfranchised to some extent.

Mr Marchese: I hear you. You're not answering my question, but I understand.

Another question: The Toronto District Christian High School, along with other independent schools, rejects the intrusion of government-imposed curricula. Nexus is published by the Ontario Alliance of Christian Schools and they say, "The Christian sees the world differently from the non-Christian world view exemplified in ministry curriculum perspectives." I understand that. They're suggesting they don't want to be subject to any curriculum standards of the province because it would be, in your view, totalitarian, literally, says this document. "Only totalitarian governments attempt to invade the minds of their citizens." Do you support that, or would you accept curriculum standards from the province because that's what they impose on everybody else?

Mr Triemstra: Let me just pass that question on to a parent and a member of our education committee. Mr Gehrels?

Mr Ken Gehrels: Thank you for asking the question, because I think what you're touching on is finally something that's getting to the heart of the issue, which is a question of world view, a question of basic beliefs and understanding of how the world runs, where it comes from, where it's going and what's of importance. Those things permeate and run through all levels of academia and education. That's why we're saying that one needs to open up to a variety of different choices.

That doesn't mean, contrary to some of the hysteria we hear coming out about this thing, that we're going to produce a bunch of illiterates or that we are opposed to taking certain standardized testing of our children and of the staff who teach our children and whom we hire to teach our children in basic areas of reading, writing, understanding of history and the like. We do that already. I don't know where people are getting the idea that we don't want to test and that we have no interest in quality education. We do. Come on over and we'll show you.

The Vice-Chair: We must move on to the government side.

Mr Ernie Hardeman (Oxford): Thank you very much for the presentation. I just wanted to touch on the issue of accountability. The opposition seems to have run out of steam in some areas so they're coming up with different problems that they seem to see behind the next tree.

The issue of accountability: first of all, I would think that the best people to be accountable to would be the parents of the students who are in whatever system it is. Mine happen to be in the public system. But I think it's the system that needs to be accountable to me as a parent, as the children are going through. I think that's very important. Of course, your system, from your presentation, would believe in that too, that if you aren't accountable to the parents, if you do not provide the quality education they want, they would no longer be in your system. They would leave.

Mr Gehrels: Let me talk to that as a parent who has a very hefty mortgage on a modest home, who operates

minimal transportation and does without in many other areas. We'll spare the violin stuff for that. My wife and I make very deliberate sacrifices in many areas in order to afford our children an education that is based on values, ethics, operations and beliefs that we value. Because of that, we value very highly the standards that our children are taught by and that the staff have to stick to. So we have things like an alternate college of teachers and we insist very highly—I speak as a member of the education committee—that our staff stick to those standards in work.

The Vice-Chair: Thank you very much. We must move on. We appreciate your presentation.

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OUR SCHOOLS, OUR COMMUNITIES

The Vice-Chair: The next presenter is Mitchell Beer, chair of Our Schools, Our Communities. Thank you very much for coming forward to present to the committee. It's a total of 20 minutes, as you may have observed. After you make your presentation, whatever time is left would be divided equally between the three caucuses. If you would just state both your names for the sake of Hansard, that would be appreciated.

Mr Mitchell Beer: My name is Mitchell Beer. I'm the chair of Our Schools, Our Communities. I've agreed to share a small portion of my time with Trevor Robinson, a student rep within our school board, since students have been completely excluded from this process. Over to you.

Mr Trevor Robinson: As Mr Beer already introduced me, I'm Trevor Robinson, a student trustee with the Ottawa-Carleton District School Board.

First of all, I question why there are no students on this panel, because we are the first ones affected by this bill and it is very detrimental to the public school system. The reason there are no more students in the gallery with me is that today was the first day of exams and luckily for the students of the Ottawa-Carleton District School Board, I don't have one this morning.

Also, we are dealing with other issues in our school, such as sewers backing up or the ceiling falling in due to the lack already of funding in the public system. For the government to take an extra \$500 million, approximately, from the public system to give tax credits to private schools is outrageous. We're already strapped for cash and, if anything, we should get another \$500 million bonus, not \$500 million taken away. Thank you.

Mr Beer: Our Schools, Our Communities is a group of Ottawa parents and other taxpayers concerned about the local impact of provincial education cutbacks. I'm here to convey our desperate concern and unanimous opposition to the establishment of a tax credit for families that send their children to private schools. My specific comments are mine alone, since the needlessly tight deadlines around this whole process left us insufficient time to finalize a group statement.

In the past three years we thought our community had seen it all: our local school board closed schools, delayed

construction of badly needed new schools, decimated regular classroom programs, hacked away at English-as-a-second-language programming and slashed a special education program that was once the envy of the entire province, if not the country.

When our group began drafting equations for our needs-based budget—please ask me about it in the question period, Richard—our sample was a calculation called “filthy bathrooms.” Bathrooms are an issue to a board facing rampant, punitive cutbacks because some of them are cleaned so spottily that young children are holding it in all day rather than using the toilets at school—this in the most prosperous province and the capital city of what is seen as the best country in the world in which to live. All of this was deemed necessary to meet the terms of an arbitrary de-funding formula under which the Harris government has looted \$172 million from our schools and classrooms over the past three years.

But I'm here today to admit that we were wrong. We hadn't seen it all, nor had we seen the worst. For all the effort that has gone into keeping John Snobelen's inaugural promise as education minister—we all remember his comments about a school system in dire need of a good crisis—the proposed tax credit for private schools establishes a new low for a government that has been determined to bring the public education system to its knees.

Let's be very clear: the tax credit is not about delivering quality education according to an accepted standard, because most private schools don't have to adhere to any. It isn't about choice when its overall effect will be to reduce the resources available to offer a wider range of choices to the largest number of students—those would be the children who attend our public schools. It isn't about meeting the classroom needs of the vast majority of students who will never see the inside of a private school, with or without a tax credit. It isn't about finding the most cost-effective way to serve the widest range of talents and exceptionalities. Our public school boards already know how to do that, by and large, if only the province would fund them adequately to get the job done. It certainly isn't about delivering the skills and knowledge that our children need to survive in a competitive economy or, even more important, to function as informed, thoughtful citizens in what purports to be a democracy.

And speaking of democracy, the tax credit is not about responding to some groundswell of public opinion. According to an independent poll commissioned by People for Education, the opposition is running two out of three, three out of four, or nine out of 10 on this measure, depending on how you ask the question, which means I'm going to have a lot more fun on the doorstep in the next election than the Tory canvasser in my poll. But they have a problem. By the time—

Mr Guzzo: Where did you finish last time, Mitchell?

Mr Beer: Just wait until next time, Gary.

By the time that election rolls around, Bill 45—

Interjection.

Mr Beer: I'll try not to interrupt you in the question period, and I hope this doesn't come off my time, Mr Chair.

Mr Guzzo: I apologize.

The Chair: Order, please.

Mr Beer: Thank you.

We have a problem. By the time that election rolls around, Bill 45 will already have ushered in what might be the most fundamental change to our school system in the past 150 years and the change that will ultimately tear it apart. The government will have imposed the tax credit as a kind of disorganized afterthought, after years of insisting that this kind of support for private schools would undermine the public system.

I particularly liked the line in Minister Ecker's letter to foreign affairs minister Lloyd Axworthy on January 13, 2000, complaining that Ottawa had never consulted her on its response to the Waldman complaint to the UN Human Rights Commission. Talk about a failure to consult. The tax credit for private schools never showed up in any election platform and was never brought before the voters. So much for the province's vaunted commitment to accountability. By all indications, it was hatched in response to the kind of special interest lobbying that this government was supposed to resist, much to the apparent dismay of our education minister, who almost had the integrity to resign in protest.

The net effect of the tax credit is to give the government a financial interest in undermining a universal education system that has been perhaps the strongest pillar of Ontario's society and economy. For every \$3,500 the province pays out to some lucky private school attendee, a public school board will lose about \$7,000 in per pupil grants. The math, for better or worse, is simple: if we take the government's own conservative estimate that the tax credit will distribute at least \$300 million, our school boards stand to lose at least \$600 million, on top of the \$2.3 billion the Harris government has already taken out of the public system since 1995. At a net gain of \$3,500 for every child taken out of their local community school, the government has every incentive to push the tax credit to the max, leaving boards with less and less money to serve the generally higher-needs students who are left behind.

To the government members on this committee, while we're on the topic of provincial defunding, don't you dare try and claim that Ottawa is the only board that can't live within the formula. E-mail is a marvellous organizing tool, providing you're not relying on an Ontario school to pay for a reading textbook or a touch typing course without school council fundraising. Many of us are indeed spending enough time online to know that our counterparts are facing precisely the same budget meltdown in every part of the province, from the Bluewater board to Thames Valley, from Upper Grand to Greater Essex, from Waterloo to Kawartha Pine Ridge, from Avon Maitland to Hamilton, and let's not forget the huge budget cuts on the horizon for the Toronto District

School Board. You may not have had the time or you may not have made the time to hear from all those communities before ramming this monstrous tax credit through the Legislature, but you need to know that we're talking to each other, listening to one another and realizing that after a while the stories all blend together into a coherent whole.

What we're hearing on the ground is that this blatant two-tiered system will indeed hasten the flight to private schools, not because the vast majority of parents want to leave the public system, not because they think it's right, not because they see no value in the only school system that is truly open to all, certainly not because it's their choice, but because the defunding formula will soon leave them no choice. Our public schools have already been savaged by provincial cutbacks that have touched every student in every classroom in our metropolitan area. Province-wide, a comparison of per capita education spending placed Ontario 56th out of 63 North American jurisdictions in 1999, behind all the American states and well behind such leading educational lights as Texas, Idaho, Oklahoma and Alabama. If not for systematic defunding, only the smallest minority of parents would give private schools a second look, much less a second thought, a crucial consideration that would presumably have shown up in the government's research, had the finance minister felt the need to conduct any. A government that practises the accountability that it preaches so loudly for school boards, teachers, students and just about everyone else would have consulted widely, listened carefully and invested its tax dollars where they'll do the most good, not where vested interests scream the loudest. Instead, to quote Albert Einstein in a vastly different context, we drift toward unparalleled disaster.

In fact, everything about this tax credit suggests a triumph of ideology over reason, of backroom deals over evidence-based decision-making. On the outside, we have a coalition of private religious schools that shamelessly spent \$175,000 to get the tax credit into the budget, then promised another \$500,000 to make sure it passes into law. At the cabinet table, we have a finance minister with the passion and dangerous certainty of a true zealot, whose mind was made up before the debate began. Please, let's not confuse him with facts, and above all, please don't ask him for his research.

It might help to explain why the office of Ottawa's senior provincial cabinet minister refused to meet with our group after we faxed over a copy of the People for Education poll. Garry, maybe your office will return our calls. A government that only listens to its friends has no need to tap public opinion, even if it risks the wrath of two thirds, three quarters or nine tenths of the electorate. The irony, if you think about it, is that this is a story in which community groups like ours are cast as small-c conservatives trying desperately to protect an institution that has served our community and served it well for generations. It's members of the large-C Conservative government who emerge as the true radicals, proposing

to finalize a vast, sweeping and sweepingly destructive change before the opposition can fully mobilize.

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It's traditional in this kind of presentation to propose some kind of solution, some form of middle ground to try to move from out-and-out disagreement to reasonable compromise. That would normally be our inclination. As our local school trustees will attest, Our Schools, Our Communities is always ready and usually eager to sweat the details and find solutions where none appear to exist, and we have a good track record in that regard. But there's a caveat. Reasonable compromise is only possible when the original proposition on the table is itself at least minimally reasonable and when its proponent has shown a willingness to negotiate in good faith. In our view, there is nothing reasonable about this tax credit and nothing encouraging or inviting in what has passed for consultation on this measure. Our only option is to put the government on notice that we fully understand what you're doing, we're watching attentively and we won't rest until either you or the tax credit disappear. It's your choice, as it has been all along.

We take encouragement from the knowledge that the substance if not the venom of this presentation speaks for the majority of Ontario voters. Two weeks ago, Our Schools, Our Communities participated in a joint release of the People for Education poll, along with our counterparts in Toronto, Windsor, London, Guelph and Peterborough. The joint release, by the way, was a marvellous first effort that we all plan to repeat in future.

In contrast to the previous poll conducted by the National Post, which biased its own results with a question about so-called "government-managed schools", our survey simply asked people whether they support or oppose the tax credit. It's kind of like basing ESL on whether you know or don't know English. The results showed that opposition to the tax credit crosses party lines, with just over half of Conservative voters speaking against it. The sample size was large enough to demonstrate sustained opposition in every part of the province, including the 905 belt. Significantly, the order of questions showed that opposition to the tax credit increases as people find out more about it. While two thirds oppose the measure outright, three quarters were against allocating 300 million tax dollars to the credit, and nine tenths believed that private schools up to grade 8 should be forced to meet provincial standards in return for the credit. The pollsters told us that nine tenths can be read as a unanimous result. If you asked people whether Elvis is alive, 10% or 20% would apparently say yes, and now we know how this government got elected and re-elected.

I'm quite eager to leave time for questions, but before I stop I would like to explain why I haven't brought 20 copies of today's presentation for distribution, as requested by the very harassed committee clerk who called me last week. Quite simply, unlike the special interest groups that brought this nightmare down on us, our organization doesn't have a budget for photocopying. My small business has been subsidizing my education work

for several years and I saw no reason to undertake clerical support for a government that has cost me in the order of 3,000 billable hours just to assure that my daughter receives a quality of education that we should be able to take for granted, again in the most prosperous province of the most prosperous country. Not only don't I have the discretion to vote myself a 20% pay hike, if I don't soon see that my daughter's future is assured by adequate school funding, the government may leave me no choice but to move my business to a jurisdiction that funds education as if it mattered, taking along the jobs that I've been creating in Ontario for almost 17 years. We're a small firm, but I know I'm not the only local entrepreneur who sees a strong public education system as absolutely essential if we hope to attract and retain the workforce that will continue to drive Ottawa's economic miracle.

I would like to take this opportunity to table the petitions that our group gathered at the beginning of this debate calling on the Legislature to fight and defeat the tax credit. The petitions were collected in roughly a week. There are several hundred signatures, and they were collected with minimal organization because that was the time available to us. I invite your questions and urge each of you to cast your vote against the tax credit.

The Vice-Chair: Thank you very much for your presentation. We have about a minute and a half for each caucus.

Mr Marchese: Mitchell, thank you. You must be mistaken about the cuts, because Madame Ecker has said that Ontario students have been the recipients of her great largesse. Where are you getting this information from?

Mr Beer: Do I detect a note of sarcasm, sir, which I certainly share? It strikes me that times must be quite tough at the Ministry of Education, because their research and analysis capacity has reached the point where they've stopped factoring in things like enrolment increases and the inflation rate. It's reached the point now that whenever the province—

Interjections.

Mr Beer: I don't know if the opposition members might want to hear something about this. Thank you. I hope that didn't come off my time either.

The Vice-Chair: You go ahead with your presentation; I'll look after the members.

Mr Beer: I appreciate that.

It's reached the point where whenever the ministry announces a funding increase, we look behind it and wait a couple of days to watch for the weasel words, and I say that in the best possible way.

Mr Marchese: Another quick question. Most of the critics have attacked the funding formula with the words "one-size-fits-all" as being wrong. The government of course says it's a good thing. But in this case they say the one-size-fits-all funding for education or choices is wrong too, meaning that people should have choice to do whatever they want in terms of where their kids go. So the one-size-fits-all for the funding formula is OK, but

the one-size-fits-all for choices is not OK. How do you deal with that?

The Vice-Chair: Thank you, Mr Marchese. We'll have to move on to the government. You're over two minutes.

Mr Marchese: I'm sure you'll be able to get a chance to answer that. Go ahead, Ernie.

Mr Hardeman: Thank you for your presentation. It doesn't happen very often, but I have to agree with Mr Marchese in his presentation and ask you where you would have got those numbers. You surely must be wrong.

Mr Beer: I beg your pardon?

Mr Hardeman: In fact, spending on education in the province of Ontario was \$12.8 billion in 1995 and it's \$13.8 billion this year. I don't see that as a reduction, I see that as an increase.

I really wanted to ask you, a number of presenters that we've had—and we had one this morning—in the presentations came to the conclusion that parents weren't equipped and couldn't make the appropriate decisions on the type of education that they should have for their children; they only think they can. How do you feel about that?

Mr Beer: I would need to know the context of the comment before I commented on it. I think that would be responsible.

Mr Hardeman: Maybe I can explain it just a little bit more. The reason the government is doing this is to create parental choice.

Mr Beer: No, no. You create parental choice by funding public school boards sufficiently that they can actually offer choice. They can't right now because you've defunded them by \$2.3 billion province-wide and \$172 million in Ottawa alone.

Mr Hardeman: Let me finish. The question was that we were creating parental choice. The OSSTF this morning indicated that they didn't believe parents could decide what was best for their children; that had to be done by the state. So I was just wondering how you felt about that, whether parents can make the right choice for the appropriate education for their children.

The Vice-Chair: I'll give you a chance to respond.

Mr Beer: Thank you. Parents can make the right choice if the funds are in place to create the programs in the first place. When a public school board is systematically defunded by a government intent on destroying it, choice dies because the system can't deliver it.

The Vice-Chair: We'll move on to the official opposition.

Mr Patten: I think you might find that 96% of the parents of Ontario would want a strong public system.

Mr Beer, I'm aware of all the work that you've put in, and a lot of parents, in the public district school board in particular. I commend you for it and I am amazed at the stick-to-it-iveness of many parents who continue to fight.

I would like to give you some time, though, to share particularly with members of the government what the district board is going through now in terms of their

needs-based budget and how this relates to perhaps a further erosion by diverting some funds out to a tax credit system.

Mr Beer: What we're doing with the needs-based budget—and I say “we” because this has been a marvelous example of the kind of co-operation we wish we could have with the province. Trustees, parents and the various advisory committees within the Ottawa-Carleton District School Board have been working on what our chair, Mr Libbey, calls a daily budget based on need. The basic intent is to get at the funding levels that the board would reasonably need to supply the quality of education that students need and that the community expects.

In our own work within Our Schools, Our Communities, first of all, this is all very preliminary. It's the first year. We realize that this is the year that we need to get some members in place and need to get some substantive response from the government, because if we don't, the system is hanging by a thread and who knows when or where it's going to fall. There isn't a whole lot left at this point. We realize that our numbers are preliminary. We are doing our best to tie them down. Where we need to, we are erring on the side of caution and estimating less rather than more. My guesstimate at this point, which will be fleshed out in the next two or three days, because that's what we've got, is that we will be documenting between \$40 million and \$60 million that the Ottawa-Carleton District School Board needs back in order to deliver the education that the community needs and deserves, based on proper service to exceptionalities, increases in enrolment.

You might have noticed, for those government members from outside Ottawa-Carleton, that this community is going through a bit of a growth spurt. There are projections of a 50% to 100% population increase over the next not very many years. So we need more funding for this system, not less. The needs-based budget is a way to start putting that in place.

The Vice-Chair: Thank you very much, Mr Beer, for your presentation and for coming forward.

A reminder to each of the caucuses that amendments are due today by 4:30 in room 1405 in the Whitney Block at Queen's Park. Written submissions are due by 5 o'clock to the clerk of the committee.

I'd like to thank the audience this morning for being an excellent audience and giving the presenters an opportunity to present and for the committee members to be able to understand the content of that presentation. Also, thanks to the committee members for being on really good behaviour here in Ottawa.

The standing committee on finance and economic affairs now stands recessed until 1300 hours, or 1 pm.

The committee recessed from 1201 to 1305.

JASON REISKIND

The Vice-Chair: I now call the standing committee on finance and economic affairs to order.

Would you state your name for the sake of Hansard. You have 20 minutes for your presentation, the remaining time being divided among the three caucuses. You may begin.

Mr Jason Reiskind: My name is Jason Reiskind. I've worked in the area of international law all my professional life, although I'm here in my personal capacity.

I support the tax credits to independent schools 100%. Finally, Ontario is coming partly into line with its international obligations, into line with the accepted international standards of Western democracies.

A key instrument reflecting these standards is the 1966 International Covenant on Civil and Political Rights, ratified by Canada in 1976. I give it to you as the first page, and the key articles as tab 1. Canadian ratification means a formal acceptance of the obligations. Canada is telling the world that it is accepting this covenant and its obligations.

We took a while before we ratified this covenant because a lot of the rights involved were under provincial jurisdiction. Ontario formally accepted its obligations, and that was signified by letter by Premier Robarts in 1969—and you have that at tab 2—where he says “the Ontario government supports wholeheartedly the principles contained in these documents and has no objection whatsoever to the federal government entering into such agreements.” There were no reservations on Canada's ratification with respect to education.

A key article for our purposes is article 26, which you have highlighted on page 211 in tab 1—that's equality rights. “All persons are equal before the law ... the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion” etc.

An important question is: is Canadian ratification and Ontario acceptance to mean anything, or are we like a tinpot dictatorship that signs every covenant and then, when things get difficult, when funds are involved, you ignore your obligations? I expect Ontario is a rich and a modern enough province to take its international obligations seriously.

Further to procedures under the covenant, various communities took the years necessary to bring the Waldman case before the human rights committee. The case involved alleged discrimination under article 26 whereby Catholic schools receive full funding and other religious schools receive zero.

The human rights committee, which is an expert committee where the experts act in their personal capacity—the Canadian rep on it is Max Yalden, who was the head of the Canadian Human Rights Commission—is the main international human rights oversight for Canada. All the European countries accept the oversight of the European Court of Human Rights, and they accept decisions outside their countries when they're shown to violate the European convention on human rights. This is essentially Canada's oversight committee.

The committee decided unanimously, in the Waldman case, that Canada was in violation of article 26, which I read to you. I have the main provisions of the decision under tab 3 on page 13: “... if a state party chooses to provide public funding to religious schools, it should make this funding available without discrimination. This means that providing funding for the schools of one religious group and not for another must be based on reasonable and objective criteria. In the instant case, the committee concludes that ... does not show that the differential treatment between the Roman Catholic faith and the author's religious denomination is based on such criteria. Consequently, there has been a violation of the author's rights under article 26,” the equality provision.

1310

This is the only case where Canada has been found in violation that has not been remedied by Canadian governments. In all the other cases—in the Lovelace case, where an Indian woman had to leave her reservation because she married a non-Indian, while Indian men who married non-Indians could stay on the reservation, where we were in violation, where she lost before the Supreme Court but won before the human rights committee, the federal government paid millions of dollars to remedy that violation.

In the McIntyre case, concerning English language signs in Quebec, even though the Quebec government had used the notwithstanding clause to continue to prohibit these signs, when McIntyre won before the human rights committee, the provincial government of Quebec changed the law to allow English signs, although smaller than the French signs, because of the decision.

In the Pinkney case, a prisoner whose mail was opened complained to the committee. He won. In future, there were more regulations on the opening of prisoners' mail.

The latest case involves the parliamentary press gallery, and steps are being taken to allow a minor journalist to make use of the gallery.

This is the only case where Canada has been in violation and we have not remedied the violation. The credits are the first real action by the any Canadian government—meaning Canadian provincial government—to remedy Canada's violation. It's time to bring Ontario out of the 19th century. It's no longer 1867. Our education system must reflect international human rights standards, the ones we have accepted. There's no basis to opposing these credits to religious schools unless one supports continued discrimination against various religious minorities. Time has passed as the communities which are discriminated against groan under the double costs of education.

I would also like to deal with another provision in the Covenant on Civil and Political Rights, and that's article 18(4) It provides that, “The states parties to the present covenant undertake to have respect for the liberty of parents and ... to ensure the religious and moral education of their children in conformity with their own convictions.” Unfortunately, a lot of the Ontario education

debate has ignored this standard. Parents have a right to send their children to the school of their choice and should not be slandered for doing so. There has been a lot of slander in the papers against people who make that choice. These people are paying double. With the credits, they would still be paying one and a half times.

It is often forgotten that day schools can be the key instrument to pass culture and religion from one generation to the next. Minorities face tremendous assimilation forces to give up their cultures and religion. Canadian law states they have a right to retain these attributes. Canada accepts this right, for example, in section 27 of the charter, which I give to you under tab 4: "This charter shall be interpreted in a manner consistent with the preservation and enhancement of the multicultural heritage of Canadians." We say we support that. It's not right for administrators to tell minorities how to educate their kids. All we have to do is look at how well the administrators did with respect to Indian residential schools or what happened with the Doukhobors, where children were forcibly removed from their parents and put in a school with a chain-link fence around it.

People should be allowed choice in Ontario. Other provinces have it, and Ontario can aspire to a peaceful and diverse community working together, making use of the best each community has to offer. We can achieve it and should expect nothing less. I'm open for questions.

The Chair: We have about three minutes per caucus, beginning with the government side.

Mr Spina: Mr Reiskind, I don't know if you had the opportunity to hear or listen to Martha Jackman's presentation this morning.

Mr Reiskind: I heard about it, but I didn't hear it.

Mr Spina: She's a professor at the University of Ottawa—you know that. She indicated that this whole process, if it proceeds, will end up in court. You seem to present some interesting cases—and I'm no lawyer—that would tend to add credence and justification to the particular tax credit issue in this budget bill. What do you say to that?

Mr Reiskind: I say other provinces provide funding and they've succeeded in court challenges. I haven't heard a court challenge against the Catholic religious schools because of what they teach. I think it's unfortunate that she is claiming to use human rights to continue discrimination against groups. I think that's completely uncalled for. She's making a human rights argument, a false argument, to continue the discrimination in Ontario.

The Vice-Chair: Mr Hardeman, do you want to make a comment?

Mr Hardeman: Thank you, Jason, for your presentation and the amount of work you went to to find all the pertinent information that deals with the human rights issue and the UN decision.

It's quite clear from what we've been through in this hearing that there are varying views on whether the tax credit will fully meet the needs of the direction of the United Nations' decision. We've heard a number of

times, particularly from the opposite side of the table, that the government of Ontario's position in that debate was different, and suggested we didn't agree with that approach to solving the problem and that this is a totally different approach to dealing with the issue of fairness and equity in education and parental choice in education. Are you convinced that this is a reasonable approach to solving the concern you have for parental choice and fairness in our education system in the province?

Mr Reiskind: It's a very real, important step. For those of us who are finding it difficult, month to month, to come up with the money to ensure that our children have a chance to learn our own culture and pass it on, it's very meaningful, of course. If the opposition feels it doesn't meet the full discrimination that exists under the covenant, then I suggest they suggest opening the separate school system to all the religious schools so they receive funding and end the discrimination completely. If that's their view, I can't understand why they don't argue that for the longer run. First of all, this is a great step to end the discrimination for those who are suffering day by day, and then, in the longer term, we can propose that for other schools.

The Vice-Chair: We move on to the official opposition.

Mr McGuinty: Thank you, sir, for your presentation. Do I gather from your perspective, your understanding of our international obligations, that the province of Ontario is under no compulsion to provide public funding to secular schools? Do you agree with that?

Mr Reiskind: I'm addressing the religious schools aspect and the discrimination. I would say that choice for the secular schools is a different issue.

Mr McGuinty: But it's not something that arises from our international obligations. I'm just looking at the documentation you provided for us. There are clear references to prohibition of discrimination on certain grounds, including religion—you've made that case—but I see nothing here that would require the province of Ontario to extend funding to kids attending Ashbury today, or Upper Canada College for that matter.

1320

Mr Reiskind: While I personally support the extension to all the schools, I don't see why we want to go to an American-style system where it's the highest per capita funding in the OECD and some of the poorest-quality education. But to what you say, looking at the Waldman decision, it says if one religious group is offered education, then other religious groups must be as well. So it's limited to the other religious schools that face discrimination.

Mr McGuinty: OK. The religious argument, the fairness issue, is one thing, from my perspective, but extending it to secular schools is quite another.

It seems to me that ultimately, equity would look like what the Catholics have: "You shall admit any child of any faith; you shall employ Ontario-certified teachers; you shall teach the Ontario curriculum; you shall participate in standardized testing; you shall use the new

standardized report cards; you shall be subject to the usual inspections and regulations that apply to all publicly funded schools in Ontario.” Isn’t that what equity would look like?

Mr Reiskind: Mr McGuinty, it’s my belief that you’re using accountability as an excuse to prevent the ending of discrimination, and that disappoints me. Have you come out in favour of opening the separate school system to all the religious schools?

Mr McGuinty: That’s a new requirement right now.

The Vice-Chair: We’ll move on to Mr Marchese.

Mr Marchese: It’s an important question, because children, students, in a public system don’t have any choice about the curriculum that these people impose, right? They say to the students, “Sorry.” They said the school system doesn’t work well. “We need to revamp. We need to test teachers now, and this is the curriculum, because we believe this curriculum is going to teach young people to be better prepared for the world.” Presumably, the same kind of stuff would be good for your schools or any other schools, don’t you think?

Mr Reiskind: You’re also using this excuse to prevent the removal of discrimination. If you really believe in accountability, say, “OK, go ahead with the credits for 50%, and then we’ll look at the long-term opening up of the separate schools to all religious schools. Then we can also at the same time, because the discrimination has been so hard on the minorities, over time, after the credit is introduced, work on ways to introduce certain amounts of fair accountability. But what I’m worried about is that you’re using the excuse of accountability to say, “Oh, no, these schools can’t get any money whatsoever.”

Mr Marchese: You’re quite right. New Democrats have always been very clear about not supporting public dollars for private schools. I’m just saying, if we all have to be subjected to one rule, you’re saying, as do many other Christian schools, “Our curriculum is profoundly different. In fact, it would be totalitarian of governments to attempt to invade the minds of citizens with their curriculum versus ours.” I’m just saying that that’s—

Mr Reiskind: But you’re not even giving them 100%, you’re only giving them 50%, and you want some accountability. I’m saying, if you want 100% accountability, are you calling for opening the separate school board to all the schools?

Mr Marchese: The separate school system is open to everyone.

Mr Reiskind: No. My kids’ school cannot join the separate school system because it’s not a Catholic school; it’s a Jewish school.

Mr Marchese: Actually, the Catholic school system does take kids who are not Catholic. It’s opening that way.

Mr Reiskind: I’m talking about my school joining the separate school and getting 100% funding. Don’t start twisting things around. If you believe in 100% accountability, you should be supporting any school—schools—that wants to join the separate school system, the way it exists in other countries.

The Vice-Chair: Thank you very much. We really appreciate your presentation.

HEATHER-JANE ROBERTSON

The Chair: Our next delegation is Heather-Jane Robertson, if she would now come forward. For the benefit of Hansard, please state your name as you start. There’s a total of 20 minutes allocated to you for your presentation within that. Whatever is left over will be divided three ways among the three caucuses.

Ms Heather-Jane Robertson: Thank you very much. My name is Heather-Jane Robertson. You will note on the agenda in front of you that I am not described in any way beyond my name, so I’ll introduce myself. I am, among other things, vice-president of the Canadian Centre for Policy Alternatives. I am a former elementary school teacher. I am the daughter of a former elementary and high school teacher. I am the wife of a teacher and a parent of two students from the public education system. I am also a fellow of the Ontario Institute for Studies in Education and am a recipient of the Canadian College of Teachers Teacher of the Year Award.

I am a researcher who has worked extensively on the topic of the quality of children’s lives, particularly the quality of adolescent girls’ lives, and on various issues of equity, diversity, teacher development and professional development with respect to the public education system. Much of my work has been critical of the gap between our aspirations for public education and what we have thus far been able to realize.

I’ve also been a political candidate. I ran for the NDP in the last federal election in Ottawa Centre. I have an abiding and continual interest in public policy issues, as well as education issues.

I’m also here as a parent, a parent who participated with my kids last night at my daughter’s LDS party. I don’t know if you had LDS parties in your home. In our house that’s what you do on the last day of school. My daughter is in fact graduating from high school. It was her last day of classes. While we’re celebrating this, my son, who’s now in university, said, “Caitlin, are you happy? It’s the last day of school. Are you glad you’ve finished high school?” She said, “Sure, I’m happy, but I feel really sorry for the kids who are just starting.” I think that’s something for all of us around the table to reflect on, as someone who has committed her professional career—my life—to public education to hear, unbidden, a 19-year-old with a 95% average feeling sorry for the kids who follow.

It’s the kind of thing that is not partisan. It isn’t teachers versus politicians; it isn’t parents or school boards; it’s for all of us to say, “What have we done?” The most important thing we remember about public education is not how it’s funded or who’s funded it or any of those questions of curriculum. It’s to remember that through our schools we build the world. When I think about how to organize schools, which is really one of the questions we’re looking at here, first I say, “What

do I want my world to look like?" From that I work backwards and say, "Then how do we create schools that make that future more possible?"

I've written extensively in opposition to voucher schools and charter schools and the kinds of segregation and separation these lead to, because my ideal world does not have Muslims over here and Jews over here and Christians over here, and lefty parents over here and activists over there and Marxists over there and Conservatives—we are together. We've talked about the community groups that come forward and say, "We want our school for our own community." My understanding of community is that we learn from the ground up to live with difference, not to appreciate as an abstract concept, where you learn to tolerate those people over there who are different. What you do is learn to live with the kid beside you who looks different and thinks differently.

The most important lesson of public education is to discover that not everybody thinks like your parents or your grandparents or even the way you do, and to figure out what we do about those sincere differences in beliefs together. It isn't about everybody believing the same thing, which is the accusation of public education; it's about understanding fundamentally that we don't all believe the same thing, and we have to reconcile ourselves to that.

I hadn't written my presentation before I came. I decided the book that has been passed around would in fact be my presentation to this committee. In case anybody is intending on filibustering, they can always read the entire thing into Hansard, and I'd be very pleased. That book does in fact deal with the kinds of issues I've raised and where I see the reform that Bill 45 represents fitting into this system.

1330

But this morning I wasn't thinking so much about that as I was thinking about my third year teaching grade 3. That's back when teachers had a little more flexibility and choice in terms of determining what they thought it was important for their students to learn. I decided that if you were eight or nine, you could learn logic and reasoning, and I started by teaching my kids syllogisms. Maybe some of you studied syllogisms. Usually they are a three-part statement like, "All monkeys climb trees. Johnny climbs trees. Therefore, Johnny is a monkey." True or false? Help the kids work through each of those statements. Does the premise lead to the conclusion?

This morning I thought I heard things like, "Bill 45 promotes choice. Choice is good. Therefore, Bill 45 is good." There are some fundamental logical fallacies, it seems to me, permeating this debate. Instead of dealing with the research evidence or talking at length about accountability and the other issues, I want to take us back to the premises we're using to decide whether or not this represents the right thing to do, as we were told this morning.

First of all, the premise that seems to be guiding the debate, or at least guiding the legislation, is that somehow parents own schools. We've heard people say this in

various ways, treating their taxes as a kind of tuition, and if they also have to pay tuition to a private school, somehow this is double taxation or double tuition. I'm saying, well, what do we say to people who have no children at all in school? What are their taxes? If it's true that parents' taxes, the proportion that goes to education, is some kind of fee that entitles them to something, shouldn't parents with four kids in school pay more than those with one kid in school? That's the logical consequence of treating a portion of what one generation pays in taxes for public education as some kind of private fee for their particular kids.

Parents don't own schools. I think it's really important to understand that. Public education is an obligation, a transaction between one generation and the next generation. It's not a private transaction between individual parents choosing or buying some kind of particular education for their individual children. The more we move away from that idea that we're collectively responsible for public education and, I would argue, ought to be collectively accountable, whether we have kids in school or not, for the decisions we make—it goes back to what I said at the beginning. We're creating the future, all of us, in public education. I have an investment in every child having a good education, not just my own.

The second faulty premise: it seems that competition somehow increases quality. I'm looking at refrigerators. I'll grant you that. Refrigerator salesmen can go head to head and I may benefit in getting greater value for less money. I should point out, though, that if I make the wrong decision, if I'm hoodwinked by an unscrupulous salesman, there has been no great loss. There may have been minor private loss but there's no public loss.

It seems to me schools are very different. If I'm buying a refrigerator and you're buying a refrigerator, your 500 bucks is as good as my 500 bucks. We are equal as consumers in that relationship. But when schools start competing with each other, particularly now that standardized testing and this very narrow definition of school quality become the slogan, become the advertising statement for the school, what we end up with is a situation in which inevitably schools will compete with each other but only for certain kinds of kids, because logically—not politically, not intentionally, but logically—if you and I are principals of competing schools, both of us are very interested in high-end kids, the kids that cost the school the least to teach.

Unlike the two consumers with 500 bucks in their pockets, not every child presents the same challenges for classrooms. Some kids are wonderfully easy to teach. They are a gift. Their parents are involved, they're interested, they're well fed, they enjoy what they're doing and they're motivated. And there are other kids who are the opposite of everything I just said. If we're competing on the basis of standardized test scores, roughly half of the entire student population becomes an undesirable customer because, all things being equal, according to logic, half of any group falls below the average. So we get intense competition for some kinds of students and very little for others.

There's lots of research evidence that in fact that has happened. Even when regulations have been put in place saying that schools cannot discriminate against particular kinds of kids, there's lots of evidence that schools have found very creative ways to subtly nudge kids out and say, "Gee, your boy is such a nice boy but he really does have a lot of problems in math, and we don't think we could quite provide the best program for him. As you're a parent free to make the choice, we know you'd like to choose that school down the block." There's lots of indication particularly that kids with disabilities are screened out systematically in the system in an informal way.

My daughter uses a wheelchair. An elementary school, a middle school and a high school were each persuaded, shall I say, by myself and my husband to add adaptations to that school; in one case to put in an elevator, in others to put in ramps and in one case to move an entire location of a class to a level where there was wheelchair access. Which private school is going to want to enrol my daughter? Wouldn't they rather enrol my son? They don't have to make any special accommodation for him, and his marks are just as good as my daughter's.

It seems to me that the fallacy I'm talking about here is that we foolishly believe that the only outcomes we get are the outcomes we intend. The literature around school choice is littered with examples of unintended outcomes. I don't think for a moment that people supporting Bill 45 want to increase the amount of discrimination that my daughter in her wheelchair will experience. The unintended outcome is that she will, and so will other kids like her. Logic requires us to look forward to the consequences, intended and otherwise, of our decisions.

The third logical fallacy is that somehow private schools provide either a better education or a worse education, and we're sort of arguing that point back and forth. In fact, they do neither. It seems to me that the problem here is that both bad and good private schools will be treated absolutely identically. That is the problem—both bad and good schools.

I think everyone around the table would be rather concerned if I decided that I could set up a school, with maybe a dozen kids, in my basement, and charge \$3,500 so it will be a break-even point, revenue-neutral, with respect to the tax credit. But as a well-known lefty, I'm going to teach a lefty curriculum, and I think I'll start them on Marx in grade 1, move on to Engels in grade 2, get to CCPA stuff in about grade 4—

Interjection.

Ms Robertson: —there you go—and then I'll hire a couple of teacher aides, and I won't worry about their qualifications, but I will give them a political orthodoxy test to make sure they think only exactly the way I do. I'll teach math and I'll make sure that everything is always equally divided—a good socialist principle here—and on and on. I don't believe you want to fund that kind of school, and of course I don't want to run that kind of school. The problem with the legislation is that it may in fact support good schools; it will equally support bad ones.

The problem is—and Mr McGuinty has suggested it several times—what if we add all the regulations? What happens if we make sure the curriculum is aligned, teacher training, certification, testing, all of those things? Do you know what we're saying when we add that list? We're saying, "Would it be OK if we made these private schools look more like public schools?" Well, I thought the point of this was the problem with public schools, from which we now want to facilitate an escape by parents. It is logically inconsistent. It is logically inconsistent to impose a system that reduces the real choice, the real diversity, the richness and possibility for improvement of the system.

The final fallacy I want to mention: the idea that somehow multiple forms of governance of schooling and multiple sources and different religions and so on produce diversity and change and excellence in education in fact turns out to be wrong. Because we love our children, we parents are notoriously conservative about their lives. We're better risk-takers about ourselves than we are about our kids. What's been found in places like, let's say, Alberta, where they moved into charter schools, is that the schools that sprang up, instead of trying innovative things, improvements to that system I was describing before, respond to the conservatism of the parental marketplace. Those schools consistently look more and more like each other and more like the 1950s than the kinds of schools we need for the next century.

If we believe in innovation and quality and change, if we believe there's another UN document we should be paying attention to—the UN Convention on the Rights of the Child, which says children have the right to the first call on resources in every jurisdiction—then you'll reject Bill 45, and we put our heads together and say, "How do we build a public education that creates the world we want?" Thank you very much.

1340

The Vice-Chair: Thank you for the presentation. We have about half a minute per caucus.

Mr McGuinty: Thank you very much for an articulate and passionate—"defence" is probably the wrong word, but you helped describe a vision for public education, whose improvement we must relentlessly pursue, being very careful not to perpetually embrace the status quo.

I don't have any particular question, save and except to say I very much appreciated your presentation. I found it very enlightening. Thank you.

The Vice-Chair: Mr Marchese.

Mr Marchese: I believe in a public system that includes all differences and accommodates our differences, and it doesn't have to be harmonization of those differences. A lot of people are suggesting that once you're in a public system, we want you to be a homogenized little boy or girl. I don't think we do that in many of our public systems, and it's not desirable either.

But a lot of parents from these other communities, Christian groups, are saying, "Sorry, the public system doesn't deliver what I want. Christianity infuses everything we do, and so education and Christianity are

infused. It isn't just something you teach," and the Jewish community says the same. "That's why we want our own choice, to be able to do that." What do you say to that?

The Vice-Chair: Thank you very much, Mr Marchese. Mr O'Toole.

Mr Marchese: That was quick with the questioning.

The Vice-Chair: You were 45 seconds.

Mr O'Toole: Thank you very much for your presentation and, as Mr McGuinty said, your passion. Just a couple of little things. "What do I want my world to look like?" is a very good starting point. My community has described it in a sort of analogy: "Public education meets everyone's need. People can only choose public schools. Therefore public schools are good for everyone."

My point is, much has been written about the hidden curriculum: "What do I want my world to look like?" One of the presentations said, "Proponents of public education have appeared to be more interested in fighting to preserve an inequitable status quo than in fighting to create equity for all children."

The Chair: You've had 45.

Mr O'Toole: Your starting premise is wrong. This is about choice. You talked about choice and innovation. I challenge you to think outside the box—

The Vice-Chair: Thank you, Mr O'Toole, and thank you for your presentation, Ms Robertson. Sorry, they used up their time in responses.

Ms Robertson: I don't believe public funding is necessary in order to support the choice of individuals mentioned by either of these gentlemen. I do not oppose their choice. I very much oppose public funding for those choices.

The Vice-Chair: Thank you for your presentation. We appreciate your coming forward.

ONTARIO FEDERATION OF INDEPENDENT SCHOOLS

The Vice-Chair: Next is Elaine Hopkins, executive director of the Ontario Federation of Independent Schools.

Ms Elaine Hopkins: Good afternoon. I have with me Lyle McBurney, who was involved in the starting of our federation and the move toward this very day, on May 9—which is my birthday by the way—1974.

I'm Elaine Hopkins, executive director of the Ontario Federation of Independent Schools. I'm also the principal of Bishop Hamilton School here in Ottawa, a Christian Montessori program. I was vice-president of the Federation of Independent Schools of Canada. I also taught in the elementary and secondary schools in the public system. My children went to public and independent schools, and I'm proud to say they are graduates of Arts Canterbury, which I was able to choose in the public system here in the Ottawa area. So I have been very much involved in this issue over the years, and I have nine points to make for you.

First of all, let's talk about children. Children have many different needs and different learning styles. By the

way, Heather-Jane, I'll take your child in the wheelchair at any time. Give me a call. OK? Independent schools serve special-needs children of all types. We are limited sometimes by financing.

The second thing is, we should not have Queen's Park telling us—I'm speaking to the Conservative government now, but I'm speaking to previous Liberal and NDP governments—how to teach in the classroom. Some children learn better with the phonetic approach to teaching and some children learn better with the whole language approach. We need to recognize children's different needs. Children need to be given the values and the safe base of the family so they can grow up to be strong, contributing members. We need to give our children the roots of their family so they can become full and responsible citizens.

Let's talk about parents. Parents know their children best. If they make the wrong choice, they are also the ones who are going to suffer the consequences of that choice. They know their children best. They have a responsibility to give their children their values and faith, which I've already mentioned. We also need to have the role of the family reinforced in our society. I think this tax credit is moving in that direction, and we're just delighted about it.

Also, you are very much aware of human rights conditions. They have the right to choose the education that's best for their children, and they should be able to exercise these legal rights as protected in the Canadian charter and in the Ontario Human Rights Code.

We have the right to think differently. It is very important and central to a democratic society, and central to Canada, that we have the right to think differently. If I go around this room and ask each of you to very quickly tell me what is a good education, we will have 11 different views on what is a good education. That is why we cannot have one education system, one government deciding what's good or wrong or right in education. It has to come back to the parents.

A good public education system, first of all, has parental choice. But even more importantly—just think outside the box for a moment; Dalton as well, OK?—a good public education system will have the traditional humanist approach to education: a Christian school, a Muslim school, a Jewish school, a Montessori school, a Waldorf school or whatever. That is a public education system of the 21st century. I am looking forward to the Ottawa board approaching Bishop Hamilton School and saying, "Come and be an alternative under the public system."

I have here—you've probably all seen it—the Toronto Star article about 700 people who are ready to enrol in a Christian school under the public education system in Hamilton. Do something to keep people in the system by offering parental choice.

Secondly and thirdly, accountability is directly to the parents. That question was asked earlier. If a child in grade 2 is not reading at Bishop Hamilton School, the parent is in my office very fast. If I don't respond, they

take their money and go elsewhere—and their child too, by the way. That's called public accountability. It's direct accountability. There are different ways of dealing with accountability, and we're looking forward to discussing those ways.

Curriculum freedom is important as well. That's another big issue. You've talked about it already. Let's talk about it. Let's sit down at the table and see how we can meet the public good of education while still having those differences, diversity of approach. Montessori is a very legitimate, high-standard approach to education. Waldorf schools, all the religious schools meet high academic standards. I know they do, and I'm confident they do. There is not a real problem there.

Of course, a good public education system is non-discriminatory and inclusive, recognizing that different people have different beliefs.

We also have models in other provinces. They've been well documented. "What's the problem?" I would like to ask around the table when the questions come up. They have been addressed by other provinces and other countries, and there are a lot of things happening in the United States. There are models. There is no problem; it works. I've attached a very quick one-page summary for you of what's happening in other provinces. It's old—1996-97—but the basic premise has not changed particularly.

The other thing I want to point out is that in other provinces the choice and funding of independent schools and policies there has been wholeheartedly supported by all parties: Conservative, Liberal and NDP. I suggest that you look to other provinces to see why they haven't had some of the objections some of you have brought forward.

1350

I want to talk about the independent schools in Ontario. What we have is just a wonderful diversity of schools. Four hundred religious schools—you've heard a lot about the religious schools—100 Montessori schools, 11 Waldorf schools, two of them here in Ottawa, 20 special-needs schools, 32 First Nations schools and then another 168 of a great variety. There's a hockey school. The National Ballet of Canada has a school in Toronto. There are language schools. What a rich diversity of schools, and we would want to be part of the public system. How that is administered is something we can talk about. That is an education system in the 21st century.

These schools serve primarily middle-class families, and have bursaries, family discounts and a variety of approaches to try to be accessible to as many children as they can. We are looking forward to having some lower-income families in our schools with this tax credit. That's one of the steps forward that has been wonderful.

They have external accreditation and evaluation systems in most of the schools. Many give external tests such as the Canadian test of basic skills.

Interestingly enough, we often have a cultural mix in our schools that is actually better than the regular public

schools, because a public school reflects the geographical area it serves. Let's talk about Rosedale in Toronto—and I can identify some other areas here in Ottawa. They're a large immigrant community, poorer income. That's what that school reflects. We get children from all across the cities or all across—well, mainly cities; it's obviously different in a rural community. We admit all children whose families accept the school's values, philosophy and faith perspective.

In 1984, the Conservative government established the commission on private schools, with Dr Bernard Shapiro. I served as an adviser on that commission. Dr Shapiro recognized there was wonderful education taking place in private schools and wonderful education taking place in the public schools, and he said we've got to bring these two groups together. So he recommended—it sat on the shelf; it's probably in the garbage now—the associated model for independent schools. That was very important, and it was very thorough research. He did research in other provinces and in other countries, and I suggest you look at it.

Now we are at a stage where this tax credit has come into place. We need, and have always argued for, not only the funding of independent schools so we have good parental choice, but also a policy framework for these schools to operate under. In the early 1980s, we had over a year of consultation on the appropriate public framework for independent schools to operate, and we developed these guidelines for education—I have attached a copy. They have been modified to some extent since the first presentation, but we had a committee and task force of a lot of very distinguished educators and community people who presented these guidelines. We are looking forward now to sitting down with the government, all parties, whoever is going to make these decisions. We will work with you to come up with a public document that makes us all responsible and good educators, which we are. Thank you very much.

The Vice-Chair: Thank you for your presentation. We have about a minute and a half per caucus. Mr Marchese.

Mr Marchese: Elaine, thank you for your passionate defence of education in the way you describe it. What are the fees these middle-class parents pay in your school or schools?

Ms Hopkins: Anywhere from \$2,000 to \$9,000, and that varies. The so-called rich schools—and I don't want to confuse some of you with the facts, OK?

Mr Marchese: Well, try.

Ms Hopkins: I'd like to try; it's not been easy. There are only 38 of the so-called rich schools in the province. The other 700 are in that range of \$2,000 to \$9,000.

Mr Marchese: So does the person who pays \$2,000 get a certain kind of service, or is he or she subsidized by the school or what?

Ms Hopkins: Well, they're often subsidized by the school community. The other thing is that our teachers' salaries are considerably lower in the independent schools. Again, it varies.

One of the things that has become very obvious is that there is not a lot of information, clear data, about independent schools. I would suggest the first thing we need to do is get out there and find that kind of information. It varies considerably.

Mr Marchese: And the class ratio?

Ms Hopkins: Class ratio will be anywhere from 15, in some cases, up to 30 in other cases, depending on the philosophy of education. If they have a certain amount per child, then they decide—they may not have a librarian or other resources in the school. Remember, we educate children very well, and we don't have 50,000 superintendents, consultants and bureaucrats to help us. I am a one-man show at my school. I do fundraising, promotion, all sorts—

Mr Spina: One-woman show.

Ms Hopkins: One-woman show, excuse me. Our money goes into the classrooms.

The Vice-Chair: We'll move to the government side.

Mr Hardeman: Thank you very much for the presentation. In answer to Mr Marchese's question, I did have the opportunity to call our local independent school in the city I represent, and their average class size is 25. Since that is slightly above the average class size in a public education system, the choice the parents in my community make is not based on class size. There must be some other reasons they have decided they want to send their children to that school.

Ms Hopkins: Exactly.

Mr Hardeman: You made a very forceful and compelling case for independent schools and ability for choice for parents who are in that system and the issue of fairness. There are two questions I'd like to ask quickly, and you can maybe put the answer in one to accommodate the time.

The issue of parents being the right people to make the choice for their children—I've heard a number of times in presentations that in fact parents don't know what's best for their children; governments should make that decision. I find that kind of hard to understand. The other question is the issue of quality of education, that you would need to look overall at the framework required to make your institution eligible for tuition under Bill 45.

Ms Hopkins: Exactly. We want to sit down and discuss it. We need to find out what the quality of education actually is in these schools. That data is not available, apart from—I've visited a lot of these schools and I know what they do with external examinations and accreditation and tests of basic skills, as an example.

But back to the parental ability to choose: first of all, many years ago I wrote a little pamphlet called "How to Choose the Best School for Your Child." I think we have a responsibility to help and guide, but they already make choices between a Roman Catholic and a public school system, French immersion—which level do we go in at; early, middle or late—or do we need special-needs? The advocate for families with children with special needs—they know what they want for their children, and they have to be very noisy about getting their children served

appropriately. A parent knows when a child is not learning to read properly. They know, but they don't have many options at this point. They don't do it in isolation. They're going to do it in consultation with staff, parents, professionals.

The Vice-Chair: Mr McGuinty.

Mr McGuinty: Thank you, Elaine, for the usual vigour you bring to this debate. I wasn't aware you were part of the working group for the preparation of the Shapiro report, and I want to compliment you on that. I'm very familiar with the Shapiro report and find it quite forward-thinking.

I wonder if you might take the opportunity here and now to better describe for us—I think, if I'm not reading too much into it, you are saying that the concept of an associated school, where the public system is inviting diversity, is a better vision than the rather pedantic approach being brought by the government of the day, which is, "Here's \$3,500. We'll just put that out the door and that's that." Do you agree with that?

Ms Hopkins: First of all, I didn't say it was a better vision. I was careful to say there are many kinds of administrative structures that could meet that vision. I would like to think that Bishop Hamilton School is part of a public education system; I'm operating independently and separately, but I'm happy to have that interaction and support and all those things. I see a public education system that has many choices. How that is administered is something that would be open for discussion.

I would suggest that if you really like the Shapiro report—I haven't heard you talk about it since you've been head of the Liberal Party, Dalton, and I'm disappointed. In fact, when we met, you didn't even mention that you liked the—

Mr McGuinty: I'm keeping it a secret.

Ms Hopkins: I see. Well, that's not good.

Mr Guzzo: Who was the Premier in 1986? It was that Liberal guy. I remember.

Interjections.

Ms Hopkins: He talked about the school having curricular freedom and the choice of teachers, and of course parental involvement and the funds flowing. But he really wanted teachers in independent schools and in public schools to be working more closely together for everyone's benefit. That's what we're looking for.

The Vice-Chair: Thank you very much. We really appreciate your coming forward and presenting to the committee.

1400

OTTAWA-CARLETON
DISTRICT SCHOOL BOARD
SPECIAL EDUCATION
ADVISORY COMMITTEE

The Vice-Chair: Next is Nancy Myers, co-chair of the special education advisory committee. Ms Myers,

would you come forward? We're having a mild bit of difficulty with the committee. I hope you can bear with us. Would you state your name? You have 20 minutes for your presentation. What's not used in the actual presentation will be divided equally among the three caucuses.

Ms Nancy Myers: My name is Nancy Myers, and I'm joined by Lamar Mason. We're co-chairs of the special education advisory committee of the Ottawa-Carleton District School Board. We're here today to talk about questions raised about the impact the proposed tax credit will have on children needing special education.

Most private schools will not be able or willing to provide for the needs of exceptional children. I've heard other people say to the contrary; however, our experience is that a cognitive delay in a child is handled much differently than a physical problem. We know of many children turned away from so-called learning centres and, in fact, of children who were accepted and then told a year or two later that they couldn't return when their needs became more apparent. One family was told the private school would take their learning-disabled child only if they sent their three other regular kids as well. I think it's fair to assume this will leave the public system having the needier children who cost much more to teach.

ESL children are also highly likely to be left in the public system. ESL is knowingly and deliberately underfunded. In our board, we receive funding for 3,000 ESL children. In our board, we have to provide supports for three times that number. Although the academic and pedagogical research shows it takes seven years to acquire competence in a second language, our common sense legislators still restrict funding to the first three years a child is in Canada. This means if a child is born in Ontario and lives in a household that speaks no English, the funding has run out before that child even reaches junior kindergarten, but the boards still have to deal with that child when the child arrives at school.

The accountability burden on special education expenditures by public boards has gone way up, while service levels have gone way down due to funding cuts. Private schools face no accountability, standards or certification.

Our board's special education advisory committee is currently reviewing a two-inch-thick special education plan which must be approved and presented to the ministry every year. A private school doesn't have those guidelines or restrictions. This booklet is just to tell boards how to set out the documents.

Will the intensive support amounts, the ISA funding, be available for private schools, and will they have to, and want to, fill out the mountains of paperwork required?

The vast majority of tax credits will, I am told, not go for the purpose for which the legislation is claimed to be intended: to provide equitable access to religious education. Seventy-five per cent to 90% of the tax credit dollars will go to above-average-income parents of students in non-religious private schools.

We live in a multicultural society where every child should grow up proud of their own family, but also informed and respectful of their neighbours. Whether the difference is religion, race or learning ability, society must accept and encompass all our differences. How is this possible if children are not respectfully exposed to those differences?

While the question of teaching religion is complex, there are common starting points. All major religions have a belief which, when I was young, was called the golden rule. Why can't all schools use that as a simple starting point to teach children to treat others the way you want to be treated? Why not adapt a curriculum to encompass comparative religions or humanity as a starting point to learn about the spirituality of coexistence? A few people might opt out, as would be their right, but many would not.

In the same way that I want my child to learn about the religious beliefs of his neighbours and classmates, I want them to understand the difficulties which he struggles with. He talks a little differently, has trouble finding the right words and telling a story in the right sequence. But because he might sound dumb to some people doesn't mean he is. If and when they take the time to know him, they will realize that he, and all children with special needs, are more like every other kid than they are different from every other kid. How will they get to know him and the other children who have significant academic struggles if they aren't around? What about the children, and even adults, in our society who have even greater learning struggles, such as autism or developmental disabilities? It's natural to fear something or someone who is quite different until you see up close the ways they are the same. The attitude that it's not your problem if it's not your child is false. It truly does take a village to raise a child.

Special education is already underfunded, as reported by the Education Improvement Commission in reviewing the majority of boards' spending across the province. This Lego represents 3,462 children currently on waiting lists documented within our school board. Every one of these is a little person waiting, and there are probably countless more we don't know about.

We now have more police officers in our schools than psychologists or social workers. My own son lost the services he needed most just because he turned nine years of age, not because he didn't still need the help. The children's needs don't disappear just because their programs and supports do. Needs unmet are translated into negative reactions. Children act out, tune out and drop out.

Our own director of education calls this year's budget a treading water budget. But many of our most vulnerable children are already drowning and, as one colleague says, her child isn't drowning alone, she's having her head held under water.

It's intriguing to note that since our special education supports have been decreased in the last two or three years, there has been an increase of 25% in suspension

rates. Of course, it seems that the new boot camp schools are intended to pick up where the special education supports have been amputated.

There has been virtually no research regarding the impact of the proposed tax credits on the ability of public boards to sustain services for special needs or on any other impacts of the proposed tax credits. It's public money. Why do you think it's called public education?

Ms Lamar Mason: It has been interesting to note many of the comments made just previous to us; the issue about being able to run a school without a superintendent and that the public boards are overwhelmed with administration. Public boards are overwhelmed with administration because that is what is required of us in order to obtain our funding. The OCDSB, for instance, spends millions and millions of dollars meeting the system's requirement for EQAO testing. None of that impacts our children's learning, none of it affects what happens to them as they go through the system and none of that expenditure by our board has been covered by the government. Our funding levels, the public funding rates, were set prior to that obligation being placed on boards, and money that the board should be spending on special education is going to test our students. Other than the grade 10 testing, none of it impacts their actual academic progress. The results come out the following year. Many students aren't even in the same school. So none of that testing follows the students and none of it impacts the individual child. Many schools are using it to look at their overall delivery but none of it comes back to the child.

Special education needs are unique. We are significantly underfunded. This board used to be one where everybody came from all the other systems—the Catholic system, the private system, the independent schools—into the OCDSB because that's where their children's needs could be met if they were exceptional. Now they're beginning to flow out. They're looking to other options because there is no more funding for their students. The Lego represents those children that we know of who cannot be served because we don't have the money to provide the resources. God help this board five years down the road on its literacy testing in grade 10, because we will not have met the needs of those students.

1410

People are interested in this \$3,500 because the public system is dying under the administrative and paper burden, the constant changes and the denigration of our teachers. That's why people are moving out of the public system and looking to acquire these funds, because the public system is no longer a quality system. It has been destroyed over the last six years. So people think, "This is great, I can make a choice. This is the choice I will make. It's no longer meeting my needs, because it can't. It doesn't have the funds and it doesn't have the public support to do that."

Special education students will not be accepted into those other schools. They are constantly dumped out of them. We know that. We have the experience. Who will look after those children? The percentage of children

with special needs in your public system is increasing daily because they will not be taken elsewhere. The public system has to take them and yet we are underfunded. The percentage of those children in an average classroom will steadily increase as the number of children who can take the option and be accepted elsewhere move out of our system. That's not fair to any of our children. Instead of moving the dollars out of the system, let's move them back in.

I applaud the suggestion that the independent schools come under the public system. I'd like to see them manage themselves and deliver what they want to deliver under the same rules and regulations that the rest of us are dealing with.

Within the OCDSB, we have alternative schools which had a unique delivery model. They had a non-graded curriculum. They had multi-grade classrooms. They were the leaders in centres of learning within regular public school classrooms. They had to go and specifically lobby this government to be able keep non-graded report cards. Because they're in the public system, they can no longer produce a report card that reflects their philosophy of education. You're destroying a choice within the public system simply because everybody in the public system has to use the same report card. Why would that restriction be placed on our students under your funding and not on other schools? Why isn't the flexibility allowed within the public system? Why are you suggesting that we have to go outside the public system to provide choice? The public system has been trying to provide choice and it is destroyed by the administrative burdens and requirements placed on it under this government.

The Vice-Chair: We have barely two minutes for each caucus, starting with the government side.

Mr O'Toole: I appreciate your presentation. I just want to acknowledge that special education is a specific issue that's been addressed for the last while. I hear what you're saying on the bureaucracy, the administration, the red tape. If there's anything specifically that you as an educator can do—I've heard it from my own board and I've written to the minister about it. We must trust the education professionals in that sense, and specifically special education. The skills they bring to it often aren't specifically teaching skills. They are more working with children, whether it's the therapy or OT. There are some problems there on the other side if you've got to be a member of the teaching federation. But I do hear you.

The Royal Commission on Learning, I believe, identified the fact that the system needed to be awakened. They didn't have a commission because nothing was wrong; they had a commission because everything was in some dispute. Some mechanism for accountability needed to be brought back. The public wanted it, not just the government. It was called for in terms of having standards. David Cooke actually started this process.

Mr Marchese: Oh, come on.

Mr O'Toole: He did. The EQAO was started by him, the College of Teachers, all that stuff. And good for him.

But my point is this: I think it's sometimes portrayed that we're not interested or we created this situation, as some would say. I think we need to have positive suggestions, specifically with children at risk, because they can't just assimilate into the world easily. The more we can do for them early, the more we're actually avoiding problems in the future that may just be delayed.

If you want to comment on any of that in a specific way, on red tape, I'd be very pleased to hear about it.

The Vice-Chair: You didn't leave them much time. You have about a half a minute to respond.

Ms Mason: I'd just like to remind everybody that the royal commission was called For the Love of Learning. Unfortunately, within our public system very few people are still loving to learn because of what has been unfairly imposed on them in the way of changes, without the consultation and the time lines to do it effectively, to benefit our students. That's the problem.

In terms of special ed, we'd be more than happy to send in specific suggestions. Our board has done that regularly. It's volunteered for a number of the standards committees. Unfortunately, we're finding that often what we're trying to say is not being heard effectively, and the boards are trying to pretend there's nothing wrong so they don't get nailed. So it's a two-edged sword.

Mr McGuinty: Thank you both for your presentation. The Mike Harris government has had their hands on our children's education for six years now, and for a government that was supposed to be against bigger public institutions, more bureaucracy and more red tape, the actual experience on the ground has been that, as a result of their policies, our teachers, our administrators and our trustees are so stifled by the politburo, they can't make a move in terms of creativity and innovation and helping further evolve public education so we can better meet the needs of our parents and our students. I just wanted to vent on that score.

I'll tell you what will help the government members best here today from my perspective. They believe they've put all kinds of money into the system, that money is not an issue and that we have enough money right here in the Ottawa board to deal with our special education needs. Could you speak to that?

Ms Myers: I'd like to start. My son could have been your poster child until three years ago. He was identified early, he got school language support and he was IPRC'd, which is the rubber stamp to get into special ed, in case some people don't know the lingo, into a small class specifically for children with his kind of problem. For five years he did phenomenally well. He's struggling with math, he's a bit behind in reading, but he's on the road to literacy.

Two years ago when the de-funding started kicking in, he lost the supports. Our board didn't do that out of malice; they did it because of the de-funding. The Education Improvement Commission itself—if you look at and compare all of the different boards, they averaged our board. For example, we had one speech pathologist for every 2,200 children. They averaged us with boards that

have one for every 22,000 and then they said, "You're spending more than average." They actually compared two boards again—I think it was Kenora Catholic and Keewatin-Patricia—and they gave them great kudos for very innovative thinking because these two coterminous boards got together and pooled some of their special ed money to hire a speech and language pathologist. When you add up, it's 9,000 square miles and 6,000 kids. I hope she came with a helicopter.

The Vice-Chair: We'll move on to the third party.

Mr Marchese: Thank you both for the information you provided to the committee. Your point about the fact that 70% of these public dollars is going to go to the non-denominational schools—they never talk about that. I don't know why. Thanks for the reminder that in this board—

Mr Spina: Oh, come on.

Mr Marchese: It's true. Oh, please.

The Vice-Chair: Order, please.

Mr Marchese: I think he said there are 3,400 students who are on waiting lists here in Ottawa. There are 33,000 waiting in Ontario.

Ms Myers: There are 37,000 now.

Mr Marchese: It's going to go up. It's an ever-incremental number. It's an important number, because the public system is ailing, and it's ill because these people refuse to put in the money. Those who can afford it will go out and pay the—

Mr Guzzo: We're paying the interest on Bob Rae's mistakes.

Mr Marchese: Hold on, Garry. Those who can afford it will go out and pay 25,000 bucks—some \$35,000, I hear—to pay for the service that you are required and expected to do with so little money, and 35,000 are waiting.

I'm puzzled. M. Hardeman says, "But it's wonderful to give the choice to parents," and they say they're accountable to the parents. You are accountable to parents, to them, to the system, to everybody, but he speaks of this wonderful flexibility these parents are being given. You spoke about the fact that while they're being given this flexibility, you have none. You're not given any.

Ms Myers: May I clarify something I think you all perhaps don't understand? The special education advisory committee—we are parents; we're not teachers.

1420

Ms Mason: The other point I would like to make, which you did reiterate, is that the advantage to the private schools is that they can continue to increase their fees to cover the additional needs or expenses they encounter. The public system doesn't have that. The OCDSB has cut \$23 million from its special-ed budget. We've been told by the province that we're still \$10 million overfunded. We're taking that \$10 million out of a variety of other envelopes that we have—not administration, since we are down to 2.6% in terms of our administrative costs, as the government accounts for them. But we have to take them out of a variety of other areas to

support that \$10 million. Next year we won't have a choice; we will cut that \$10 million.

The special education advisory committee has produced a needs-based budget that shows we are a minimum of \$23 million short at our current funding level. That's \$33 million we need to meet the needs of our students, over and above what the government thinks. That's—

The Vice-Chair: Thank you very much. We appreciate the presentation. We are well over time. We have to move on to the next presenter.

OTTAWA MONTESSORI SCHOOL

The Vice-Chair: The next presenter is Lisa Addario, board member for the Ottawa Montessori School. Would you come forward. Would you mind stating your name as you begin. You have 20 minutes in grand total for presentation and responses from the three caucuses.

Ms Lisa Addario: My name is Lisa Addario. I'm a board member with the Ottawa Montessori School. I have two children enrolled in the school, ages six and four.

First, I'd like to thank the committee for travelling the province and giving parents, educators and interested members of the community an opportunity to speak on this significant piece of legislation. I am sure you have all heard the arguments in support of and in opposition to this bill.

What I would like to focus on for the next few minutes—and I don't think I need to use up all my allotted time—is the message of creating opportunity. This bill will lead to increased opportunities for children. Parents who send their children to independent schools do so for a variety of reasons. Our parents at the Ottawa Montessori School do so because they believe in a curriculum and a learning environment based on the Montessori pedagogy.

Parents want choice because children don't all fit into a standardized mould. In determining what school is best, parents should have the choice and the chance to trust their ears, their eyes and their gut instincts. To be honest, when I enrolled my son at the Ottawa Montessori School, I didn't know what I was getting into. I thought that OMS would provide him with a more structured learning environment than daycare and I sensed that that would be a good fit for him. And it cost no more than daycare.

Nothing beats personal observation. During the time when my child was in the class for children aged three to six, I saw three things.

First, in this class of blended ages, under the watchful eye of the teacher, I saw older children spend a portion of their mornings teaching the younger children work. As a result, from the earliest age children learned and, are continuing to learn to care for younger children and at the same time, their confidence grows as they develop ease in handling the materials and explaining the concepts to the littler ones.

Second, the Montessori materials are perfectly designed to exploit a child's love of patterns, shapes and

order. As a result, by the age of five my son had learned grammar. These are the parts of speech that he has learned to identify. He liked that, but his particular passion was for numbers, and the materials under the Montessori pedagogy are sufficiently malleable that he could go on learning and learning and learning.

When he came to the end of the age group and I had to make a decision about what to do for him, I went to observe the public school at the end of my street. I flipped to the back of the math curriculum. That's his passion. At the end of grade 1, the math curriculum was "12 minus five equals seven." My son had just completed half a year as a five-year-old in the Montessori school. He was adding four columns of numbers, having learned the concept of borrowing. I have some of the addition and subtraction materials with me and I would be happy to share it with the committee members if they have time, as well as his history of the world in eight pages.

This year, at the age of six, he started long division. I saw my son's dilemma very clearly: he would be bored stiff in public school. The school where he was and is now, through its pedagogy, I emphasize, does the best job of nurturing his fragile spark of creativity, curiosity and intelligence. I want to emphasize that my son is not a genius in any way. How do I know this? Because other children in the classroom are doing the same level of work as he is.

No one educational approach can be right for every child. The proposed tax credit will encourage parents to seek out the best educational fit, not only between the child and the school but also between the parents' values and goals for their children's education and what a given school can deliver.

Dr Maria Montessori created her approach to teaching with children in the inner city who were thought to be unteachable. The belief of the school community that we have chosen for our children ascribes to the view that there is more to life than simply the pursuit of wealth and power. According to Dr Montessori, finding one's place in the world, work that is meaningful and fulfilling and developing the inner peace and strength and depth of soul that allows us to love are the most important goals in life.

What I've just told you is that by encouraging parents to make choices about their children's education, this bill will also create a strong sense of school community, of parents who are committed to pedagogy and values, whatever those may be.

I also want to point out that this is a financial struggle for my husband and me. But I think my son and daughter are worth it.

I said I observed three things. The last thing I observed, which resonated quite deeply for me, was a sense of community, both nurtured in the classroom and in the larger Montessori school. My children are living in a microcosm of a world that I aspire to create in our society. This is a community fostered by a like-minded commitment and a classroom that develops a sense of community with their classmates and their teachers. I certainly agree with the last speaker, that it takes a village

to raise a child. I think the Montessori pedagogy makes for a contributing, vibrant member of our village.

Finally, I have been a public servant for most of my working life. I work in the voluntary sector. I sit on community boards. I have worked in every political campaign since I began voting. I believe passionately in the notion of community, and if you don't like something in your community, you work to change the system. I have been devoted for the last 10 years to the struggle for equality for women. I do not see my decision about the appropriate pedagogy for my child to be elitist or selling out the public system. I see it as fulfilling my responsibility as a parent to support my children to become the best they can be. Parents should be free to explore their educational choices and not be limited by their income. Thank you.

The Vice-Chair: Thank you very much for your presentation. We have approximately two minutes per caucus, beginning with the official opposition.

1430

Mr Patten: Thank you very much for your presentation. I happen to share most, if not almost all, of what you have to say. I suppose one of the comments you're making is that the flexibility you would seek is really not there in the public system. I agree. I think there's too much government infusion of "one way is the best way." It is micromanaged more and more from Queen's Park. That's the killing, in my opinion, the public system.

I'm a believer in the big tent theory; that is, we should have the flexibility to have a variety of approaches, a variety of contexts, because, as you and others have said, each child is a different child, a unique human being, and not all children respond to the same particular approach to learning. I would ask you, if we began to develop the public system to have that kind of flexibility and support for the acknowledgement of the diversity of approaches, would you welcome the opportunity to be part of that?

Ms Addario: I would welcome the opportunity to make any contribution that I could around the Montessori pedagogy.

Mr Patten: No, I'm telling you, in the context of a more flexible public system.

Ms Addario: I would be interested to see what the terms of a flexible public system were before I made that commitment.

Mr Patten: Fair enough.

Mr Marchese: I think there are a lot of people who agree and understand that kids learn differently and that there's no one right approach to children. Teachers recognize that in the public system. In spite of the \$2.4 billion, they do a good job, because they know not all children learn in one way. There are probably 16 different approaches to reach children. Many of the good teachers use many of those skills, given those limitations they are facing by this government in particular but probably by all governments in general. All children think differently too. Teachers think differently. We all think differently. Teachers are supposed to talk about the fact that we do that and we are supposed to respect that,

contrary to some views that somehow we are homogeneous and we teach in one way and we think one way and we teach our children one way and so on.

I understand what you're doing as a parent and I know you're making sacrifices. Some of those fees that some of you pay are very excessive. Most people don't have that choice. You're doing so with sacrifice. I understand that. Your fees are probably high, right? What do you pay—\$6,000 or \$7,000?

Ms Addario: I pay \$6,900 for my son and \$5,500 for my daughter.

Mr Marchese: It is a tremendous sacrifice. Most people wouldn't be able to take that choice, but you do so because you like the pedagogical approach of Maria Montessori. God bless; I understand that. I'm a profound believer in the public system. I really am. I'm a profound believer that when children are not learning and they're gifted, we help them. As parents, it is our job to make sure that we help the system and we remind governments about the help we need from them to do that, as opposed to saying, "My choice is not there. My kid in that public system would be bored; therefore, I find an ideal school where I've got to pay money to get that." I don't subscribe to that. I don't think the public should be paying for that kind of choice, I really don't. It may be that our views are irreconcilable in this way and that they are satisfying your need. For me, the public system satisfies our needs as a society. Just thought I'd put that out.

Ms Addario: I appreciate your commentary. You premised your remarks on the notion that the two are preclusive, that you can't have one and the other. I'm not qualified to speak to that. In December of last year I went into a lovely classroom maintained by a wonderful teacher, who I saw employing a variety of approaches within the public system. I looked at the curriculum and saw how uncondusive it would have been to the particular learning passions of my kid. I would put to you that, were you in my position, you would have found yourself on the horns of a dilemma.

Mr Hardeman: Thank you very much for the presentation. I really appreciate the personal part of it, bringing in the activities that your son—it was your son wasn't it?

Ms Addario: It is. I had to watch myself not to become too much of a doting mama when I was doing this presentation.

Mr Hardeman: I appreciate that. Of course, we've had a number of presentations based on the Montessori way of educating and the difference from the public system. All parents seem to agree that it is the difference that they go for and that they make the parental choice on.

The opposition in the last number of days have been suggesting that all that's available outside the public system for our working families in this province could be made available in the public system. It would seem to me that in the Montessori approach that may be possible, to have a Montessori type of education in the public school

system. But the people I represent who send their children to the schools for religious reasons have been doing so for 40 years and all that time have been watching the public system take away more and more of the reason that they left the public system for; not making it better, but making it worse, based on religious education.

I would not ask you to speak to the religious portion of the choice, but do you believe that what you want for your children is likely to become part of our public education system in the time that your children will be going through the education years?

Ms Addario: There are people far more qualified than I to speak on the Montessori curriculum. I can tell you from my experience that although there is considerable flexibility within the classroom, the classroom itself is a highly structured environment. The time during which children need to be engaged in work is meant to comprise at least a minimum block of three hours of time; that the blended classrooms are a key. I think there are probably a variety of eccentricities that are unique to Montessori. I would caution between importing Montessori-style philosophies and having a Montessori classroom.

The Vice-Chair: Thank you very much for your presentation. We appreciate your coming forward and giving us your thoughts.

OTTAWA-CARLETON DISTRICT SCHOOL BOARD

The Vice-Chair: Our next presenter is Mr Jim Libbey, director of the Ottawa-Carleton District School Board.

Mr Patten: That's not the correct title. He's chair of the board.

The Vice-Chair: My apologies. I read what was here. He's chair.

Mr Jim Libbey: I am the chair, which makes me the elected official, not the CEO. I think that's a very important distinction. I'm a layperson. I'm an angry parent. I have been for many years—about four to be exact. That's why I ran for this position some years ago and that's why I ran for it again.

Mr. Chair, members of the committee, ladies and gentlemen, on behalf of our 80,000 students, we appreciate this opportunity to explore with you once again—well, some of you, anyway—the funding issues and other issues facing Ontario school boards. I want to cover three topics.

First, accountability and responsibility: the government used these terms quite liberally, if I may put it that way, in the budget speech and related documents. It's time for Premier Harris and Finance Minister Flaherty to take a look in the mirror. It's time for them to act responsibly and be accountable to the people of Ontario. The second topic I'll talk about is the desperately inadequate allocation in the 2001-02 budget of an increase of a mere \$360 million to public education and the misleading suggestion to Ontarians that this somehow

gives boards some flexibility. Shame on the government and its spin doctors, for once again they have gone over the top. The third topic is the so-called equity in education tax credit, the astonishing flip-flop, the misguided giveaway of tax dollars that caught even its beneficiaries by surprise.

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Nearly four years ago, with the passage of Bill 160, the government accepted the responsibility to fully fund elementary and secondary education in Ontario. As we speak, the government has yet to complete the development of its funding formula in critical areas such as special education and transportation. Parts of the formula that are in place are fundamentally flawed. The government has therefore failed to comply with section 234 of its own Education Act, which requires that regulations governing education funding operate in a fair and non-discriminatory manner across different types of boards. Worse, the government has failed to a very significant degree to allocate sufficient funding to the Minister of Education to finance a workable formula, if and when it ever is completed. Indeed, in today's dollars, the government has reduced the investment in education by some \$2.3 billion per year. The impact on students is unacceptable and the intergenerational inequities that are being foisted on Ontarians are disdainful. Future Ontarians will inherit an inadequate capital infrastructure for schools as well as the enormous costs associated with the government's failure to enable our youth to achieve their personal best.

We discussed these matters with this committee on February 19 of this year. As you well know, we were largely ignored. So let me again summarize for you the financial impact on the 80,000 students of the Ottawa-Carleton District School Board. Having finally received information on our grants, two months late, we are now in the process of examining our staff-proposed budget. Our estimated expenditures for 2001-02 are \$524 million. As the first step in getting to that figure, we have to cut \$18.3 million from last year's budget, for a cumulative reduction since amalgamation of \$79.3 million. The provincial grants of \$490.7 million—our staff's estimate—and miscellaneous revenues of another \$13.2 million are then woefully inadequate. So the proposal we have in front of us is to make up the difference by taking \$20.1 million from our operating reserves, leaving them virtually empty.

Doing these things will sustain us for the coming year only, but without major increases in funding and changes to the formula, there is no way that we will be able to deliver a reasonable level of programming in 2002-03. That is, we will not be able to meet our obligations under section 170 of the Education Act. Indeed, some question whether we are meeting these obligations today. Perhaps the two ladies who were speaking moments ago from our SEAC were essentially explaining that to you.

I want to just take a little aside here and tell you a bit about what choices we're making. We're working on these choices tonight, if we can stay standing long

enough. One has to do with the Canterbury Arts coordinator. An earlier speaker mentioned Canterbury Arts. It is indeed an excellent program. We're very proud of it, but it has already been hurt severely, frankly, by this government's cranking down of the cash. What we're discussing now—and we've had enormous numbers of e-mails, and I hope that some of the MPPs have had some of those e-mails as well—is 0.6 of a person-year, of an FTE: the arts coordinator. There was great concern that they were going to lose their arts coordinator. Can you imagine that? That's the kind of choices we're trying to make right now.

There's another choice that has been tossed up for us to work on and it has to do with our alternative elementary schools. These are schools and programs that very similar to those of Montessori, I'm told. We have those. We have about 1,300 kids in them and we have trouble putting the right numbers of teachers there because they happen to cohabit schools with regular programs and they have to be allocated teachers on a formula that doesn't particularly work for them. Here again we're talking about a couple of teachers. This is how bad it's become.

We gave you most of the details on this funding issue in February. We did not ask for the \$2.3 billion, you will recall; we asked for \$1 billion only for this year and we requested that the government launch a thorough review of the funding formula immediately. We are currently working on a needs-based budget that will explain the situation even more fully to you. They are doing the same in Toronto and, I suspect, elsewhere.

We have probably said enough about the inadequate funding for now, but I must comment on the deceptive spin around the budget allocation of \$360 million in new money for 2001-02. The technical paper, not the rhetoric—the rhetoric too, but the technical paper itself—says, "Boards will have increased flexibility to use revenue from student-focused funding to address local priorities." What a sorry joke. The reality is that our share is some \$11.4 million, or an increase of 2.4%. Last year, the province sent us grants of \$490.9 million. This year, they are going to give us grants of \$495.7 million, a whopping increase of 1% in an enterprise where 80% of our costs are salaries and benefits, where enrolment has increased and where inflation is over 3%. Clearly, this allocation is inadequate. Just as clearly, our resources have in fact been cut this current year, not increased. Think about it, please.

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This is almost as big a deception, frankly, as the claim in the run-up to Bill 160 that property taxes had been increasing because boards could not control costs. The simple truth then was that successive provincial governments had significantly reduced grants to school boards, thereby downloading costs and forcing up property taxes. Mr. Chair, many people are starting to believe that we should return to a system that would truly enable locally accountable trustees to meet the needs of their cities.

I must talk about the equity in education tax credit, so-called, this euphemistically labeled "equity in education

tax credit"—the \$300-million gift to those Ontario families that have already made personal decisions not to avail themselves of the publicly funded system. But now you know very well that Ontarians are not amused by the surprising and profound policy flip-flop, or by the failure to explain the rationale much beyond the government's usual "some parents wanted this choice." Not good enough.

Ontarians wonder about the government's purposes and assumptions. Is this policy intended to address the concerns of the UN human rights committee? If so, it fails. There has been no process. Alternatives have not been considered.

Does the government intend to save money when grants to the public system go down as families take advantage of this generous incentive? If so, please remember this: just to break even, the government needs enough students to leave the public system to cover the cost of this outright gift of \$300 million to the families of existing students. That's a lot of students that have to leave the public system, and it is inconsistent with the government's claim that not many students will leave public education because of this incentive. It is however, consistent with the Premier's suggestion on May 14 that the tax credit is actually a saving: "Every person who sends their child to an alternative school still pays full taxes to support the public education system," said Mr. Harris.

More questions: under what conditions will independent schools qualify for this privilege? Will they be exposed to EQAO testing, including its administrative burden? Will they hire teachers with Ontario qualifications? Will they have to make their financial statements public? Will they be compelled to provide services to special-needs children? I think not. I could go on, but the basic question is: will they be held accountable?

Mr Chair, public schools challenge all students to achieve personal excellence in learning and in responsible citizenship. In Ontario, we value our diversity. This tax credit has the potential to divide people, rather than bring them together. One need only look south of the border to see that these sorts of incentives have had the serious negative effect over time of creating a counter-productive and inherently unfair two-tiered system of education. To put that another way, there is nothing equitable about the equity in education tax credit. With few exceptions, only a select group will attend the private schools.

Finally, Mr Chair, there are about 30,000 students in denominational schools and about 72,000 in non-denominational schools, the reverse kind of ratio from when you think of it in terms of number of schools. Think of it in terms of number of kids, because that's how the tax credit gets calculated. Let's separate these two cases, the religious case and the non-religious case, and analyze them separately if we're going to make some decisions, because they are extremely different. You've totally entangled them and you made a presentation in your budget document which implied that we're just

talking about the religious ones. Sleight of hand will not do it in Ontario. You're being found out. Come clean and do the right thing.

Please recommend to the government that this proposed tax credit be eliminated from Bill 45 and that other alternatives be examined, such as religious and cultural schools within the public school system, as you've been hearing about today. Indeed, considering the significance of religions and cultures as forces in this world of ours and in this province of ours, perhaps we should adjust the curriculum so that all students could learn more about these religions and these cultures.

In Quebec and Newfoundland, robust public processes, including referenda, were used to engage citizens in making a fundamental change akin to the equity in education tax credit. Please do not short change Ontarians in this respect.

Mr. Chair, I'm ready for questions.

The Acting Chair (Mr Joseph Spina): Thank you, Mr Libbey. We have just under three minutes per caucus, and we shall begin with Mr Marchese, NDP.

Mr Marchese: Thank you for some of the helpful reminders, particularly with respect to alternative schools. I was a trustee with the Toronto board of education and proud of our history around alternative schools. But they're all in trouble now because of the inflexible funding formula that doesn't take into account differences in our public school system. I'm amazed that either they don't know about alternative schools within public school systems or they just refuse to acknowledge that they exist and the kinds of service that they provide.

Second, I really believe, and many parents believe as well, that the underfunding of the educational system by \$2.3 billion, coupled with a tax credit which is an incentive, will create the necessary conditions for many to leave our system. Are you one of those who agrees with that as well?

Mr Libbey: I think that's one of the questions this government has to do a little bit of work on. We certainly haven't been able to work on it because this issue has not been on the table. The government has been very clear this issue has not been on the table. Who's had any chance to do research? We don't have an opinion on that. Nobody has been able to do any thinking.

Mr Marchese: We asked that as well. Listen, I have no doubt this will go through.

Mr Libbey: Well, I hope it does not go through. This government was able to change its mind on Bill 74; it can change its mind on Bill 45. It just has to do it very quickly.

Mr Marchese: I hope that you're right. I think that this government should give a guarantee that says if 10 students leave our public system to go to the other systems, if 100 go to the other system and it means this shortfall to the public system, we will guarantee that an equal amount of dollars will go back to it. Would you not want or expect a government to say that?

Mr Libbey: That might be kind of minimal approach to the situation, but I think the issue is much more

profound. That's not a correction or a fix that I'm all that interested in. If the government wants to offer it, fine, but please offer it along with, in our case, about another \$30 million or \$40 million so that we can get through life.

Mr Marchese: Of course. They keep on saying, as you pointed out, that they are putting more money into the public education system, and it's some \$300-million-odd now, but that they have given more to the public system than any previous government. That's what you hear them say all the time.

Mr Libbey: They've put money in, but they take resources out, because money does not keep up with inflation and enrolment rolls. They don't seem to understand that, because they keep denying it. They seem to be math-challenged. They should come to our school board and learn some economics.

The Acting Chair: Government caucus, Mr Guzzo.

Mr Guzzo: Let me thank you very much for your comments. As usual, you have been concise and cut to the bone. But let me ask you a couple of questions, please. First of all, no one wants to help you more than I do. I go to the Ministry of Education in Toronto, trying to argue for the Ottawa situation, and here's what I am told. In 1995, Huron county and Leeds-Grenville were educating a child for \$5,600 a year; Ottawa-Carleton was spending \$9,600 a year. We went to the chancellor at Queen's, we went to the rector at Ottawa U and at Carleton. We said, "Are these other places living up to the minimum standards?" They said, "They're not only living up to them, they're doing a better job than Ottawa-Carleton." Now we have the test results, and you know something? The test results support the chancellor at Queen's and the rector at Ottawa U.

Now you're on equal footing, and I want to know why you can't do as good a job as some of the other boards.

My second question is this: in arguing for the money and arguing for additional resources, I'm asked, "Do they still own Ottawa Tech?" "Yes." "How long has it been since a student was educated in Ottawa Tech?" "Twelve years." "What's the value of the Ottawa Tech land?" "It's \$200 a square foot." "That's \$6 million or \$8 million an acre. What are they doing with that building and why are they sitting on it? What about the headquarters down on Gilmore? Do they have a for sale sign on it? Are they trying to move it?"

Mr Libbey: I hope the member is going to leave time for me to answer this time, not like last time when they ran out all the time on me. The Ottawa Tech building is in a situation where we have to deal with it within the regulations set by your government, sir. Your government will not let us realize any money from that unless tiny miracles happen, and they aren't going to happen. We can talk about more of that off-line.

Mr Guzzo: Try selling it and see how the money flows.

Mr Libbey: OK, I'd like to answer the other question. First of all, we—

Interjections.

The Acting Chair: Let Mr Libbey answer the question.

Mr Libbey: We give your government credit for trying to be fair across Ontario. That was your stated purpose up front. Had you stuck to that and had you achieved that, that would have been a good thing, but you have not stuck to it, nor have you achieved it. You did try. You have a funding formula. The funding formula is incomplete.

We now sit here in Ottawa—and you have this analysis in front of you, thanks to Mr McGuinty, I believe—that shows that the Ottawa-Carleton District School Board is now getting \$6,694 per student whereas our Catholic counterparts are getting \$7,162. If you multiply that out, for us to come even with them, we need another \$33 million or so. That's what your funding formula is doing. And you will recall that I specifically gave you the analysis with respect to transportation where we are getting hosed, frankly, by about \$5 million or \$6 million. We just cannot compete with them on the transportation front.

The Acting Chair: Thank you, Mr Libbey. You will have the opportunity, perhaps, with the Liberals. Mr McGuinty.

Mr McGuinty: Thanks very much for being here today, Jim, and thank you for the continuing work that you do. It is not an easy job, and I, for one, am grateful for your having taken on these responsibilities.

We live in a world where parents have tremendous concerns about the future for their children and very high expectations when it comes to schools. People are much more consumerist now, and they are looking for different opportunities. I'm just wondering—you understand this. I've had the opportunity to chat with you. Parents are looking for the best for their kids, and I'm wondering, given the appetite now for a range of programs that will better meet the needs of individual children, I want you to juxtapose that growing appetite with your ability in the Ottawa board to meet those growing demands.

You talked about Canterbury, a school I'm very proud of, which is in my riding. You talked about some of the alternative school models that you've just been able to get your foot in the door on. How much are you really able to innovate and to explore new possibilities and better meet the needs of demanding parents?

Mr Libbey: Thank you for the question. I think some of the things that I've referred to, like Canterbury and the alternative elementary school, are right to the point. We're splitting hairs trying to keep these programs the way we want them.

We believe very much in choice. We define choice primarily in terms of giving Ontarians, giving Ottawans in our case, the kinds of programs that they need—not the bricks and mortar; that's not really the big issue. What programs do they need? How can we get them into their hands?

Another program that we have is the International Baccalaureate. We would love to be able to provide that program in a much more robust way than we do, like

many other places do. The additional costs that are related to that program are picked up by the boards. We can't do that. We have to charge parents those incremental costs in order for them to go to the IB, the International Baccalaureate program, an excellent program, at Colonel By high school. We would love to expand that.

Talking about choice, we have just put on the street a few months ago for public consultation in Ottawa the New Vision document for secondary schools so that Ottawans can tell us what choices they want. We started debating that particular document just last night at our education committee.

We have alternate secondary school programs as well, and these are very, very powerful programs for kids who just can't quite make it in the regular school, for various reasons. These have been extremely successful. These are the schools that are keeping our kids out of the detention homes that they might otherwise end up in. We're very proud of that.

There are a lot of choices we offer. We want to offer more. We need some flexibility.

The Acting Chair: Thank you, Mr Libbey. We appreciate your coming before the committee today.

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RAILWAY ASSOCIATION OF CANADA

The Acting Chair: Our next presenter is the Railway Association of Canada. Would the people please come forward? Please identify your name for the purposes of the Hansard record. You will have 20 minutes, combined, for your presentation and questions if there's time left.

Mr Gérard Gauthier: I'm Gérard Gauthier with the Railway Association of Canada. I'm filling in for Chris Jones, who is responsible for this file, who unfortunately could not make it today. So please accept his apologies, and mine for not being on top of that file as I should be. But Ron Mason, who is manager, property, for Canadian Pacific Railway will certainly be able to answer any specific question you might have.

I believe you have a copy of my declaration, which I will read to you. To this declaration is also attached a list of our members and a document called Developing a Continental Transportation Policy, in which you might find useful information.

There are 23 railways operating in Ontario that are members of our association. They employ 10,000 people directly and make a significant contribution to the growing Ontario economy. Our suppliers also employ thousands of people.

Forty-one per cent of Ontario goods depend on rail to reach their markets. Over 90 million tons of freight moves by rail every year. This is the equivalent to over five million transport truck movements that would otherwise add to highway congestion and pollution.

The rail industry makes a big contribution to Ontario. In 1999 alone, the railway industry paid \$111 million in various taxes in Ontario. This breaks down as follows:

property tax, \$36.3 million; locomotive fuel tax, \$27.4 million; sales and excise tax, \$37.6 million; capital tax and customs duties, \$9.8 million.

The RAC supports Mr Beaubien's report. The proposed changes to OPAC are very positive, in our view. We believe the recommendations will bring a new balance to OPAC's board of directors, which is fairly important. It will also bring a renewed accountability to Ontario taxpayers and a refined relationship with the Ministry of Finance. The Railway Association of Canada agrees further property tax administrative and regulatory changes are needed, but that undertaking must include property tax policies affecting railways.

We understand railways might be included in the reference to linear corridors, but that's the only reference to railways in the bill. The railway association supports Mr Beaubien's proposal to further review and refine Ontario's assessment regulations.

Ontario taxation of railways is uncompetitive, unfortunately for the shippers who depend on rail. The property tax burden is unbalanced relative to a few aspects. The first one is the comparison with railways in other jurisdictions. At the end of this declaration you have a list of the differences. You can see that Nova Scotia exempts corridors from all property taxes, New Brunswick exempts corridors from provincial property taxes, and Quebec grants a 75% tax credit for property taxes paid on corridors. The value of that is \$13 million per year. This is fairly significant. The taxation system in Ontario is higher than in most other provinces and US states.

The taxation is also unbalanced when you look at other types of transportation. The airline industry, the marine carriers and also the trucking industry are paying less taxes than we do. If I might add, I think despite the remarkable success of the privatization of Highway 407, it remains that the current operators are not paying taxes for that corridor. That gives an edge to our competitors, the trucking industry.

If I can draw your attention to the consequences of the failure to alleviate the property tax burden on Ontario railways, we see that there will be an increase in road renewal and construction expenditures. This is to a certain extent a vicious circle. The increase of the road renewal and construction expenditure will increase the demands for roads, which will increase the demand for expenditures.

A study commissioned in 1997 by the Eastern Border Trade Coalition concluded that it would cost \$2.9 billion to extend the Ontario trade corridors.

The environmental impacts of moving more freight by road are unsustainable over the longer term. Just think about the increased pollution that would result from this. Other associated costs of the status quo reliance on road haulage are collisions, policing, gridlock, which you're probably very familiar with if you came here this morning, delays in deliveries—health and quality-of-life concerns for all Ontarians.

The current rates are unsustainably high. Ontario property taxes on railway corridors skyrocketed by 50%,

or \$7.7 million, from 1990 to 1997. In 1998, the finance minister capped property taxes on railway corridors of existing railways at their 1997 level. That cap entrenched an unsustainably high level of taxation. Taxes continue to escalate from \$36.3 million to \$38 million from 1999 to 2000. These elevated rates put the entire industry at risk, mostly the short-line railways. The industry partners are also affected by this.

We call for action. We think that there is a need for immediate attention to increasing railway property tax costs; that a long-term solution be found through the next phase of the review suggested by Mr Beaubien and confirmed by Bill 45; the confirmation of the Ministry of Finance policies and appropriate application by OPAC.

In conclusion to this short presentation, the RAC supports Mr Beaubien's recommendations as adopted within Bill 45. The RAC agrees with the intent to continue consultation on the property tax system. Railway property tax costs need to be addressed. Finally, property tax policies relating to railway yards need to be clarified and applied.

If you have any questions, I'll be pleased to answer, and I'm sure Mr Mason will be able to provide specific answers. Thank you.

The Vice-Chair: Does that end your presentation or do you have any comments to make at this time?

Mr Ron Mason: No, Mr Chair. If there is anything to add, it is just that essentially we support Mr Beaubien's recommendations. However, we're still looking for some clarification on mixing us up with other entities.

The Vice-Chair: Thank you very much. We'll convey your thoughts to him. Normally, he is the Chair of this committee. Due to the passing of a friend he is unable to chair the committee today, but I'm sure he'd appreciate your comments.

We'll start with the government side. We have a generous three minutes for each caucus.

Mr Hardeman: Thank you very much for your presentation. I have had the opportunity to speak to Mr Beaubien a number of times during our travelling around the province on the budget bill. As Mr Chair just mentioned, Marcel is the Chair of this committee and had to go home today for personal reasons, to attend a funeral, and he wasn't able to be here today.

I understand your concern, as does Marcel, as to the need to look at how railway rights-of-way are assessed. That really seems to be the only problem. If we look at a few years ago, the way they were assessed as adjoining lands seemed to work better than having them assessed based on the same value across the length of the railroad.

I think as a government we're very supportive of keeping the rail lines that are there viable and encouraging those that have been abandoned over the years to be put back in use, particularly in rural Ontario, where we have a number of short-line railroads that have become very beneficial to our rural communities. We very much appreciate that.

I know in the discussions I've had with the railroad folks in the last number of months they've expressed

their concerns that some of their viability is at risk with the present structure of assessment on them. I'm quite hopeful that the final report on the assessment review will include some recommendations on how we should revamp the value system on the railroad rights-of-way to accommodate the need.

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I think you had it in your presentation: the question really would be, is there a compromise in your proposal, criteria we could use to make it fair and equitable both to the railroad and the municipalities through which it's going, without going back to the old way which just said the adjoining land use? Obviously, in some of the urban centres that adjoining land use scenario doesn't work very well either.

Mr Mason: Mr Hardeman, there is an interim solution. I guess our message is not a new message. We've been concerned about the taxation of our corridors for a number of years. When we made submissions previously, even to Anne Golden and her Fair Tax Commission, one of the concerns was that we needed some immediate relief to stop the escalation. I guess one of the last major areas to reassess in the province was Metro Toronto, where there was going to be a substantial tax increase of somewhere in the range of \$60 million.

That's the reason principally why the government decided that there was a concern for our industry. What has happened with the freeze is—we've looked at it—it's at least to stop that potential bleeding, which is how I would look at it, and it would have a major impact on the railway industry at large.

Our focus still is on our competitors and how they are treated for property taxes. On an interim basis, we're looking for some sort of stability, particularly to maintain the viability of our short lines. Some of them are OK and some of them aren't. No matter how well they produce, their economics, their property taxes, are having a major impact on those.

To answer your question, I think on an interim basis there could be a freeze put on them, but I think we're still looking at the end of the year to come to a long-term solution. There is a need to get rid of that uncompetitive comparison between our competitors, as well as for the importance of the province at large to keep a viable railway operation, both passenger and freight.

The Vice-Chair: We'll move on to the opposition.

Mr Patten: So tax credits for railway schools: is this what you're talking about today?

Mr Gauthier: That's why we talked about the education of people on railways.

Mr Patten: Well, you employ a lot of people. In relation to this particular issue, you're talking somewhere in the neighbourhood of about \$40 million a year, the property tax—

Mr Mason: On corridors. The property tax component is—

Mr Patten: The overall amount, when you add it all up together.

Mr Mason: It's about \$20 million.

Mr Patten: Oh, it's about \$20 million? Peanuts. If you got it back, would you give it to the parents who work for your organizations so they could send their kids to private school?

Mr Gauthier: No comment.

Mr Patten: No comment on this.

Mr Marchese: It's too political.

Mr Patten: Actually, it does afford me an opportunity to ask you a question. It's tangential. I won't mention which ones, you can probably guess, but some of the struggling railways here find it difficult, in dealing with CN and CP, negotiating some so-called non-profitable or viable tracks.

Are you in negotiations at the moment with several of these companies in terms of passing over some of those things that may not be viable for such a big company like CN or CP? Of course, you may not be able to talk about that.

Mr Gauthier: The association doesn't negotiate on behalf of any of its members.

Mr Patten: I understand that.

Mr Gauthier: Though our members are having constant commercial discussions in order to address what you're talking about, the need may be for infrastructure.

They have commercial discussions and most of the time they reach an agreement. Sometimes it is more difficult, but sometimes it goes well. An example recently is that CPR, one of our members, has transferred the Owen Sound division to the municipality of Orangeville. After months and months of discussions, they finally reached an agreement. But now the situation is that—and you correct me, Ron, if I'm wrong—the city will have to pay taxes to other municipalities that it goes through. If the taxation system is not corrected, the city of Orangeville won't be able to pay the taxes it might have to pay. You might want to correct this.

Mr Mason: That's one of the things that's evolved under the freeze program and creating the regional rates. Unfortunately, in that process, what you really don't know is that at the time they were shifting—basically, our tax load at the railway industry has not changed at large across the province, but there's been shifting between rail lines as well as between municipalities. Some municipalities are getting a lot more tax revenue out of our corridors and other ones are not. That's what part of the problem is.

Mr Patten: Would that have been similar—

The Vice-Chair: Thank you. Mr Marchese.

Mr Marchese: Have you met with the Minister of Finance?

Mr Gauthier: The association and members of the industry met with an assistant to the minister recently.

Mr Marchese: A policy assistant?

Mr Gauthier: I think so. Yes.

Mr Marchese: Maybe. And the Minister of Transportation?

Mr Gauthier: The Minister of Finance, to discuss these issues.

Mr Marchese: What about the Minister of Transportation?

Mr Gauthier: I would not be able to answer. Unfortunately, this is not my file. I'm very sorry for that.

Mr Marchese: Any idea?

Mr Mason: I'm not aware of that.

Mr Marchese: So in the past couple of years you must have tried to meet with the Minister of Finance or other ministers possibly connected to this issue.

Mr Gauthier: Certainly. One initiative that the Railway Association of Canada has organized this year—I'm looking at the names of the MPs and I'm not too sure. But recently we had a day on the Hill, and members of the association, the short lines, met with members of the Legislature to explain issues such as this one.

Mr Marchese: It's useful to meet with the members, because sometimes some members have some influence on some ministers. It's possible. Some of the time. But it's always better, of course, to get the ear of the minister. If you're not speaking to the person directly, you're just not going to know what he's thinking.

When you look at the list of all the provinces—seven—that exempt corridors from all property taxes, exempt corridors from provincial property taxes—Quebec grants a 75% tax credit—and so on down the list, I'm convinced the Minister of Finance of Ontario would be persuaded by your arguments that maybe, on the basis of smart growth, the new word these people use, it might make some sense. So I'm convinced that the Minister of Finance, given some time for him to sit down with you, would be convinced by the arguments, particularly given the new context of smart growth. What do you think?

Mr Gauthier: I hope the minister would be interested. We've met with his assistant. Since there is this standing committee that is looking at the budget, we thought this was a great initiative and we felt it was proper for us to come here and tell all members participating in this standing committee what we thought should be done. We have hopes that what was done by Mr Beaubien will be carried through.

Mr Marchese: We hope so too.

The Vice-Chair: Thank you for your presentation. We appreciate your coming forward and presenting to the committee.

1520

UPPER CANADA DISTRICT SCHOOL BOARD

The Vice-Chair: Our next delegation is from the Upper Canada District School Board: Art Buckland, trustee. Use whichever microphone you would like to sit in front of. There's a total of 20 minutes for your presentation and responses from the three caucuses. The time that's left over we'll divide equally between the three caucuses.

Mr Art Buckland: Thank you very much for the opportunity to appear today. I received the word yesterday afternoon, so I have presented some sketchy notes.

The format is that I would like to deal with some background, and then five arguments indicating opposition to this new proposal, Bill 45.

In terms of personal background, I am a graduate of Carleton, Ottawa U, OCE and Mohawk College. I'm a retired prof from a college. I've been a trustee on the original amalgamation boards, the county boards of 1969, and have over a total of 25 years' experience. I'm the past chair of the Upper Canada District School Board.

I would like to also give a little background to the Upper Canada school board. In 1997, with the amalgamation, it was four boards put together, eight different counties, a variety of cultures and so on. From 64 trustees, we were reduced to 11, including one native representative.

In 1997, I would say we suffered an educational earthquake. Money was taken from the English public system in order to organize language boards and the new religious boards. I see this as another blow to public education. We had Bill 104, we had 168, we had 74, all of these diminishing, some would say eliminating, potential for local governance and increasing control from a central area. And now Bill 45.

We were anxiously awaiting the GLGs, the general legislative grants. They were late. When they came, it was a shock with this announcement: funding, a tax credit, a voucher system, for the private system.

I'd like to look at the research for a moment under the pre-budget sessions. The word from Toronto was that "people have told us that this is what they wanted." My personal research shows two presentations to the pre-budget planning requesting private funding, not one of those—these are oral and written—requesting any kind of tax credit, whereas we had over a dozen presentations requesting improvement to public school funding. So could it be interpreted as anti-democratic? Unless there was perhaps selective listening or secret lobbying that we know nothing of that was reported.

The third argument against it would be to look at the college parallels. An excellent system of technical education for technicians and technologists was established in Ontario, and then private colleges—matchbox colleges, instant colleges—were given the same access to that kind of student funding. We've seen some of the tragic results, pretty tragic for students: I see "public" as having the connotation of service and "private" as having the connotation of profit. So we've seen colleges go bankrupt. We've seen students left without learning, left with loans, without having completed any formal academic credit and qualifications for diplomas. So I would warn you that this is a possibility with the private systems. We're going to see many more of these private systems opened now that there is an incentive to do that.

The next point I will look at is the response to the UN, which claimed discriminatory funding. Apparently the solution was, "Let's give something to everybody," a sort of egalitarian approach. Frankly, I object to losing any students and I objected when there was full funding to the Roman Catholic system. I objected when there was

the separation of the French students from one system of public education.

We have at the moment in Upper Canada a very successful operation with the Akwesasne and native students, the Mohawk students. The funding is there, there is the control through our own system and this is working very well. I think that the students who left our systems to go to other systems were very well served, and there's no evidence that they were not. However, there is a new system of control.

The next thing I would like to look at is the public education capability. This is education for all. In our own family—I've got four children, so four plus two—I think we have six success stories as a result of English public education that allowed social mobility. I'm concerned that's not going to be the case any longer.

We have lists that are two years long of people waiting to be tested and given a proper educational stream. In some cases, as a result of reduced funding, we have to say that we cannot serve these people. When I look at the decrease in service all over, no matter what group it is, whether it is those needing special education, those at the general level, those at the academic level, the OAC types, all of that education has decreased in quality. In addition, in our own board, we do not have sufficient funds to do the building that we need to do. We have old buildings and they need repair. When the amalgamation came, we lost about \$6 million, and we are looking at a \$3.5-million deficit for the coming year. We simply cannot carry on with the amount of funding that we presently have.

I think we have seen the best that education can be, and my worry is that it is in the past unless we restore government respect and lost funding to the English public system. I see Bill 45 as another disastrous blow to English public education. With the lack of research before the announcement, I see this as undemocratic. I am concerned that "private" means individual control, and not public service but private-serving. I think the response to the UN declaration was the wrong response.

In conclusion, I would say that English public education can serve all students. It has been serving all students and serving them very well. I would ask that that be the first consideration—not taking money from the English public to give to a private system. Thank you.

The Vice-Chair: We start with the government side, having two and a half minutes per caucus.

Mr McGuinty: I appreciate that labelling, Mr Chair.

Mr Hardeman: The government side would be this side, Mr Chair.

The Vice-Chair: I'm sorry, we started with the government last time. It's the official opposition. My apologies.

Mr McGuinty: He's thinking in the future, is he?

The Vice-Chair: No, I was looking at my notes.

Mr McGuinty: Thank you, Mr Chair. I want to recognize your prescience right upfront. I appreciate that.

Thank you, Mr Buckland, for your presentation. We've had the opportunity to hear from many presenters who touched on a number of damaging aspects of this

particular policy. You put your finger on something which I think is absolutely essential in terms of understanding how this came about. You made reference to the word "respect." It would seem to me that a government that respected public education, that was committed to public education, that understood the wonderful potential it held for all Ontarians would not do what it has been doing during the course of the past six years and would not do what it's doing through this very policy.

You also made reference to something about lists being two years long. What kind of lists are we talking about?

Mr Buckland: Particularly for special education kids. We do not have the resources to be able to test the children, analyze and suggest a program. So you're on a list, and it might be this year, it might be next year. At the moment, we cannot test any more children to be set in the special education area for next year.

Mr McGuinty: If I understand this correctly, until the test has been completed and the results are in, we can't make a determination as to how best to meet that child's learning needs, is that correct?

1530

Mr Buckland: That's the theory. We would take the student and undergo some programming as a result of the indications we had, but we could not say this is the program which this individual needs without the specialist help of psychologists, speech pathologists and these people.

Mr McGuinty: Right. In the worst-case scenario—I'm trying to put this in as gentle a way as possible, but I made a good living off those kids as a criminal lawyer. Kids whose needs went unmet, particularly in the early years, too often end up inside the criminal justice system. We pay big dollars for people like me to defend them, the police to arrest them, the judge to try them, the prosecutor to prosecute them, the jailer to jail them, the social worker and so on and so on. That's a lot of money, but tragically it represents more than anything else a loss of human potential. It seem to me if we're going to assert ourselves on the international plane now, in a highly competitive world, we no longer enjoy the luxury of being able to allow kids to wait for two years before their learning needs can be properly met.

Mr Buckland: There are three things that come to mind on that. Just in passing, your father made some money off me. He was a professor of mine, albeit an excellent one.

One is that we are really undergoing a change from, I would say, the Hall-Dennis era. That emphasis was, "Let's develop the potential of the individual and then work at establishing a useful benefit to society." Now I think we've turned it over. Order is the thing and you must respond to the needs of society without the emphasis on development of individual potential.

As a trustee, my job is to promote program, to enhance it, to develop it, to introduce it. We would love to have kindergarten full-time. We've had to cut our kindergarten programs. We all know the emphasis on early education.

As you're pointing out, if we can spot the problem, diagnose it and work on it early, it's much more effective.

Mr Marchese: Many people are saying that the cuts to the educational system have seriously undermined the system to the point where it's almost irreparable. The Premier and Madame Ecker said about a year or so ago—more or less a year ago—that they could not support the extension of public dollars for private schools. Ecker said it would take \$300 million and the Premier said it would take \$500 million out of the public system.

That's what a tax credit does. Money comes out of the system somehow. It's taken out of the system or through general revenues, or both, because if kids leave the public system, money is not given to the educational system. To give to this other sector, in part, it has to come out of general revenues. But money is taken out of the system one way or the other, and I believe both the Premier and the minister were correct then. Do you think the system can cope with any more cuts, let alone the multitude of changes they've introduced in the last six years? Do you think the system can cope well with these cuts and these tremendous changes to the system?

Mr Buckland: That's a difficult question. In 1997, when this huge reorganization of our board was established, I said that I would continue, run for election and attempt to defend the programs which our little board, Stormont-Dundas-Glengarry, had. I've seen the programs being ripped apart and eliminated and curtailed. So it has at least been, on the positive side, I suppose, an existential struggle and, at the worst, heartbreaking to see these things happening. Now we're told that you could have another increase in student enrolment if you were to work with extracurricular in some way.

I don't think the system has been destroyed or received irreparable harm. We are coping. We're still turning out quality graduates. Some of you will be at the high school ceremonies this week. But it is much more difficult. Morale is not too high in the high school teaching area that I know of. So I am very disappointed that this is continuing.

Mr Marchese: Many students, of course, are not coping well with the new curriculum. Teachers were given very little support. Students who are not coping well with the new curriculum have less support. We are likely to see many more students dropping out of the educational system because of what they have done. Do you see that? I certainly see it, and parents in Toronto tell me that is what is happening. Do you see that?

Mr Buckland: I see students as the most flexible part of the system. I find teachers are having a harder time with the new system. I know that parents are doing more. It was, as I said, an earthquake. It was too much all at once. I think, moved in a little more slowly, it would have been more beneficial, but it is extremely difficult. This is something we do not need and I would please ask you not to include Bill 45 in the way you have it.

The Vice-Chair: We'll move on to Mr Hardeman.

Mr Hardeman: Thank you, Mr Buckland, for your presentation. Most of all, I thank you for your confidence

in the system that you are responsible for, for saying that you are turning out quality education in your system. My daughter is in that system and I appreciate people who can stand up and say that they are there because they want to be there and that they are getting, in my opinion, quality education.

This is no reflection on your presentation, sir, but we've heard a number of presenters, up to and including the chair of the Ottawa-Carleton board, talking about the total funding for education as it relates to what was being spent on education in Ontario in 1995 and what is being spent on education today in the province. There seem to be varying numbers floating around. We had a report from legislative research that said there was an increase in funding from 1995 to 2000, and yet we now hear people coming forward and suggesting \$2.3 billion a year less. I wonder, and I asked one presenter this morning where those numbers would have come from. I know it's going to be difficult for you to answer that question. I'd like, on a point of order, Mr Chair, to ask legislative research where the numbers came from that were presented to us, based on total education spending in Ontario.

The Vice-Chair: OK. I think you can follow up on that request.

Mr Larry Johnston: Yes. Do you wish this information in writing for tomorrow? I could make an oral explanation today. I know you're going into clause-by-clause tomorrow.

Mr Hardeman: If you could just make a quick oral presentation, I would very much appreciate a written report on that tomorrow for our clause-by-clause deliberations.

Mr Johnston: I'm reluctant to take up the presenter's and your caucus's time. Perhaps I could do this at the end of the day?

Mr Hardeman: Yes, that would be fine with me.

The Vice-Chair: Any other questions for the presenter?

Mr O'Toole: Yes, if I may. Thank you for your 25 years of service as a trustee. I was a trustee for a couple of terms as well and it's an important role. I see that in the independent schools as well, the trustees, the board of directors and the volunteers.

You would know that the education governance model that you spoke of when this earthquake occurred was started by—it's too bad Mr Marchese is not here—what was called the Sweeney commission. In fact, a royal commission was started by them.

There was a statement about those two things. There were some serious things going on in education. It was an explosion. I think the explosion occurred before, about 1994-95. In fact, the reaction to it was putting things back in some sort of order. Parents and students were getting some sense that there were standards, some sense that there was some accountability.

1540

There are those—and you would know this—who don't want this system specifically to work that well.

Some of them may have been demonstrating earlier. They are convinced that six out of eight is the bottom line. They won't provide extracurricular unless we go to six out of eight. You could put another \$500 million in and they're still not—you have to want the system to work.

I would just put on the record, thank you for your service. There are a lot of changes—

The Vice-Chair: Thank you, Mr O'Toole, and thank you, Mr Buckland, for your presentation today. We appreciate you coming forward.

CERTIFIED GENERAL ACCOUNTANTS TAX RESEARCH CENTRE

The Vice-Chair: Our next presentation is from the Certified General Accountants Tax Research Centre, Vern Krishna, executive director. There is a total of 20 minutes for your presentation and responses. Whatever you don't use up in the 20 minutes in your presentation we'll divide between the three caucuses for questions and comments.

Mr Vern Krishna: That's more than adequate time. My name is Vern Krishna. I'm appearing on behalf of the Certified General Accountants Tax Research Centre. I'm a professor of income tax law at the University of Ottawa and a professional accountant. I am not going to talk about education. I take it you'll still want to hear me.

The Vice-Chair: Absolutely.

Mr Krishna: Thank you. I want to talk generally about the budget and the income tax measures, and I'll touch upon only three or four.

A budget is a compromise between competing values and interests and it is a difficult document to contemplate or draft at any time, be it at the municipal, provincial or federal level. The essential role of a budget is to ensure balance, being responsive to maintaining a healthy economy for the benefit of all so that we can provide the social benefits to those sectors of society that most need it. This requires a balancing between debt reduction, tax reduction and social spending. We at the tax research centre are extremely encouraged by the budget that the provincial government tabled recently and we are encouraged that the government has been responsive to professional input and consulted extensively in many matters.

I want to touch today briefly upon four items: personal taxes, corporate taxes, professional corporations and certain tax collection procedures. The personal tax reduction system now is well known and we have seen rates decline. That is encouraging and it is competitive. There are, however, a few matters that require a little bit more attention and fine-tuning over the longer term.

We believe that the threshold level for the first level surtax is still too low and should be raised. Secondly, we believe that by raising it to \$100,000 you would be affecting approximately 4% of Ontario's taxpayers and the revenue loss would not be as significant as might be expected. More importantly, even if that threshold is not

raised, in the interests of fairness, the threshold level itself should be indexed, because without indexation, inflation in effect becomes an indirect and surrogate measure for tax increases.

On the corporate tax side, we are equally encouraged by the budget. Corporate capital is more mobile than personal capital. Although the budget papers and documents contain various tax rate comparisons, we suggest that tax rate comparisons are not always as meaningful in substance as they are sometimes made out to be in the media. What we are really concerned about is the tax burden on corporations and not simply tax rates. The tax burden is a function of rate and the taxable base, so to merely say that one country or one province has a rate of, let us say, 30%, and another country or province has a rate of 35%, per se, says very little, because it depends on the taxable base to which that rate is applied. At the end of the day, both corporations and individuals are concerned only with one question, "What is the amount of tax that comes out of your pocket?" and not the rate that is applied. Stated another way, "How much money do you have left in your pocket at the end of the day, regardless of whether the rate is high or low?" Generally speaking, we applaud the direction of the provincial budget and the reduction in corporate tax rates contemplated, now and on to the year 2005. These will make the province more competitive, and that is imperative.

I want to touch briefly on another very important initiative that the government has introduced, which is in the final stages of being passed into law; that is, the amendments to the Business Corporations Act that will allow professionals to incorporate. This is a laudable piece of legislation and long overdue. It is fair tax policy. It levels the playing field. It removes discrimination that has existed in our laws for a long time, where certain members of the professions have not been able to incorporate and others have been able to incorporate. If anything, we would've gone one step further and removed any restrictions in that legislation on the participation of family members in such corporations. Architects can do it. Engineers can do it. There's no reason why doctors, dentists, lawyers and accountants should not be able to do the same.

Finally, I would like to touch briefly on one matter of administration in the provincial tax rules that needs attention and that has a very unfortunate effect on those who can least afford to pay, and that is the rule that when a taxpayer in Ontario is assessed, he or she must pay the burden of tax and pay the tax due while that assessment is under challenge and before it has been judicially adjudicated. That is not so under the federal system. By its very nature, prepayment of the tax before the tax has been judicially settled places a very heavy burden on those who can least afford that burden and who have the least amount of cash and resources to come up with those funds.

We urge you to consider, at some appropriate time, bringing the provincial rules into line with the federal rules and allowing the taxpayer to defer payment of tax

until such time as the matter has been judicially determined. The province would not lose anything from this procedure because, under these deferral procedures, the province continues to collect its interest on the outstanding amount, and the full amount is payable if the taxpayer loses. So there's no loss of revenue to the province in the long run—it gets the money and the interest if it wins—and it's fairer to the taxpayers, particularly those who are most vulnerable.

In conclusion, the budget, which had to deal with difficult issues of allocation of resources between reductions, expenditures and tax rates, has reached a fair and suitable compromise. There is no perfect budget. This budget, though, pulls in the right direction and should help the economy of the province and, through that, the people of this province. We thank you for the opportunity of appearing before you and are grateful for this.

The Vice-Chair: We appreciate your coming and making your presentation. We have approximately three minutes left per caucus. I'm going to be very careful this time not to get insulting or complimenting somebody I shouldn't. The NDP party caucus, Mr Marchese.

Mr Marchese: You're always complimenting the NDP, Doug.

The Vice-Chair: I'm just being very careful here. I got in trouble last time.

1550

Mr Marchese: Mr Krishna, I only have one question. You want Ontario to be competitive?

Mr Krishna: Yes.

Mr Marchese: Would you say the US is very competitive?

Mr Krishna: Yes.

Mr Marchese: I think you'll agree that the Americans—I'm not sure you'll agree, but 40 million American people have no health insurance whatsoever and 40 million other American people have inadequate medical insurance. How competitive do you want us to be in that context?

Mr Krishna: That's a very difficult question to answer in the time limit we have here. But raising the health care bogeyman is not the solution to all these problems. It is an important social program and one that needs to be properly supported. Of course, it must be supported through the tax system. But to make simple comparisons between two very divergent and different countries with very different structures solely on the one criterion of health is very difficult to respond to in the time that is available.

Mr Marchese: Let me give you another. Poverty is another criterion. I'm not sure you would label that as another simple comparison or bogeyman kind of issue. The Americans have the biggest poverty rate in the industrialized world, the most competitive country but the highest poverty levels. How competitive do you want us to be?

Mr Krishna: The poverty levels in the United States are a function of the distribution of wealth between the various sectors of society. When I was talking about

creating a competitive environment and economy, it is the most vulnerable sectors of society that are usually hurt when an economy is not competitive and does not generate growth and jobs. It is generally those who are at the bottom rungs of the socio-economic ladder who suffer the most when an economy does not create the necessary growth.

Mr Marchese: How is it that in this economy of ours in Ontario, where we're presumably doing so very well—many argue it is because of the US; Tories argue it is because of their tax cuts—that this competitive environment isn't producing the kind of distributive wealth for the majority of people? Fifty percent of the people in our labour market earn less than 30,000 bucks. There seems to be a gap in this wonderful competitive world of ours, a growing gap between those who've got and those who do not. So you understand my worry.

Mr Krishna: I understand your concerns, Mr Marchese.

The Vice-Chair: Mr O'Toole.

Mr O'Toole: Thank you for, I'd say, a very balanced approach to what the government is trying to do. Of course, the fundamental thing for me as an average citizen and assistant to the Minister of Finance is basically—the equation starts with, you have to have a strong economy before you can have the quality-of-life issues addressed properly. Then you have to have equity of distribution. We all share in the social infrastructure in some way by having a strong economy. That's how it starts. The more people can share in that wealth and the economy, the better.

I just want to reinforce a few of the remarks you made for the record. It is very important that we have balanced the budget for the third straight time, an absolute record. It's never been done in Ontario in over 100 years. That discipline we've taken on not to go out of a balance again is good for all of us. As Mr Marchese knows, you can't spend your way out of problems. They doubled the debt in their term. He doesn't want to hear about it; I know that.

You addressed debt reduction as well: the largest debt repayment plan, \$3 billion. You're right, it's that balance of taking that surplus and paying down the debt. Eventually the more debt you have—you know; you're an economist and a law professor. We are spending about \$9 billion a year to pay the interest on that debt. That's \$9 billion that's not going to address social demands. Then the whole thing is, what we're actually trying to do in the tax reduction aspect is that those people, the lower-income people, as Mr Marchese said—we've got 73,000 more people who don't pay income tax at all. By looking at those surtaxes and thresholds, hard-working, low-income people won't be paying tax at all. In fact, it costs more for the federal government to collect that tax from those people making \$25,000 than they get.

Those theories, those quite remarkably new ways of looking at how government works—I think, at the end of the day, we are trying to redistribute wealth to the greater good for the greater number. But you're right: it all

comes back to the term you used—Mr Marchese keyed in on it—“competitiveness,” but not in the abrasive sense Mr Marchese suggested. We want investment. We want the jobs. We want the economy, as I’ve just described, for the strong quality of life. And if we have higher capital tax than New York or Quebec, then people will just move their capital. As you said, it’s very transportable.

I appreciate your advice, academically and in a practical sense as well. It certainly appears that this government is listening to people like you who are professors and who are accountants and capable—obviously not in any political sense—as a teacher. If you’d like to respond in just a general sense. I appreciate your presentation. We’ve heard a lot about education.

The Vice-Chair: You really haven’t left any time, John. You’ve been three and a half minutes. Mr Lalonde.

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell): Thank you, Professor, for taking the time to come over. Your expertise in taxation, in the main, is definitely interesting to hear.

Part of my question was addressed by Mr Marchese, but I’d just like to ask about some of the points I have here. The corporate tax is going to be approximately 25% lower than our neighbours to the south, the Americans. Don’t you think, looking at the results we see in the papers all the time, the profits those companies are making, that we’ve gone a little too far by having these corporate taxes reduced, which are going to be around 25% lower than the Americans? Today we are still saying that Ontario is the number one province in Canada, and Canada is the place to live in the world. But I really feel we could invest a little bit more in education and also in health, especially today when we are talking mostly about education on this bill.

What is your feeling about the corporate tax 25% lower in Canada than the Americans? I know we are probably attracting more industry, but the thing that concerns me at the present time is the way the Americans are doing it. They invested over \$30 billion to establish the three major car manufacturers in Mexico, and at the present time we are lowering our corporate tax by approximately 25%.

Mr Krishna: If I may, very briefly, the point I was trying to make is that rate comparisons of this 25% differential, etc, can sometimes be misleading and dangerous, because the Americans generally have far more generous write-offs and deductions in the calculation of their taxable base than we provide and, therefore, the spread of the ultimate tax burden they pay and we pay is not as wide as you might infer from the rate differential.

Mr Lalonde: OK, my second question—

The Vice-Chair: You have to be very quick. You have about 30 seconds.

Mr Lalonde: Ever since this government has been in place, I’ve been getting complaints that Ontarians became losers by having a fixed percentage of their income instead of a percentage of the federal personal income tax as in the past. The feds have reduced our income tax, and

we used to be a percentage of the fed income tax. Today, Ontarians have a fixed percentage of their income and Ontarians became losers because of that.

The Vice-Chair: Quick response?

Mr Krishna: I think you have gained greater provincial independence by removing yourself from being shackled to a different government which may or may not coincide with your own policies at any particular time.

The Vice-Chair: Thank you very much for your presentation. We appreciate your coming forward.

1600

ASSOCIATION DES ENSEIGNANTES ET DES ENSEIGNANTS FRANCO-ONTARIENS

The Vice-Chair: I now call on Lise Boudreau, if she would come forward for her presentation. As you start, please state your name and your organization. You have 20 minutes in total. After your presentation we’ll divide up the remaining time among the three caucuses. You’re at liberty to go ahead.

M^{me} Lise Routhier-Boudreau : Merci. Ma présentation sera en français. Je suis Lise Routhier-Boudreau, la présidente de l’Association des enseignantes et des enseignants franco-ontariens. Je suis aussi accompagnée aujourd’hui de M. Bernard Éthier, notre directeur général adjoint. Je veux d’abord vous remercier de nous recevoir aujourd’hui.

Notre association représente plus de 7 500 enseignantes et enseignants qui oeuvrent dans les écoles de langue française de la province de l’Ontario, tant au niveau élémentaire que secondaire dans les systèmes catholique et public.

Nous avons été avisés seulement hier qu’on nous recevait ici aujourd’hui, alors vous allez comprendre que nous n’avons pas de document écrit ici en ce moment à vous remettre.

Nous déplorons aussi le fait que le gouvernement choisisse de mettre en place ce processus de façon aussi hâtive puisque c’est une question, à notre avis, qui est fondamentale et des plus importantes.

Comme association nous avons toujours ardemment défendu un système d’éducation public de qualité qui est accessible à toutes et à tous. Depuis l’arrivée de ce gouvernement, le système d’éducation a dû subir des compressions budgétaires importantes qui ont été lourdes de conséquences. Dans un tel contexte, nous nous opposons donc fortement à l’utilisation de fonds publics pour offrir des crédits d’impôt à celles et à ceux qui choisissent de fréquenter des institutions scolaires privées.

Cette nouvelle politique que le gouvernement propose représente un changement d’orientation majeur quant aux politiques en matière d’éducation. À notre avis, le gouvernement n’a pas le mandat pour mettre en place une telle politique. Il faut se souvenir aussi que même le premier ministre Harris, en réaction à la demande des

Nations Unies, a déclaré que le financement des écoles privées pourrait fragmenter notre système d'éducation et en minerait même les objectifs.

Nous croyons que le gouvernement devrait plutôt réaffirmer son appui au système public d'éducation, puisqu'un système public d'éducation qui est fort est le signe d'une société qui prospère qui travaille à l'amélioration des conditions de vie des citoyennes et des citoyens et de leurs enfants.

La mise en place des crédits d'impôt soustraira immédiatement 300 \$ millions de notre système d'éducation qui est déjà grandement sous-financé.

Les effets à moyen et à long termes de ces changements ne sont pas encore tous connus. Le gouvernement a quand même choisi d'implanter ce changement sans qu'aucune recherche sur le sujet n'ait été faite. Même le ministre des Finances de l'Ontario a admis que ni son ministère, ni le gouvernement n'avait entrepris de recherche sur les effets de cette mesure sur le système d'éducation financé par les deniers publics.

Encore une fois, le gouvernement veut implanter une mesure lourde de conséquences sans en avoir étudié les impacts.

Nous savons cependant que chaque étudiante et chaque étudiant qui quitte le système public représente une perte de revenu de 7 000 \$ pour les conseils scolaires et une économie nette pour le gouvernement. Par contre les conseils, eux, ne peuvent pas réduire leurs coûts d'exploitations malgré ces pertes qui, selon certaines prévisions, pourraient s'élever à près de 2 \$ milliards sur cinq ans.

La somme de 300 \$ millions que représentent les crédits d'impôt pour la première année équivaut à plus de 40 % de l'ensemble des subventions remises aux 12 conseils scolaires de langue française. C'est aussi 10 fois plus que l'augmentation totale remise à ces mêmes 12 conseils scolaires de langue française pour l'année scolaire 2001-2002, une somme qui se chiffre à environ 27 \$ millions.

Cette somme permettrait d'embaucher près de 5 900 enseignantes et enseignants de plus en province, ce qui réduirait la taille des classes au palier élémentaire de 24,5 à 22 élèves.

Ces crédits d'impôt vont à notre avis favoriser les plus riches et les mieux nantis de notre société.

De plus, les écoles privées ne sont pas assujetties aux lois et aux règlements de la province. Elles n'ont pas à respecter la Loi sur l'éducation; elles n'ont pas besoin d'avoir des enseignantes et des enseignants qualifiés qui doivent suivre un curriculum autorisé; elles n'ont pas l'obligation de subir l'ensemble des tests provinciaux et n'ont pas l'obligation de se conformer aux exigences administratives du gouvernement. De plus, elles peuvent choisir leurs élèves et éliminer l'obligation d'offrir des services aux élèves qui ont des besoins particuliers.

L'AEFO croit fermement à un système d'éducation public de qualité qui est accessible à toutes et à tous. Si le gouvernement croit qu'il y a un besoin de remettre en question ce système, il doit avoir le courage de

déclencher des élections. Il doit susciter un réel débat sur la question. C'est aux électeurs et aux électrices de se prononcer sur une question aussi fondamentale.

Ce sujet mérite l'équivalent d'un débat constitutionnel au niveau provincial. C'est la seule façon démocratique d'en traiter.

Je suis confiante, par contre, mesdames et messieurs les membres de ce comité, que malgré le peu de temps qui vous est accordé pour l'étude de ce dossier, vous saurez reconnaître l'importance des enjeux pour notre système d'éducation public en Ontario et que vous saurez recommander l'abolition des crédits d'impôt prévus au projet de loi 45.

Il nous fera plaisir de répondre à vos questions si vous en avez.

The Vice-Chair: Thank you very much. We have about three minutes, maybe a little more, for each of the caucuses, starting with the government side. We haven't heard from Mr Guzzo, but maybe he doesn't—

Mr O'Toole: I'd just want to—you'd recognize that this government actually funded the French-language portion of the school boards. I think that's a statement of our support for the French-language component of education. I guess there are those who say there wasn't much research for that, but it was discussed for many years, even when I was a school trustee.

I'm going to ask you one question, and perhaps my peers. Do you think the French-language system discriminates when it doesn't allow an English family to attend a French school? Don't you think that would be a more appropriate way to educate or immerse children, young people, in the French language?

M^{me} Routhier-Boudreau : D'abord, j'aimerais faire un commentaire sur le premier commentaire. Oui, effectivement, nous avons reconnu très ouvertement l'appréciation qu'on avait pour la mise en place de nos conseils scolaires francophones, même si nous étions la dernière province à l'obtenir et il était grand temps. Malheureusement, il est très difficile de gérer de façon adéquate des coquilles vides. Alors, il faut s'assurer d'avoir les ressources nécessaires pour bien atteindre nos objectifs.

Face à l'accueil d'enfants, d'élèves qui ne parlent pas le français, avec des programmes qui sont adéquats, il est toujours possible à ce moment-là d'offrir à ces élèves-là des services. Malheureusement, il faut s'assurer avant d'accueillir des élèves qui ne parlent pas le français d'être en mesure de leur donner des services dont ils ont besoin pour acheminer. Ça présentement, avec les fonds qui nous sont accordés, n'est pas encore possible de réaliser.

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M. Bernard Éthier : Il faut aussi réaliser que le système des écoles de langue française a été créé exactement pour rencontrer les besoins de la population de langue française. Pour des personnes qui ne sont pas des ayant droit selon la Charte des droits et libertés, il existe des services en français soit langue seconde dans des écoles de langue anglaise ou des services d'immersion. Les écoles de langue française ont une mission particulière qui est de voir à l'éducation des élèves de

langue française et des ayant droit. Par ce système-là, il y a de l'admission de certains élèves dont un ou deux par an sont de langue anglaise. Il y a des critères d'admission, mais parce qu'il y a des critères d'admission dans un système, on ne doit pas dire et on ne peut pas dire qu'il s'agit de discrimination.

Mr O'Toole: Is that discriminatory?

Mr Guzzo: Yes, but you've got permissible discrimination, just like the charter allows. But it is.

The Vice-Chair: Ok, we're essentially out of time. We'll move on to the official opposition.

M. McGuinty: Merci bien pour votre présentation. Pourriez-vous faire des commentaires sur l'effet que ce projet de loi aura sur le morale de nos enseignants et enseignantes? Il me semble que M. Harris invite maintenant les parents à abandonner le système public et à inscrire leurs enfants dans des écoles privées. Je connais bien, en tant que parent et en tant que mari d'une enseignante, l'effet des politiques de M. Harris et je me demande maintenant quel effet cette politique va avoir sur nos enseignants et enseignantes. Mais avant de vous laisser répondre, je veux dire aussi que pour moi la chose la plus importante dans l'école n'est pas l'ordinateur ou les crayons ou les pupitres; pour moi c'est d'avoir devant la classe une enseignante ou un enseignant qui se sent valorisé et qui est enthousiaste envers ses étudiantes et étudiants. Alors, quel effet cette politique-là va-t-elle avoir sur leur morale?

M^{me} Routhier-Boudreau: Il est évident que les changements qui ont été imposés dans notre système d'éducation dans un rythme tout à fait accéléré ont fait en sorte que nous nous retrouvons aujourd'hui avec un personnel enseignant qui est tout à fait à bout de souffle et démoralisé. Ce sont des critiques répétées que nous avons ciblées à la profession enseignante. On fait face présentement à deux facultés d'éducation de langue française qui ne peuvent pas combler les places élèves qu'ils ont car nos jeunes ne veulent pas se diriger vers une profession qui est aussi peu valorisée.

Nous avons aussi des données qui démontrent que l'utilisation des congés de maladie prolongés est sans précédent chez nos enseignantes et nos enseignants. Alors on voit que les conséquences ont été désastreuses, et c'est évident qu'un personnel qui est démotivé ne présente pas des conditions favorables d'apprentissage pour nos élèves. Savoir qu'on encourage les gens, parce que des crédits d'impôt ont l'effet aussi d'encourager les gens à fréquenter des institutions scolaires privées, c'est clairement à notre avis un manque de confiance que le gouvernement témoigne envers la profession et envers le système d'éducation.

The Vice-Chair: Mr Marchese.

M. Marchese: Merci, M^{me} Boudreau et M. Éthier. Vous avez dit qu'au lieu d'imposer un crédit d'impôt, ils feraient mieux de réaffirmer leur appui pour le système public. Ils nous disent chaque jour qu'ils sont défenseurs du système public, toujours et chaque jour. M^{me} Ecker nous dit qu'elle fait des investissements énormes pour le système public. Votre expérience est un peu ça, je pense. Non?

M^{me} Routhier-Boudreau: Effectivement, la vie quotidienne de nos enseignantes et de nos enseignants auprès de nos élèves est très différente de ce qu'on voit annoncé un peu partout dans les médias et dans les journaux. Le gouvernement continue semaine après semaine de créer toutes sortes de processus qui sont énormément coûteux et qui à notre avis ne répondent aucunement aux besoins prioritaires qui sont dans nos écoles présentement. Les ressources: nous avons des exemples concrets de manques de ressources importants. Nos élèves n'ont même pas les outils de base quand on parle de manuels scolaires.

M. Marchese: Ce n'est pas possible.

M^{me} Routhier-Boudreau: Alors, il est évident que les ressources sont manquantes. Nous n'avons plus de direction d'école, par exemple, pour chacune de nos écoles; on doit partager toutes les ressources; les classes sont nombreuses; de plus en plus de classes à cours multiples, des tendances qui vont en accélérant plutôt qu'en diminuant.

M. Marchese: Merci et bonne chance—à nous tous.

The Vice-Chair: Thank you very much for your presentation. We appreciate your coming forward to present to the committee.

There was a question asked earlier of research by Mr Hardeman. Maybe we can have that presented at this time—I think it's reasonably short—and we'll go from there.

Mr Johnston: I'll try to be short, Mr Chair.

The number has been put to the committee several times that the actual spending of the government on education for 2001-02 is \$2.3 billion less, in 1995 dollars. The source of that figure seems to be a document that was released by the Canadian Centre for Policy Alternatives last Thursday, a paper prepared for the Ontario alternative budget by Hugh Mackenzie.

I supplied numbers to the committee last Thursday as well for the same period that showed an overall increase of spending during the same period of almost \$1 billion. This is despite the fact that Mr Mackenzie and I both are relying on the same sources. There are two differences here which need to be taken into account: my numbers of nominal; they are not adjusted for inflation. The CCPA numbers have reportedly been adjusted for inflation.

Secondly, and I think most importantly, Mr Mackenzie's calculations add up school board operating expenses and school board capital expenses to arrive at a 1995 figure of \$13.477 billion. However, the mistake here is to equate school board expenditures with school board funding. School boards have non-ministry sources of funding: education and development charges, tuition fees, transfers from the reserves etc. There is in the figures that Mr Mackenzie used a \$591 million net other revenue amount that should have been deducted from that \$13.477 billion. If you deduct that \$591 million, you arrive at \$12.886 billion, which is essentially what the government has claimed it spent in 1995: \$12.9 billion.

Because Mr Mackenzie is compounding the expenses with inflation, what your starting point is in 1995 makes a significant difference, and this \$591 million makes a

big difference. I don't know which inflation numbers Mr Mackenzie is using. His calculation of the amount that should be spent this year in 1995 dollars was 16.47%, the compounded figure. If you apply the 16.47% to the \$12.9 billion the Ontario government indicates it spent, that means the shortfall, adjusting for inflation, is more in the area of \$1.1 billion than the \$2.3 billion that is reported. But again, that's assuming I know Mr Mackenzie's inflation numbers on the basis of that calculation. The important thing is to realize that school board spending from non-ministry sources needs to be factored out of these figures.

The Vice-Chair: This will be in writing tomorrow for all the committee members?

Mr Johnston: Yes.

The Vice-Chair: If you need further clarification, this gives you a little bit of insight as to where those two figures came from.

The committee now stands adjourned until 10 am tomorrow in room 151 at Queen's Park.

There are two taxis waiting for Mr Hardeman, Mr O'Toole, Mr Marchese and myself. There's probably room if anyone else wants to go to the airport at this time.

The committee adjourned at 1622.

ERRATUM

No.	Page	Column	Line(s)	Should read:
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Ms Susan Sourial

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Mr Larry Johnston, research officer,
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